

THE ESTUARY HOMEOWNERS ASSOCIATION, INC.

Fencing installed by Developer/Declarant

10.8 **Perimeter Fences.** The Declarant may install perimeter fences within THE ESTUARY (the "**Perimeter Fences**"). The Association at all times shall have the exclusive right to maintain, repair, replace any Perimeter Fences within THE ESTUARY, including Perimeter Fences located on Lots. The Association may perform any such maintenance, repairs or replacement of the Perimeter Fences at the Board's discretion and the costs of such maintenance, repairs or replacement shall be Operating Expenses. Failure of the Association to undertake any such maintenance, replacement or repair of the Perimeter Fences shall in no event be deemed a waiver of the right to do so thereafter. Notwithstanding anything contained in this Section to the contrary, the Declarant neither commits to, nor shall hereby be obligated to, construct such Perimeter Fences.

NOTES:

- 1) Cleaning of fence interiors is the responsibility of the lot owner (the HOA will not come onto an owners property to clean interior fences). The HOA will clean the exterior of the fence only on a schedule determined by the Board.
- 2) Owners should email management@mcneilmsi.com if the (yellow lined) fence below requires maintenance, repair or replacement.

KEY: — Declarant/Developer Installed Fence

..... Cleaning required

