

ORANGE TREE TOWNHOMES CORPORATION

TREE REMOVAL AND REPLACEMENT POLICY

October 25, 2018

Should an Owner desire to have a healthy tree that is located in the common area in front of the Owner's home removed, the Owner **must first** submit the Application for Design Review and all supporting documentation, to the Association to request approval to remove and replace the tree.

As part of this process the Owner must provide justification for the tree removal and replacement request. In addition, the Owner must receive written and signed permission from his/her adjacent neighbors (those units on each side of the owner's unit) and submit these approvals along with the Application for Design Review. Please note these written permissions must clearly state that all adjacent Owners provide permission for the removal of the requested tree for the owner's request to be considered.

Furthermore, should the request be approved, it is understood that the Owner shall be responsible for all costs associated with the tree removal and replacement. These costs included, but are not limited, to the following:

- Tree, stump and root removal
- Any damage to irrigation and utility lines because of tree removal
- Replacement tree and installation

Upon submission of a completed and signed Application for Design Review, Owner acknowledges and agrees to the following conditions:

1. The Application for Design Review shall be completed by only one (1) owner, and Association will only communicate with that one Owner. Should Owner desire to negotiate with adjacent Owners' regarding sharing of costs, etc. it is clearly understood that the Association is in no way a party to these negotiations. The Owner submitting the Application for Design Review is the only Owner recognized by the Association as the responsible (financial and otherwise) party.
2. Should the request be approved, regardless of who planted the tree initially, the Owner requesting removal shall be responsible for payment, in advance, of the costs for the Association's Landscaper to remove the tree and replace it with a tree approved by the Board of Directors that meets Association requirements and is in alignment with the landscape palette of the Association.
3. All decisions regarding the tree replacement, including size (minimum 36" box), type, species, etc. are at the sole discretion of the Board of Directors, and will be made to ensure outward appearance of the Association for all members, and to maintain the Association's landscape palette.
4. All tree removal and replacement work will be conducted by the Association's vendor, and only the Association's vendor (no exceptions).
5. Should the request be approved the Association will contact the Association's Landscape vendor and request and estimate to remove the tree, and the vendor's advice regarding removal of the tree, including thoughts on its impact to the overall landscaping. The Association will also request that the Landscape vendor provide and estimate for the installation of a replacement tree that meets the Association's requirements (size, species, etc.) and is in alignment with the landscape palette of the Association.
6. If the request is approved, the Owner shall submit payment for the estimate provided to remove and replace the tree a minimum of one (1) month prior to start of any work. It is clearly understood that no work will begin until Owner's payment has been received and cleared by the Association.
7. The timeframe to replace a tree that has received Board of Director's approval is no later than one (1) month after the tree has been removed. The Board will defer to the Association's landscapers as to when the best time to plant the selected tree is, and tree removal will not begin until one month prior to this date.
8. Newly installed landscaping, including trees require additional watering above and beyond normal water usage. Given that the Association's irrigation is interconnected, upon the planting of the new tree Owner agrees to

provide additional watering (outside of Association's irrigation system) at owner's own expense and adhere to watering instructions provided by the Association's landscape vendor. Should owner fail to provide additional watering as needed to ensure the new tree's growth the Association reserves the right to contract with the Association's landscape vendor to provide this additional watering service, and to invoice the Owner for these additional costs. It is understood that the additional watering shall be supplied from the Owner's water system. Owner will have thirty (30) days to submit payment for these costs. Any unpaid invoices will remain on the Owner's account, and applicable interest and late fee charges may apply to the unpaid balance.

9. Association's Landscape vendor will exercise all due diligence in the removal and replacement of the tree, however it is understood that circumstances beyond the Association's Landscape vendor (e.g. irrigation repairs, root damage etc. may occur. All issues, and ensuing costs associated with such issues, that arise as the result of the Owner's request to have the tree removed and replaced shall be the responsibility of the Owner requesting removal and replacement of the tree. As such Owner will be invoiced for all costs associated with such issues. Owner will have thirty (30) days to submit payment for these costs. Any unpaid invoices will remain on the Owner's account, and applicable interest and late fee charges may apply to unpaid balances.
10. It is understood that removal of a large growth, decades long established tree in the common area may impact Owners' utility bills. The association assumes no responsibility for impact to Owners' utility bills due to approving the request of removing an established healthy tree and replacing it with a smaller younger tree.

The Owner's request will not be considered until a completed and signed Application for Design Review and supporting documentation have been received by the Association.

Once all materials have been received, the Board of Directors will have ninety (90) days to consider and respond to the Owner regarding the Tree Removal and Replacement Request.

Revised 10/25/2018