

March 30, 2015

Subject: Fox Run Green Common Area Resolution

Dear Fox Run Green Homeowner:

Last year you received several letters from the FRG Board about encroachment into the Common Areas, from cutting grass and landscaping to cutting down trees and hardscaping. Since these activities violate the subdivision bylaws and covenants, we asked our legal counsel for advice on how to address this problem. Their advice was that if legal action was to be taken, it would have to be against all encroaching homeowners, not a selected few.

On October 22, 2014, a new Association board was elected. This new Board maintains that encroachment is a covenant violation, but in light of many homeowners' input and the difficulty of our grass cutting service to maintain the Common Areas, a different approach to the encroachment issue was decided. No legal action is planned due to the costly, lengthy, and, in some cases, uncertain decision such an effort might yield.

Agreeing with many homeowners, the Board now asks that the Common Areas be maintained as it had been in 2013 and earlier years by the homeowners. Specifically, homeowners are allowed to cut and care for the grass behind their lot as they would their own backyards. No additional expansion to the existing grass cutting area will be allowed without a written request and FRG Board approval. No additions to or removal of any hardscape, landscaping, or live vegetation shall be done unless requested in writing and approved by the FRG Board.

This decision to return to how these the Common Areas have been cared for in prior years doesn't ignore the fact that some homeowners are in violation of the covenants and encroaching with personal property. However, this decision does avoid a hostile and divisive legal action among neighbors.

The current bylaws are being updated and will be presented to all homeowners later this year for approval. This update will help future Boards to manage and maintain our subdivision so that property values are maintained and a desirable, harmonious neighborhood is cultivated.

Fox Run Green Board

PS: Please visit our FRG web site at www.foxrungreen.com to keep up on current neighborhood news.