



VILLAGE PARK COMMUNITY ASSOCIATION

*A Planned Unit Development of 636 Homes*

*A California Corporation*

## **DESCRIPTION / DEFINITION OF WALLS COMMON TO TOWNHOMES**

### **Interior Structural Party Wall**

A wall that is shared with a neighbor within the building.

The owners of the two lots are jointly responsible for maintenance and repair of these walls unless damage is caused by one owner's negligence (see Article VIII, Section 11 or the CC&Rs) the negligible owner is responsible for repairs.

### **Extended Structural Party Wall**

A wall that extends vertically past the rooftop of the adjoining residence (typically covered with stucco or wood)

These walls form a second story wall for a residence. The owner of the residence is responsible for maintenance and repair. Neighbors should allow reasonable access to these walls for maintenance and repair purposes

### **Exterior Structural Wall**

A wall that is an exterior wall of a townhome

The owner of the lot on which this wall is located is responsible for maintenance and repair of the wall. Neighbors should allow reasonable access to these walls for maintenance and repair.

### **Shared Wall**

A wall that was placed on the dividing line between lots at the time of construction or subsequently rebuilt or replaced in the same location

Owners on either side of these walls have an equal right to use the wall. The owner is responsible for the maintenance and repair of the side that faces their residence. In case of damage or deterioration, the wall shall be repaired or rebuilt at the owners' joint expense unless the damage was caused by one owner's negligence in which case the owner who caused the damage is solely responsible. Refer to Article VIII, Section 11 of the CC&Rs.

### **Exterior Walls**

A wall that has been replaced or extended entirely on one of the owner's lots.

Unless a legally enforceable agreement is entered into between adjacent owners, both sides of these walls are used, maintained and repaired solely by the owner of the lot upon which the wall is located. The adjacent owner should not attach anything to or otherwise modify this wall without the consent of the neighboring owner. The owner should be allowed reasonable access to these walls for maintenance and repair purposes. Owners are recommended to contact legal counsel for advice concerning these walls. Disputes concerning the location and use of these walls must



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be resolved by the affected neighbors. The Association does not become involved in disputes between neighbors concerning Exterior Walls

### **Division Walls**

Unless a legally enforceable agreement is entered into between adjacent lot owners, adjacent owners are entitled to joint use of a Division Wall, and each owner is responsible for the maintenance and repair of the side facing his lot.

Prior to constructing a Division Wall or consenting to a neighbor's construction, legal counsel should be consulted to confirm the rights and responsibilities of current and future lot owners. If an owner who builds a Division Wall intends to have the neighbor contribute to the cost of construction, or intends to prevent his neighbor from using the wall, it is the responsibility of the owner to make those arrangements in a legally enforceable agreement.

If a neighbor intends to build a Division Wall and you do not wish to contribute to the cost of construction, maintaining and repairing or replacing the wall, legal counsel should be consulted.

Disputes concerning the location and use of Division Walls must be resolved by the affected neighbors. The Association does not become involved in such disputes between neighbors concerning these walls.