

Regency at Monroe Homeowners Association, Inc.

POLICY RESOLUTION

Number: 04 - 07

Interpretation Regarding Hedges, Hedge Rows and Growing Fences

Whereas Article 7, Section 7.01 (c) of the Declaration of Covenants, Easements and Restrictions of the Regency at Monroe Homeowners Association, Inc. (the “Declaration” and the “Association”, respectively), states (in part) *“In no event shall any fabricated fence, hedge, or other growing fence be erected or planted upon any Property.”*, and;

Whereas the terms “fabricated fence”, “hedge”, and “growing fence” are not defined in the Declaration, and;

Whereas the Board seeks an interpretation of the terms “fabricated fence”, “hedge”, and “growing fence”, and;

Whereas Article 10, Section 10.02 of the By-Laws of Regency at Monroe Homeowners Association, Inc. (the “By-Laws”) states (in part) *“The ARC [Architectural Review Committee] shall regulate the external design, appearance, use and maintenance of the Property in accordance with standards and guidelines contained in the Declaration or these By-Laws or otherwise adopted by the Board (“Architectural Restrictions”) and “The ARC shall provide interpretations of the Architectural Restrictions when requested to do so by an Owner or the Board.”*, and;

Whereas Article 10, Section 10.03 states (in part) *“The Board of Trustees may relieve the ARC of any of its duties, powers and authority either generally or on a case by case basis.”*

Now therefore be it resolved that:

A) Until further notice, the Board hereby relieves the ARC of its duties, powers and authority with respect to the interpretation of the terms “fabricated fence”, “hedge”, and “growing fence” as referenced in the Architectural Guidelines.

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B) The Board hereby interprets the terms “fabricated fence”, “hedge”, and “growing fence”, as listed in the Architectural Guidelines, as follows:

Fabricated Fence: A free-standing, man-made structure which functions as a boundary or barrier to access and / or sight-lines.

Hedge or Growing Fence: The terms “Hedge” and “Growing Fence” are interchangeable, and refer to a continuous line of plant materials, regardless of species, which is allowed to reach a uniform height of greater than **72** inches, and the centerline spacing between the hedges is less than 36 inches at planting.

This Policy Resolution shall remain in full force and effect until revoked, amended or replaced by a subsequent Board. Prior to the closing of sale on the last lot owned by Toll NJ II, L.P., its successors or assigns (the “Declarant”), subsequent Boards must obtain the prior written consent of the Declarant in order to revoke, amend or replace this Policy Resolution.

Signed this _____ day of _____, 2007 by:

Regency at Monroe Homeowners Association, Inc.

Walter Schwartz, President

REGENCY AT MONORE HOMEOWNER ASSOCIATION, INC.

Resolution Type: Policy No. 04-07

Pertaining To: Interpretation regarding hedges, hedge rows, and growing fences

Duly adopted at a meeting of the Board of Trustees of the Regency at Monroe Homeowners Association, Inc. held this _____ day of _____, 2007.

<u>Officer</u>	<u>Vote:</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____, President Walter Schwartz		_____	_____	_____	_____
_____, Vice President Joseph Viesta		_____	_____	_____	_____
_____, Treasurer Kieve Kortmansky		_____	_____	_____	_____
_____, Secretary Charles Lerman		_____	_____	_____	_____
_____, Trustee Steven Brumfield		_____	_____	_____	_____

Attest:

Charles Lerman, Secretary

Date