

**Rovey Farm Estates
Homeowners Association,**
an Arizona non-profit corporation
c/o Vision Community Management
16625 S Desert Foothills Pkwy
Phoenix, AZ 85048
480-759-4945

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CAPTION HEADING:

Wall Maintenance Resolution

DO NOT REMOVE

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ROVEY FARM ESTATES HOMEOWNERS ASSOCIATION
RESOLUTION OF THE BOARD
WALL MAINTENANCE AND REPAIR

Adopted this 5 day of May, 2022

The following Resolution of the Board of Directors regarding wall maintenance and repair has been adopted by the Rovey Farm Estates Homeowners Association ("Association"):

RECITALS

WHEREAS, The Association is governed by the Declaration of Covenants, Conditions and Restrictions for Rovey Farm Estates ("Declaration") recorded on October 28, 2002, recorded at Instrument No. 2002-1120296, Official Records of Maricopa County Recorder, and any amendments thereto;

WHEREAS, pursuant to Article 8, Section 8.6, any wall which is placed on the boundary line between a Lot and public right-of-way shall be maintained, repaired and replaced by the Owner of the Lot, except the Association shall be responsible for the repair and replacement of the surface of the wall which faces the public right-of-way;

WHEREAS, owners within the Association have debated the Association's maintenance and repair obligations related to certain walls located within Rovey Farm Estate and the extent of work that the Association is obligated to provide in repairing or replacing those walls;

WHEREAS, pursuant to Article 6, Section 6.3 of the Declaration, the Board may adopt, amend and repeal regulations pertaining to the management, operation and use of the Areas of Association Responsibility; and

WHEREAS, the Board of Directors of the Association desire to adopt this Resolution in order to clarify the Association's position related to Section 8.6 of the Declaration and the Owners and Association's responsibilities for maintenance, repair, and replacement of said walls;

NOW, THEREFORE, be it resolved that the Association hereby adopts the following resolution related to the maintenance, repair and replacement of walls pursuant to Section 8.6 of the Declaration:

WALL MAINTENANCE AND REPAIR

1. The Association is only responsible for repair and replacement of a wall that borders or is adjacent to a public right-of-way. The Association is not responsible for the repair or replacement of the side of a wall that faces a public utility easement, as indicated in the Final Plat for Rovey Farm Estates, as recorded in Book 611 Pages 3 & 4, Official Records of Maricopa County Recorder.

2. Any Owner who claims the Association is responsible for the repair or replacement of the side of the wall bordering a public right-of-way must submit such request in writing to the Association through the Association's management company. Upon receipt, the Board of Directors will review the location of the wall and the Plat to determine if the wall in question falls within the Association's responsibility.

3. The Association's obligations related to walls on the boundary of an Owner's Lot and a public right-of way are strictly for the repair and replacement of the side of the wall facing the public right-of-way. The Association is not responsible for the maintenance of the side of the wall facing the public right-of way.

4. Repair and replacement of the side of the wall bordering any public right-of-way does not include paint or any other regular or specific maintenance on the wall. The Owner of the Lot where the wall is located is responsible for all maintenance of the wall, including the portion of the wall facing the public right-of-way. Maintenance includes, but is not limited to, painting and cleaning the side of the wall and any coating thereon.

CERTIFICATION

The above Resolution was approved by the Board of Directors for Rovey Farm Estates Homeowners Association at a duly noticed Board meeting on this 5 day of May, 2022 and effective as of the date adopted above.

Francisco A. Herrera

Board President

5/10/2022

Date

State of Arizona, County of Maricopa
This instrument was acknowledged before me
on the 10 day of May 2022
by Francisco Alex Henriquez
Notary Public Saidy Judith Gardea
Notary Public Name Printed Saidy Judith Gardea
My Commission Expires January 03, 2026

