

When Recorded Mail To:  
Monarch Property Management  
52 East Riverside Drive C-5  
St. George, UT 84790

Mesa Palms Homes 1, 2 & 3  
lots 7-59

**Resolution of the Board of Trustees  
of  
The Mesa Palms Townhomes**

**WHEREAS**, the Board of Trustees ("Board") of the Mesa Palms Homeowners Association ("Association") is empowered to govern the affairs of the Association, including the interpretation and enforcement of the governing documents and the adoption of rules and regulations (Article II, Amended Declaration of Covenants, conditions and Restrictions). Rule making authority also extends to the Architectural Control Committee, whose duties may be assumed by the Board of Trustees;

**WHEREAS**, all exterior additions, changes, alternations and/or improvements must be approved in advance by the Architectural Control Committee, or in the absence thereof, the Board of Trustees as set forth in Article VI of the Amended Declaration of Covenants, Conditions and Restrictions of Mesa Palms Townhomes ("Declaration");

**WHEREAS**, the installation of fences, including types, materials, colors, heights, etc., is governed by the Declaration, namely Article VI thereof and, from time to time, variances and other aesthetically acceptable fences are deemed to be in harmony with the terms of the Declaration, architectural rules and general aesthetic characteristics of the Association;

**WHEREAS**, the Board believes it to be in the best interests of the Association to adopt a resolution that clarifies the types of fences that are consistent with Article VI, Section 3.8, of the Declaration, policies and acceptable standards/requirements of the Association.

**NOW, THEREFORE, IT IS RESOLVED** that the following shall be the policy of the Association regarding all fences:

1. Maintenance obligations of fences, shall be consistent with the present policies of the Association pursuant to Article VII of the Declaration;
2. It shall hereafter be the policy the Association that any fence, dividing wall, perimeter wall or other such structure may be permitted, regardless of materials, colors, heights, location, etc., so long as Architectural Control Committee (or Board approval as the case may be) is granted. Submission of plans, drawings, schematics and other documents as required in Article VI of the Declaration shall still be required. However, it is the intent that the Association shall be able to permit those fence structures that are deemed consistent with the general overall development plan and scheme of the Association.
3. If prior permission from the Association is not received by the Owner to construct a fence, wall or like structure, then the Board shall demand that the wall be removed and may seek all legal remedies to remove the same. All costs of enforcing this resolution or the policies of the Association, including attorney fees, shall be paid by the owner offending these policies.

**DOC # 20090014062**

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Russell Shirts Washington County Recorder  
04/15/2009 11:45:51 AM Fee \$ 14.00  
By MONARCH PROPERTY MANAGEMENT



