

received  
11/20/12

[redacted] Realty  
[redacted] Avenue  
[redacted] NC [redacted]

RE: 169 [redacted] Avenue [redacted], NC [redacted]

Dear Mr. [redacted],

This is a letter to ask the HOA management company to resolve the issues with Mr. [redacted]'s fence. Mr. [redacted] resides at 169 [redacted] Avenue. He had a white vinyl fence installed several years ago without the permission of the HOA or having his property surveyed prior installation. His fence is less than 3 inches from our property line. He also installed a drain three feet into our property line around the same time. When we had our land surveyed, we found the drain which encroached on our property. We took the issue to the court systems and they dismissed it because we failed to have the land survey company in the courtroom to verify the property lines. We have since filled in the drain with rocks and dirt to cover up the eye sore. Until we had our land surveyed, we thought that patch of land was his property and never questioned it.

Mr. [redacted] has sued us for "Grass Stains on his Fence" stating that we ruined his fence when mowing our lawn. We proved to the court that Mr. [redacted] was staining his own fence, has not cleaned his fence since he had it installed and was maliciously going after us for monetary gain. This court date was Friday, November 16<sup>th</sup> and the courts ruled in our favor. This case has been going on for the last two years because Mr. [redacted] has continued the case 7 times which showed malice intent to drag it on as long as possible. Our attorney finally had to file a motion for no more continuances allowed in order for it to be seen. We are grateful that it is over.

There have been several more instances where Mr. [redacted] is continuing to harass us. Last night, for instance, he blew all of his leaves in our yard after we had cleared our land of leaves. He shouts profanity to us when we leave the house. This was witnessed by a police officer who came to our home to resolve the leaves issue. He is continually harassing us and we have a child that hears this. She is very distressed every time she sees him.

We see the fence as an eye sore due to the fact that it's dirty, stained and nasty. Mr. [redacted] can not clean the other side of the fence (facing our house) without trespassing on our property. This fence is a nuisance and has caused us great losses and stress.

Please take this as a formal complaint. We hope that you can resolve this issue amicably.

[redacted]  
[redacted]  
[redacted]  
173 [redacted] Avenue  
[redacted], NC [redacted]