



**Anthem Country Club Community Association  
View Fence/Wall Vegetation Clearing and Painting Policy:  
Adopted October 18, 2012**

It is the policy of the Anthem Country Club Community Association, Inc. (ACCCA) that all desert area land owned by the Association is to be managed and maintained in compliance with the Declaration of Restrictive Covenants recorded pursuant to the Section 404 Clean Water Act Permit issued by the U.S. Army Corps of Engineers; the Declaration of Covenants, Conditions and Restrictions (CC&R) for Anthem Country Club; the Declaration of Covenants and Easement for Anthem; and the policies established by the ACCCA as they are set forth herein. The vegetation clearing and view fence/wall painting policy is to follow the above rules and regulations.

Homeowners own the land, walls and fences on and within their property lines. Homeowners do not own the land or have any rights to the land, walls or fences beyond their property lines. Homeowners or their agents are not permitted to perform any maintenance or other activity in the 404 Washes, Natural Area Open Space (NAOS) or any other area not within their home property lines. The NAOS is land not in the 404 Washes but natural desert land adjacent to them.

**For homeowners who have a view fence at the rear of their property:** The maintenance, clearing and painting listed below are done by the Anthem Community Council at its expense through its contractors. The cost for that work is included in dues to the Council. Vegetation clearing just beyond the view fences that are on either ACCCA or Club Operator property shall occur approximately every four (4) years in conjunction with the view fence painting program. For the sole purpose of fence maintenance or repairs, the minimum amount of natural vegetation may be removed or trimmed in order to permit access for needed work to be completed. Minimum amount is defined to mean approximately three (3) feet from the property line except in special cases where some additional space is needed to complete the work. Wood plants may be trimmed or removed and herbaceous plants and grasses may be cut to facilitate access to do the work, but the area shall not be graded or scraped to remove all vegetation.

**For homeowners who have a solid wall at the rear of their property:** The maintenance, clearing and painting listed below are done by the Anthem Community Council at its expense

through its contractors. The cost for that work is included in dues to the Council. Vegetation clearing just beyond walls that are on either ACCCA or Club Operator property shall occur approximately every eight (8) years in conjunction with the rear wall painting program. For the sole purpose of wall maintenance or repairs, the minimum amount of natural vegetation may be removed or trimmed in order to permit access for needed work to be completed. Minimum amount is defined to mean approximately three (3) feet from the property line except in special cases where some additional space is needed to complete the work. Woody plants may be trimmed or removed and herbaceous plants and grasses may be cut to facilitate access to do the work, but the area shall not be graded or scraped to remove all vegetation.

**For homeowners who also have a perimeter wall or fence on their property:** The maintenance, clearing, and painting listed below are done by the Anthem Community Council at its expense through its contractors. The cost for that work is included in dues to the Council. A perimeter wall or fence is any wall or fence which serves as a boundary between a Lot and any area which is not a residential lot, including common areas, Council owned property, public streets or any Country Club Amenity. The Anthem Community Council will maintain the exterior surfaces (that portion facing away from your Lot) of all perimeter walls and fences. If the exteriors of those perimeter walls have planters, Council will also maintain the planters at Council expense. No irrigation or watering is permitted in the planters. The homeowner owns the walls and fences that are on or within their property lines. The homeowner does not own the planters or the planter wall system and may not do anything to them. Any perimeter walls or fences not on or within the homeowner's property lines are owned by the owner of the adjacent lot upon which the perimeter wall or fence is located. The exterior of those walls, fences and planters will be maintained by the Anthem Community Council. The cost for that work is also included in dues to the Council.

Any permissible clearing of the area in addition to that referred to above will be at the homeowner's expense, with the property owner's written permission and by the property owner's contractors.

Any 10-foot easement referred to in any documents does not apply to the ACCCA's current set-up.

**Fines and Penalties:**

Since following the Declaration of Restrictive Covenants within our community is paramount, there will be no warning for first violation. Fines and restoration costs will be assessed starting with the first violation.

The ACCCA shall impose fines in accordance with the adopted Fine Schedule against Owners who violate these policies. The restoration costs included in the fine will be to fully restore the disturbed area to the condition it was prior to the violation.

