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October 12, 2020

Mr. Mark Perez
104 Havenbrook Drive
Mooresville, NC 28115
VIA E-MAIL (mperez@50Floor.com)

Dear Mr. Perez:

By way of introduction, our firm represents Ashlyn Creek Homeowners' Association. I'm sorry to hear you recently had some damage from a tree falling on a fence. The Association has asked that I reach out to directly so that you will have something for your files. While I (as the Association's attorney) cannot give you legal advice, I did want to explain why the Association has no responsibility regarding this matter.

The Association generally has no obligation for anything that happens on a private lot other than as clearly provided in the Declaration. Here, the Ashlyn Creek documents provide no Association responsibility for insurance, trees, or fences on private lots. The Association does maintain the common area, and it will take care of anything that may have happened and remains on the common property. However, the Association has no right under the documents to clean up or pay for damage to a lot in these circumstances. FYI, you may wish to check with your insurance agent to see if any fence damage may be covered by your property insurance. While I have no idea of what you may have, there is often coverage in the standard HO3 policy might be of assistance.

With kind regards, I am

Very truly yours,

A handwritten signature in black ink that reads 'Jim Slaughter'.

James H. Slaughter