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VI.

FENCES AND WALLS

1. General Rules of Law To Apply. Each fence and wall which is built as a part of the original construction of the homes upon the properties and placed on the dividing line between the lots shall constitute a party wall, and, to the extent not inconsistent with the provisions of this Article, the general rules of law regarding party walls and liability for property damage due to negligence or willful acts or omissions shall apply thereto. The terms "fence" and "wall" shall mean the same and are also the same as "party wall".

2. Sharing of Repair and Maintenance. The cost of reasonable repair and maintenance of a party wall shall be shared by the owners who make use of the wall in proportion to such use. In the event the removal of any portion of a party wall is required for repairs to a homeowner's home for such things as, but not limited to, utilities, leaks, plumbing problems or other maintenance needs, all cost of repairing such walls shall be at the expense of the homeowner requiring such repair. The homeowner is also responsible for any repairs to a neighbor's landscaping if it is disturbed by these repairs.

3. Destruction by Fire or Other Casualty. If a party wall is destroyed or damaged by fire or other casualty, any owner who is a party to the ownership of the wall may restore it. Other owners shall contribute to the cost of restoration thereof in proportion to their joint ownership without prejudice, however, to the right of any such owners to call for a larger contribution from the others under the rule of law regarding liability for negligent or willful acts or omissions.

4. Right to Contribution Runs With Land. The right of any owner to contribution from any other owner under this Article shall be appurtenant to the land and shall pass to such owner's successors in title.