**Procedures for Additional Maintenance or Clearing Requests:**

If a homeowner believes maintenance/clearing, in addition to the above, should be performed outside his/her view fence/wall and within the area referred to above, he/she may contact the property owner (either Club Operator or the ACCCA manager) and request a review of the area in question. The Homeowner will then be notified of their decision to approve or deny the request. If approved, the cost for doing the work requested be listed in the decision and is to be paid for by the Homeowner. The Homeowner can then decide to have the work done and pay the cost. Any maintenance performed must comply with ACOE regulations and the ACCCA's policy, must be approved by the property owner in writing, must be performed by a vendor approved by the property owner and paid for by the Homeowners. The ACCCA will advise you of the vendor currently authorized to perform the maintenance work and give you written approval. The ACCCA or the Club Operator will arrange for any approved work to be done.

**Documents Available for Review at the ACCCA Office:**

1. A complete copy of the Declaration of Covenants, Conditions and Restrictions (CC&R) for Anthem Country Club dated January 14, 1999 which govern the ACCCA. This document is on the ACCCA website under Documents and Forms.
2. A complete copy of the Declaration of Restrictive Covenants, numbers 2 of 8 and 6 of 8, which govern the 404 washes and NAOS, Dated March 31, 2005. These documents are also at the website [www.onlineatanthem.com](http://www.onlineatanthem.com). Click on the link for Community Council, then Documents and Forms. Under the heading 404 washes, click on the DORC numbers 2 and 6.
3. The Declaration of Covenants and Easement for Anthem dated January 14, 1999.
4. Maps showing:
  - A. The owner of each parcel of land in the Country Club, to be used to determine who owns the land immediately behind a view fence or wall, the ACCCA or Club Operator.
  - B. The designation of each parcel of land in the Country Club showing if it is subject to the 404 wash/NAOS Declaration of Restrictive Covenants.



## Anthem Country Club - Request for Desert Maintenance

1. Homeowner's Name: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Phone Number: (\_\_\_\_) \_\_\_\_\_
4. Email: \_\_\_\_\_
5. Maricopa County Parcel Number: \_\_\_\_\_
6. Linear distance of your rear property line: \_\_\_\_\_ feet.
7. Describe location and scope of the requested work:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I am the homeowner of the above address. I understand that if the work requested is approved, it will be performed only with approval of the landowner, either ACCCA or ClubCorp. The cost for the work will be at my expense and paid in full prior to the work being done. I understand I will be advised of the cost of the requested work and will have the option to decline or proceed with this application.

\_\_\_\_\_  
 Owner Signature Date

### ***For Office use only***

Recommended action:

Property Owner: \_\_\_ **ACCCA** \_\_\_ **ClubCorp**

Report by: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Decision on request: \_\_\_ Approved \_\_\_ Declined

Amount due if approved: \$ \_\_\_\_\_

Date Owner notified of decision: \_\_\_\_\_

Owner decision: \_\_\_ Proceed \_\_\_ Withdraw request

Date Owner's check received: \_\_\_\_\_ Check No. \_\_\_\_\_

Date sent to landscape vendor: \_\_\_\_\_



**ACCCA**

**Resolution  
of the  
Board of Directors  
of  
Anthem Country Club Community Association, Inc.**

**Subject: Desert Maintenance Policies**

**Submitted by: Policy Development and Implementation Committee**

The following resolution was duly adopted by the Board of Directors of the Anthem Country Club Community Association, Inc., (ACCCA) at a regular meeting of the Board of Directors (Board) held on October 18, 2012:

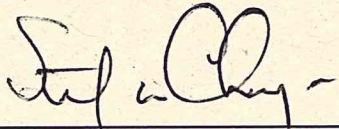
**Whereas:**

- The Policy Committee (Committee) has reviewed the updated Desert Maintenance Policies (Desert Area and View Fence/Wall Vegetation Clearing and Painting) prepared in conjunction with both the Anthem Community Council and Club Corp., Inc.;
- The revised policies delineate for Owners what can and cannot be done to the land outside their property lines
- The revised policies clarify responsibilities and ownership of common area properties; and
- The Committee members support the revised policy as presented for approval by the Board of Directors;

**Therefore** be it resolved that the ACCCA Board of Directors:

- Approve the revised Desert Maintenance Policies as presented, to be implemented effective December 1, 2012.

The undersigned, by affixing their signatures hereto, do hereby consent to, authorize, and approve of the foregoing resolutions this 18<sup>th</sup> day of October, 2012.

  
\_\_\_\_\_  
Steve Champion, President

  
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Chuck Durrant, Vice President