

## **Ridgeline Homeowner Association Retaining Wall Policy**

**The purpose of this policy is to define who is responsible for the repair and maintenance of retaining walls. This includes retaining walls that have been installed on common area, owner's lots, and in some cases, retaining walls that are located jointly on common area and on owner's lots.**

**This policy addresses retaining walls that were installed by either the original developer, the original builder or by an owner.**

**Retaining walls were installed either to, 1) construct a more level building site, or 2) to create a tiered hillside for building sites, or 3) to protect the road bed or utilities from erosion either onto the road or to protect the road bed, or 4) to protect sidewalks or walkways accessing homes from hillside erosion. Sometimes, retaining walls can serve multiple purposes (1, 2, 3 & 4 above).**

### **Responsibility for Repair and Maintenance:**

**Retaining walls that are completely on an owner's lot are the sole responsibility of that owner.**

**Retaining walls or portions of retaining walls that are shared between two owners are the responsibility of the two sharing owners. It is up to the two owners to determine who will be responsible for what portion of the retaining wall.**

**Retaining walls or portions of retaining walls that are shared by or between an owner's property and the common area that are the sole purpose of providing a building site for the lot of the owner will be the sole responsibility of the lot owner.**

**A retaining wall that was built on common area in order to enlarge a building area or to provide sidewalk or walkway access to an owner's lot is the responsibility of the lot owner. If a sidewalk is shared by more than one lot owner, then the responsibility for maintenance or repair is shared between the multiple lot owners.**

**Retaining walls that serve only the protection of the roadbed and in some cases the immediately adjacent utilities will be repaired and maintained by the Homeowners Association.**

**If there is some question with regard to the responsibility of maintenance or repair of any retaining walls within the subdivision, then the Board of Directors will make the final determination of responsibility.**

## **Ridgeline Homeowners Association Tree/Shrub Policy**

The purpose for this policy is to resolve an issue with regard to who is responsible for the maintenance of trees and shrubs growing on common area, on owners lots and in some cases growing on both common area and owner's lots.

Trees and shrubs were either planted by the developer of the subdivision, the lot owner or volunteered by nature.

Trees and shrubs that are on the owner's lot are the sole responsibility of the lot owner. If there is a question as to where the lot lines are located, contact the Board or the manager to provide the measured drawing for clarification. Ultimately, if there is disagreement as to the location of the lot boundaries and the lot corner markers are missing, the lot owner is responsible to have property corners installed at the lot owner's expense in order to settle any disagreement.

Trees and shrubs that are growing on common area that is also part of the exclusive use easement of a lot owner are the sole responsibility of that lot owner.

Trees and shrubs having trunks or stems growing with the lot line bisecting the trunk or stem are considered shared between either the two lot owners or if the lot line is adjacent to common area, the association and the lot owner. The responsibility for maintenance is shared between the two sharing owners or owner and association.

If a lot owner wants trees or shrubs growing on common area removed or trimmed then that request must be made to the Board of Directors. The request must include a reason for the removal. If the reason for removal or trimming is that the tree or shrub is a hazard and the majority of the Board of Directors agrees, then the association will pay for removal or trimming. If the tree or shrub is not a hazard and the majority of the Board of Directors agrees to allow the tree or shrub to be removed or trimmed, then the expense to remove or trim the tree or shrub will be the responsibility of the lot owner.

The Board of Directors has had a liberal policy regarding allowing lot owners to plant and irrigate trees and shrubs near their lot on common area. In some cases, trees and shrubs have been planted on common area by a lot owner and then sold to a new owner. The new owner then becomes the responsible party for the maintenance of trees and shrubs planted by a previous owner as well as any irrigation system installed by the previous owner.

If maintenance of a tree or shrub that was planted by an owner on common area is necessary, then that current lot owner will be contacted and will be responsible for the maintenance of that tree or shrub.

Artificial plants will not be allowed on the common area, artificial turf excepted.