

Adopted by the Board of Directors at the January 8, 2022 Board of Directors Meeting.

## **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 bisecting the lot line 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.

Homeowners, at their expense, may cut back or trim tree branches or roots extending from common area back to the boundary of their property so long as it does not injure or harm the tree. If injury to the tree requires the tree to be removed it will be the responsibility of the homeowner causing the damage to pay for the removal and/or replacement of the tree.

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 safety 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.

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If there is nothing wrong with a tree or shrub, the association is not required to remove a healthy tree or shrub just because the insurance company and or homeowner dislikes it.

In the event of a homeowner insurance request to trim a tree or shrub on common area and the majority of the board 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.

Any hanging, broken, damaged limbs and dead or dying trees on common area will be removed by the association after getting determination of the tree's condition by a licensed professional. Any hanging, broken, damaged limbs and dead or dying trees on personal property are the responsibility of the homeowner for removal.

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.