

Section “I” of the Amity Estates Restrictions, Protective Covenants, and Conditions document, filed with the County of Bell on July 11, 2018, requires that “All fences must be constructed of all new materials, unless waived by the Architectural Control Committee, and must be maintained at all times.”

a (1). Definition of a Maintained fence: Maintained means that any fence, or gate, when the gate is part of a fence line, must be maintained in a sturdy and visually appealing condition. Sturdy means the fence is not leaning and posts are not loose or giving the appearance that the fence is not structurally sound. Visually appealing means the look of the fence is consistent in appearance throughout the length and height of the fence (in color, shade, and type of materials), and there are no missing, loose or broken boards or fence posts. Painted or stained fences must be rejuvenated as needed with fresh paint or stain once the paint or stain shows significant wear and deterioration and is no longer visually appealing. Discoloration resulting from sprinkler spray is considered unavoidable. Watermarks from sprinklers, alone, do not constitute a condition amounting to an unmaintained fence.

a (2). Making Repairs: When necessary - Repairs of an existing fence must be made with new, like materials of the existing fence to blend in with the existing fence when repairs are completed. When repairs are made to stained or painted fences, the repaired portion must be stained or painted to match and blend with the full length and height of the existing fence – this may be accomplished by staining/painting the repaired area only or it may require the entire fence line be stained or painted to blend with the repaired portion of the fence. It is expected and understood that repairs of “non-treated” wood fences will take time for the new non-treated wood materials to blend with the existing fence based on weather conditions.

The entire length of any fence on a single property that is visible from the roadway must be consistent in appearance throughout the entire fence.

Any change in the type of fencing material or location/placement of a fence must be reviewed and approved by the Architectural Review Committee before changes are made.