

TO: ALL RESIDENTS/OWNERS OF THE CREST AT WAILUNA

SUBJECT: WALLS AND FENCES POLICY

This policy is established under authority of Article VI Section 1 of the By Laws of the Association of Apartment Owners of the Crest at Wailuna. This letter supercedes the walls and fences letter dated February 24, 1988 and any other information conveyed to the owner through newsletter.

1. Definitions - The following definitions and/or descriptions will be used to interpret language used in the scope of this letter. They shall also be used and included in preparing requests for any walls and fences. Also enclosed are diagrams which help explain what is intended. These diagrams may be used in individual requests.

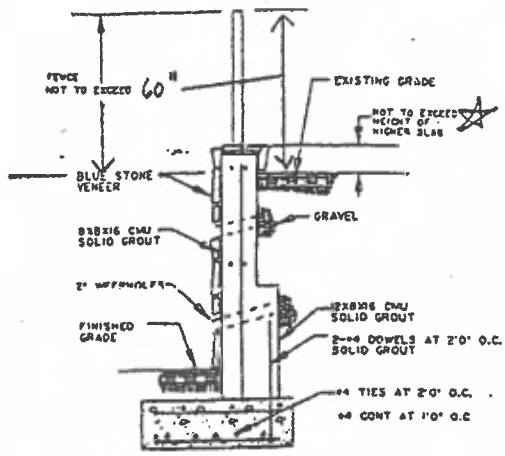
- a. EPC: Environmental Protection Corridor
- b. Black Diamond Stripping: The landscaping divider as installed by the developer which divides that area which is to be maintained by the Association from the area which is the responsibility of the Lot owner.
- c. Common Area: Belonging to the Association. All areas of the Crest at Wailuna which are not a part of individual lots as designated by property markers/pins.
- d. Limited Common Area: That part of each individual Lot which is designated by the black diamond stripping and landscaping or walls and fences as installed by the developer which is to be maintained by the Association.
- e. Wall: Any free standing wall not to exceed 30 inches in height above existing grade. Walls are to be constructed of suitable material, i.e. hollow tile, poured concrete, etc., which will support a minimum finish of stucco.
- f. Retaining Wall: Any wall which does not exceed the height of the slab of the higher adjacent Lot and which retains soil. This wall is to be constructed of suitable construction material, i.e. hollow tile, poured concrete, etc., which will support a minimum finish of stucco.
- g. Wrought Iron Picket Fence/Anodized Aluminum Picket Fence: These type of fences are permitted in the EPC. The maximum height is not to exceed 5 feet above existing grade. Pickets shall not be spaced closer than 5 inches on center. No scrolling work is permitted.

Note: These types of fences may also extend between or around lots in Non-EPC areas with appropriate neighbor/association approval.

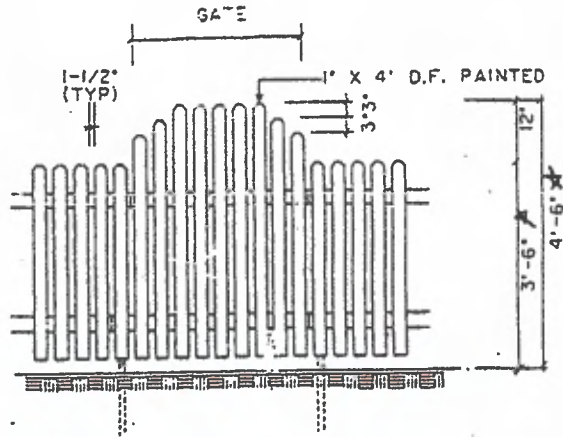
- h. Privacy/Double Slatted Fence: This is the only type of fence permitted between neighboring lots with the exception of wrought iron/anodized aluminum described in paragraph 1 g. The maximum height is not to exceed 5 feet above the existing grade.

Note: This type of fencing may be requested for sides of Lots without neighbors.

