



TO: Cypress Lakes Homeowners Association Board of Directors

FROM: Jane F. Bolin, Esq.

RE: Maintenance of Association Perimeter Wall  
ATTORNEY CLIENT PRIVILEGED DOCUMENT

DATE: May 27, 2025

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As requested, I have reviewed the survey and Declaration as it relates to the Association's perimeter wall. Based on a certified survey recently conducted, the perimeter wall is not included in the property of the individual owners. The perimeter wall is Association property; as such it is the responsibility of the Association for ongoing maintenance and care.

More specifically, Article I, Section 2 of the Declaration defines the "SUBDIVISION" as encompassing Blocks AB, AC, AD, AE, AF, AG, and AH. Additionally, Article II references these Blocks as consisting of individual "lots," which correspond to the unit owners' properties. When the legal descriptions in the Declaration are compared to the certified survey, it becomes clear that the boundary lines of the unit owners' lots terminate prior to the location of the walls. The surveys distinctly show that the walls fall outside of these lot boundaries, thereby confirming that the walls do not encroach upon any unit owner's property but are instead situated on land designated as Association property.

It is my understanding that some unit owners have placed personal landscaping elements, including, but not limited to, bushes, trees, vines, planters, and various decorative objects, on or adjacent to this wall. In several areas, this has resulted in overgrowth that is now impacting the wall, potentially threatening their structural integrity. The vegetation is applying undue pressure and trapping moisture, which could lead to accelerated deterioration and costly repairs if not addressed promptly.

In light of this, and in preparation for upcoming maintenance activities, which may include chemical or pressure washing and structural repairs, all homeowners must be placed on notice of the following:

- 1. All personal landscaping and decorative items located on or adjacent to the Association-maintained walls must be removed.**
- 2. Any such items remaining beyond the date provided in the correspondence to the unit owners may be damaged or removed during the maintenance process, and the Association will not be liable for any loss or damage caused to these items.**

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- 3. Contractors will require clear access to the wall areas from the private lot side, and any obstructions should be removed to prevent delays and additional expenses. The Association and contractors reserve the right to remove such obstructions as necessary.**

Providing notice to the homeowners will help ensure that maintenance efforts proceed efficiently and that the long-term integrity of the community infrastructure is preserved.