

Background on the HVG Fence:

In 2007, it was brought to the homeowners' attention that the majority of the fence bordering the Hope Valley Green (HVG) community stands within the boundaries of eight individual homeowners. A survey was performed to get homeowners' position on the future maintenance of the fence; however, the results were inconclusive. Per the homeowners meeting on October 8, 2007, the homeowners bordering Hope Valley Road/NC 751 have drafted a proposal containing several options for review.

Benefits of a Neighborhood Fence to HVG:

We preface this proposal with the statement that removing the fence altogether should be eliminated as an option for the following reasons:

- The fence was erected by the builder in the initial phases of the community with the intent of providing a border separating the whole community from a busy thoroughfare. Homeowners adjacent to the fence purchased properties that border the fence with the understanding that this was a community fence, as did other homeowners in HVG, given that the maintenance of the fence was factored in the setting of the homeowner dues.
- The fence provides the following benefits for the neighborhood:
 - Security, which is a definite concern considering the ongoing thefts in the immediate surrounding neighborhoods. Woods Edge added a security fence 2-3 years ago due to the high incidence of thefts.
 - Safety barrier for children and pets and a deterrent to predators.
 - Sound and dust barrier from Hope Valley Road/NC 751
 - Continuity (since maintained by the HOA) vs. fencing of different manufacture/appearance and state of repair/upkeep if individual homeowners are responsible for the fence.
 - Symbol of community
- The cost of homeowners dues at <\$250 per year is a minor annual cost, particularly considering that many newly built neighborhoods' annual dues range from \$500-\$750 per year. Outside of any fence-related costs, the only other substantive maintenance costs covered by these dues involve mowing and planting shrubbery at the entryway/other strategic plantings.
- Removing the fence would have a negative impact on the neighborhood as a whole. Of the previous homeowners adjacent to the fence who have sold homes, the number one problem with selling the homes has been their proximity to NC-751. When considering that the aforementioned benefits would be lost by removing the fence, this would significantly impact not only the property values of adjacent homeowners, but will also negatively affect all HVG homeowners' property values when real estate "comps" are used to assess the value of comparable properties in the neighborhood.

Because of these reasons, it is clear that the neighborhood as a whole benefits both aesthetically and financially (in terms of home resale value) from the fence.

Key Considerations for the HVG Fence:

The homeowners adjacent to the fence (fence people) will consider granting an easement to the HOA for maintenance/replacement of the fence.¹ A condition of this easement will be that a fence must remain within this easement and it must be a solid fence with a minimum height of 6' above ground. This requirement cannot be changed unless a minimum of 75% of the fence people agree to such changes.

- Ongoing maintenance of the fence is handled and paid for by the HOA as has been done for the past 9 years.
- When the HOA Executive Committee determines that it is time to replace the fence they, with input from the homeowners, will determine what type of fence will be installed. It may be that the HOA decides several years in advance to replace the fence and it would be agreed that we would not spend further money on powerwashing or painting the fence since we would be replacing it soon. Money would only be spent for structural maintenance during this period.
- The fence people will pay a reasonable percentage of the new fence cost. This percentage needs to be negotiated prior to granting of easements. The remaining cost will be paid by the HOA.
- The HOA could accumulate these funds in advance (e.g., over a 5-7 year period) to avoid imposing a special assessment on HVG residents or to minimize the amount of a special assessment.
- The funds would include any landscaping that is installed as a part of the “fence plan.” However, scenarios where the existing fence line would be moved back further from the road and plantings placed in front of the fence are not acceptable as this would require the fence people to relinquish a substantial percentage of their usable yard (e.g., 6' to 10' deep running the length of the property bordering the road).
- Maintenance of existing landscaping and any future landscaping planted as part of the fence plan would be maintained by the HOA, as has been the case in the past. Many fence people have poor access to the right-of-way side of the fence and some have less than average interest, skill and/or time for landscape maintenance. Consistency would be assured with a professional landscaper.

¹ Provided that the legal requirements of an easement do not unnecessarily require homeowners to waive key rights of property ownership as determined by the homeowners bordering the fence.