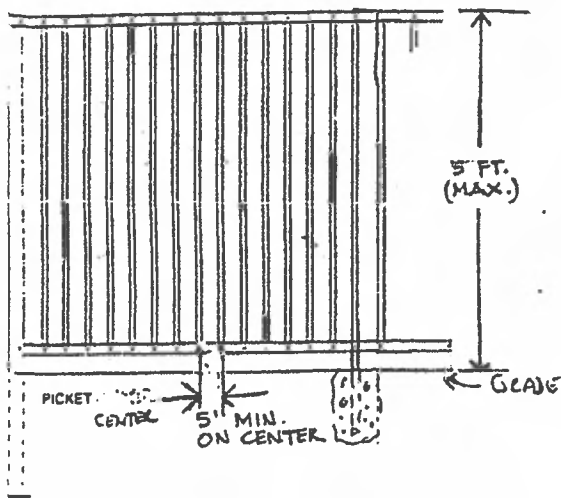
- i. Picket/Single Slatted: This is the only type of fencing permitted between side boundary lot lines and houses. A gate may also be installed. The maximum height of the fence is not to exceed 3 feet 6 inches above existing grade for the single pickets and 4 feet 6 inches above existing grade for the gate.
  - j. Front House/Lot: That side of the house/lot which includes the driveway.
  - k. Rear of House/Lot: That side of the house/lot which is on the opposite side of the driveway.
2. Finishes on Walls: The finish on all sides and top of the following walls will be of stone veneer.
- a. Walls within EPC.
  - b. Walls bordering on Association/Common areas.
  - c. Retaining walls over 30 inches in height, even though they may be no higher than the house slabs of the higher lot.
3. Exceptions to Paragraph 2 Above - The minimum required finish consisting of stucco may be requested for walls in non EPC only under the following conditions:
- a. As viewed from the owner's side - The wall is obscured from the general public's view by either installing a single slatted picket fence from the wall to the side of the house or by guaranteeing that appropriate landscaping/shrubbery will be planted and properly maintained to obscure the wall.
  - b. As viewed from the neighbor's side - The wall is obscured from the general public's view by either having your neighbor install a single slatted picket fence from the wall to the side of their house. (See requirements for such under fences and note that the neighbor must submit and obtain approval for such a fence) or by having your neighbor sign a letter guaranteeing that appropriate landscaping/shrubbery will be planted and properly maintained to obscure the wall.
4. Finishes on Fences - Wrought iron/anodized aluminum fences are to be painted black. Privacy/double slatted and picket/single slatted fences are to be painted white.
5. Walls and/or fences installed along any side boundary lot line may extend as far as the black diamond stripping or the end of the house/garage face whichever comes first starting from the rear of the house/lot. Single slatted picket fences may not encroach into or across developer installed landscaping (limited common area).
6. The scope of this letter cannot fulfill all the differing ideas for walls and fences that owners/residents may request. Requests that constitute exceptions to this policy will be reviewed on an individual basis with the Board of Directors having the final decision.



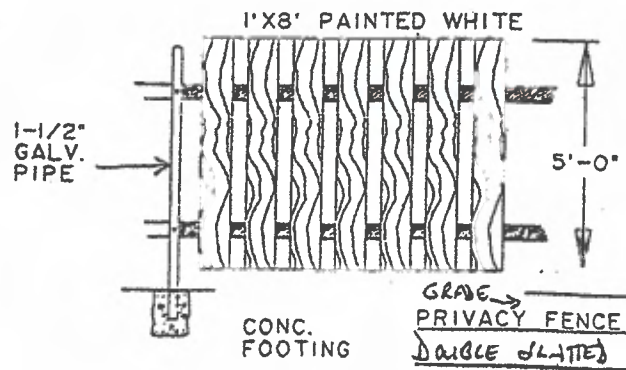
**RETAINING WALL**



**PICKET FENCE**



**WROUGHT IRON PICKET FENCE**



**PRIVACY FENCE**