

**FENCE RESOLUTION**

Authority:       ORS 94.630                               Powers of the Association  
                  Bylaws Section 4.8                       Directors: Management, Powers  
                  CC&R Section 6.20                    Association Rules and Regulations  
                  CC&R Section 8.4                     General Powers and Obligations  
                  CC&R Section 8.5                    Specific Powers and Duties  
                  Planning Commission Order 2003-57 dated 5/22/2003 - Fence Requirements  
                  City Council Order 2003-85 dated 7/11/2003 - Fence Requirements  
                  Deeds for lots 15-22, Phase 1 - Fence Requirements

The Board adopts this resolution to clarify the ownership, maintenance, repair, and replacement of fences within Stoneybrook Village Owners Association (SVOA).

This policy only applies to the fences delineated below. All other fences (including backyard or sideyard fences) not specifically identified in this policy are not covered under this policy.

The wood fences and rock retaining walls on the south side of the SVOA property (affecting lots 14-20 & 67-77 in Phase III) are the responsibility of the respective owner for maintenance, repair, and replacement.

No fences are permitted along the pond (lots 15-22, Phase I).

The brick retaining walls beneath the white vinyl fences along the east side of properties backing onto 45th Street (affecting lots 48-49, 52-58, 64-67 in Phase III) have joint ownership between SVOA and each respective owner, and there is joint responsibility for maintenance, repair, and replacement. The cost of all maintenance, repair, and replacement shall be split equally between the respective owners and SVOA, based on linear feet adjacent to each party and shall be performed by a contractor chosen by SVOA.

The white vinyl fences along 45th and 49th (affecting lots 48-49, 52-58, 64-67 in Phase III, and lots 1-14 in Phase III and lots 1-9 in Phase I) have joint ownership between SVOA and each respective owner, and there is joint responsibility for maintenance, repair, and replacement as described in the paragraph below.

SVOA will be responsible to wash and prune plant material off the common area side of the fence on a periodic basis and will be responsible for damage to the fence resulting from their plant material or actions. Each respective owner will be responsible to wash and prune plant material off the owner side of the fence on a periodic basis and will be responsible for damage to the fence resulting from their plant material or actions. All other maintenance, repair, or replacement shall be split equally between the respective owners and SVOA based on the linear feet of the fence adjacent to each party and shall be performed by a contractor chosen by SVOA.

The black chain link fences along common area tracts B, C, E, and L in Phase III (affecting lots 12-13, 18-19, 31, 41, 42, and 82 in Phase III) have joint ownership between SVOA and each respective owner, and there is a joint responsibility for maintenance, repair, and replacement as described in the paragraph below.

SVOA will prune excess plant material off the fence originating on the common side of the fence on a periodic basis and will be responsible for damage to the fence resulting from their plant material or actions. The owner will prune excess plant material off the fence originating from the owner side of the fence on a periodic basis and will be responsible for damage to the fence resulting from their plant material or actions. All other maintenance, repair, or replacement shall be split equally between the respective owners and SVOA based on the linear feet of the fence adjacent to each party and shall be performed by a contractor chosen by SVOA.

Adopted 8/14/13 by T. Olsen, S. Coxon, C. Bond, and L. Martin