

Rosepark Home Owners Association
Tree Policy

This policy contains two sections: Policy for tree on H.O.A. Property
Policy for trees on individual homeowners lots

Part One - common property

The Board of Directors of Rosepark H.O.A. will assure that trees on common property are trimmed, cared for, and removed when dead/dying/diseased.

The Board may accept donations of trees given by homeowners to be planted on common property. Such donations shall be offered through the variance process. Once accepted and planted at donor expense, such tree(s) will be treated as in the first paragraph. Donations of multiple trees that are to be planted in locations determined solely by the Board may be planted at H.O.A. expense.

The Board will plant trees at their discretion, keeping in mind the overall appearance of the property including soil and water conservation/erosion. The Board will not plant or replace trees that are deemed to benefit one or two property owners. Examples might include visual or wind screens for one patio, shade tree to protect one unit, headlight barrier, etc.

The Board may entertain recommendations as to type and location of trees from the landscape committee, with final decision resting with Board action.

Part Two - individual lots

Tree planting, care, and replacement on individual lots are controlled by article 6 of the Declaration. The H.O.A. is responsible for trees "originally installed by Declarant". By adopting this policy, the Board is accepting that the declarant intended to plant like (similar) trees in similar locations. The Board in good faith and fairness to all assumes the following tree types and locations satisfy section 6 of the declaration:

One flowering/ornamental tree at least five feet from the front corner of each unit. (Five feet or more in front of interior quad units)

One evergreen at the side/back corner of each unit at least five feet from the building. Evergreens at maturity not to exceed approximately 7

feet wide by 15 feet high: arborvitae and upright juniper are two examples.

One flowering/ornamental tree at least five feet from the center of one-story units.

Any other trees on individual lots or trees missing from these locations are assumed to have been planted/not planted by original buyer request, by the subcontractor to enhance sale, or at some other unknown time.

Trees on individual lots in excess of those listed above, are the responsibility of the homeowner(s) and shall be kept trimmed so as to avoid damage to siding and roofing of the homes. The H.O.A. Board may from time to time instruct the property manager to send letters asking homeowners to trim trees, which are homeowner responsibility.

Part two of this policy is to be administered by the property manager with actual planting reserved for once per year. Homeowners may request replacement and select from a list of approved trees developed by the landscape committee and approved by the Board. The Board on an annual basis will set an allowable cost per tree and homeowners will be allowed to select a tree that is more costly; but still on the list of approved trees; and pay the additional cost.