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April 27, 2020

VIA E-MAIL ONLY

Board of Directors
Fairway Oaks Homeowners Association, Inc.
c/o Coastal HOA Management Services, Inc.
P.O. Box 1407
Port Richey, Florida 34673

Re: Fencing Restrictions – Golf Course - REVISED

Dear Board Members:

Please accept this correspondence in relation to the referenced matter.

The Association recently contacted our office to request an opinion and clarification to the fencing restrictions within the Association and pursuant to the Association's governing documents and specifically as it relates to the fencing that is permitted for golf course lots. Please accept the following comments.

The Revived Declaration of Covenants, Conditions and Restrictions, states, in relevant part, as follows:

Article VI
Subdivision Use Restrictions

The Subdivision shall be occupied and used only as follows:

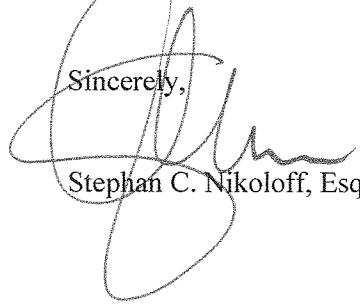
DD. Fencing made of wood, PVC or wrought iron (including those made of aluminum) materials shall be constructed not to exceed six (6) feet in height. Hurricane or cyclone type metal fences (chain link) shall not exceed four (4) feet in height. No fencing, hedge or wall will be allowed in front of the front building line of any house, or outside of the side dwelling line of a corner Subdivision Lot Line. All fences shall be erected so that the finished side faces the outside of the property line (i.e., the posts should not be visible to the outside). No used material, barbed wire or chicken wire may be used for the construction of a fence.

1. Fencing made of wrought iron (including those made of aluminum) materials may be constructed on a Golf Course Lot and shall not exceed six (6) feet in height.

Some of the above language, not in conflict with other language, is slightly redundant. The bottom line is that based on the language above, any lot, regardless of "Golf Course Lot" or not, can have wood, PVC, or wrought iron fencing not to exceed six (6) feet in height. Similarly, any lot may have chain link fence not to exceed four (4) feet in height. Essentially, the amendments made to the documents took out any distinguishing between "Golf Course Lots" and other lots, so that now all lots are treated the same as it relates to fencing.

It is a pleasure serving the Association. If you should have any questions, please feel free to contact the office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephan C. Nikoloff', written over the word 'Sincerely,'.

Stephan C. Nikoloff, Esq.

SCN:bm