

**Mountain Ridge Homeowners' Association, Inc.**  
**Resolution of the Board of Trustees**

**FENCING RESOLUTION**

A. The Mountain Ridge Homeowners' Association, Inc., a Utah nonprofit corporation ("Association"), including all Lot owners, tenants, guests, or other persons occupying a lot or using the Common Areas, is governed by the Mountain Ridge Subdivision Declaration of Covenants, Conditions and Restrictions ("Declaration"), recorded on October 27, 1998, as entry 1584301, Book 1965, beginning at Page 2901 at the Weber County Recorder's Office and any amendments thereto.

B. UCA §16-6a-801 and Section 27 of the Declaration state that the affairs of the Association shall be conducted and governed by the Board of Trustees ("Board").

C. Sections 36 and 46 of the Declaration authorize the Board to create, promulgate, repeal, amend, and enforce Association rules and regulations governing the owners and affairs of the community.

D. Section 18 of the Declaration states that all yard fences and gates on a Lot shall be repaired and maintained by the Lot owner subject to maintenance standards, architectural controls, or design guidelines adopted by the Board or the Architectural Control Committee ("ACC").

E. The Board desires to clarify the maintenance, repair, and replacement obligations of the fencing that has been installed throughout the Mountain Ridge Subdivision.

**NOW, THEREFORE, IT IS RESOLVED** that:

1. All fencing that encloses a Lot shall be maintained, repaired, and replaced by the respective Lot owner subject to any maintenance standards, architectural controls, or design guidelines adopted by the Board or the ACC or required by the Declaration or City ordinance.

2. All fencing that does not enclose a Lot shall be maintained, repaired, and replaced by the Association through assessments.

3. The Board or the ACC may adopt maintenance standards, architectural controls, and design guidelines concerning the fencing maintained by the Lot owners, including, but not limited to, requiring certain color schemes, fencing types, fencing materials, and height restrictions.

4. A Lot owner shall receive prior written approval from the Board or ACC before commencing work on any fencing. The Board or ACC may require a written proposal from the Lot owner detailing any design plans, specifications, color schemes, fencing materials, etc.

5. Any violations of this Resolution shall result in a fine of \$100 per week until the violation is cured. This includes, but is not limited to, commencing fence work without prior approval from the Board or ACC, or altering in any way the fencing plans or specifications that were previously approved.

6. In addition to the levying of fines, the Board may commence court action, or take any other action allowed by the Declaration or applicable laws, to enforce the terms of this Resolution and the Declaration. The Association shall be entitled to recover its costs and attorney fees in any such action against the violating Lot owner.

**BE IT FURTHER RESOLVED** that:

7. A copy of this Resolution shall be mailed or hand-delivered to each Lot owner at the address shown in the records of the Association.


ATTEST:

**Board of Trustees**  
**Mountain Ridge Homeowners' Association, Inc.**

Date: 11/29/12

  
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Board of Trustees

  
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