



Townhouse Association

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DRAINAGE IN TOWNHOUSE COURTS

Building homes in the mountainous environment that Hot Springs Village is located in can present drainage issues in the Townhouse Association courts, especially when there is significant rainfall.

A basic rule of law revolves around distributing the natural and historic flow of surface water. For example, a low lot, next to a high lot, has been the natural draining area historically. The fact that a house is built on the low lot hasn't changed nature's way; and it is likely that the low lot might be different if one owner places a house abnormally high on one lot, bearing in mind that the control factor is always the changing of the natural and historical flow of water in that specific area. It is, of course, self-evident that adjoining owners can correct conditions by grading or landscaping or both by mutual planning and cooperation.

The matter of subsurface water deserves mention. The rolling, rock-filled character of land in the Village provides many underground channels for water flow; these are unknown to anyone and evidence themselves after a building has been built with flow or seepage noticed during and long after a rain. In these cases, no one can be said to have caused the situation; thus, it will be, even more, an individual owner's problem to solve and remedy—by trenching, water proofing, sealing the foundation walls, or other appropriate steps. Responsibility for remedy rests entirely on the property owner.