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Sent via email: carolshutt@cox.net

September 16, 2025

Strawberry Hill Village and Racquet Club Homeowner's Association
c/o Carol Shutt, President, Board of Directors
8101 N. Central Avenue, Unit 5
Phoenix, Arizona 85020

RE: Strawberry Hill Village and Racquet Club (SHV) Homeowner's Association

Dear Board of Directors,

I am sending this letter to address an issue of concern in the community involving the alleyway (referred to herein as the "South Alley") located on the southern border of the community. The following is my analysis of this issue with advice for the board to consider in moving forward.

Ownership of the South Alley – A review of the Maricopa County plat map 165-48 and the Maricopa County Assessor's website confirms that the South Alley is owned in part by the Association as Common Area (east and west ends of the South Alley) and by the Owners of Units 9 through 14. The plat map further identifies that the South Alley is a flood easement.

Maintenance of the South Alley – Visual observation of the South Alley and Owner reports indicate that there is a build-up of plant debris and tagging of one wall. Additionally, there are reports of human caused debris in the alley. In order to ensure the health and safety of Owners and unauthorized non-owners as well as the minimalization of liability for both Owners and the Association, ongoing maintenance of the alley is indicated. In compliance with Article IV, Section 1 and Article V, Section 1 of the Association's CC&Rs, the Association has the right to maintain the area. This is also consistent with the Association's current maintenance policy. In my opinion, the cost of maintaining the South Alley can be assumed by the Association. This will also result in a benefit to the Association by eliminating the necessity and cost of ongoing Unit assessment charges.

Gating of the Alley – The Board should also consider erecting a gate/fence on both ends of the South Alley. Doing so can minimize risk to both Owners and the Association. As the alley is considered an easement, under Phoenix Municipal Code, Section 703, the Association will need to consult with the City of Phoenix in reference to any preapproval requirements and specification of gating/fencing. If gating requires attachment to the wall of two residences to the south of the alley, written permission from both Owners would be required. Since the proposed location of the gates on both ends will be



located on the Association's Common Area, the responsibility for the gates/fences would fall to the Association. If a gate/fence is erected, the Association will also need to ensure that each Owner of a Unit that shares ownership of a portion of the South Alley is given access to the South Alley through the gate.

I believe I have fully addressed the issue at hand. I appreciate the opportunity to assist the Association on this matter. Please let me know if you need anything further.

Sincerely,

VF LAW

Quinten T. Cupps
Attorney at Law

cc: Electronic copy forwarded to Carol Shutt, President, SHV HOA Board of Directors
Electronic copy forwarded Gianna Bellefeuille, Vision Community Management