

Maintenance of Planting Areas Surrounding Homes

The CC&R's require the HOA to maintain the Common Areas of the Development, which include the planting areas around each of the homes.

In accordance with their obligations, the Developer planted a "spiral" tree in the planting area near the entrances to each home, and also planted some perennial shrubbery in the planting areas.

The Developer also planted trees in strategic areas in the lawn areas, as well as trees along the parking strips throughout the Development.

To address the continuing maintenance needs in the planting strips in the Development, the HOA Board reviewed and approved the following policy at its 9/1/2009 Board Meeting:

1. The HOA will continue to be responsible for the watering systems throughout the Development, to ensure that vegetation receives adequate moisture.
2. The HOA will provide periodic fertilization for the trees and shrubbery in the planting areas in the Development.
3. The HOA will continue to replace bark in the planting areas on a rotating three year basis.
4. The HOA will address promptly any Common Area trees that are dead or dying, and determine if the tree should be replaced. If the Board decides the tree should be replaced, it will be replaced promptly, in accordance with weather conditions, available funds, etc.
5. The HOA will do an annual assessment of the health of the perennial shrubbery planted in the Common Area planting areas, and will determine if any shrubbery needs to be replaced. The HOA will replace shrubbery as HOA funds permit, and on a schedule that will allow bulk purchases and cost-effective planting of the needed shrubbery.
6. The HOA will not purchase or plant any flowers or other vegetation in the Common Area planting areas.
7. The HOA will not replace any of the "spiral" trees near the entrances, should those trees die. An Owner may replace a dead "spiral" tree at his/her expense, but any replacement tree must not exceed the size footprint of a healthy "spiral" tree, without the prior written consent of the HOA Board.
8. Each Owner may, but is not required, to plant flowers, rose bushes or other similar vegetation in the planting areas that are adjacent to each Owner's residence. The added flowers and vegetation must be low growing and add to the overall beauty of the Development. The HOA retains ownership of all Common Areas, and retains the right to remove any added vegetation that is not in keeping with the goal of maintaining grounds that enhance the overall beauty and enjoyment of the Development. Owners are encouraged to review any plans to add vegetation to the Common Area planting areas with the HOA Board, prior to planting.
9. No trees may be planted by any Owner, either in the Common Area planting areas or in the lawn areas, without the express, prior written consent of the HOA Board.
10. No existing trees or perennial shrubbery may be removed by any Owner without the approval of the HOA Board.
11. Any questions or concerns should be raised with the HOA Board.