

Village at Forest Heights Homeowners Association

Resolution Number 10 – Landscape Maintenance, Changes & Plant Health Care

WHEREAS, the Declaration, Articles 4.3, Maintenance of Living Unit and Outdoor Improvements, Article 5.1, Architectural Review, and Article 6.8, Association Rules and Regulations, and the Bylaws, Article 7.8, Association Rules and Regulations, grants the Board of Directors the duties and obligations to manage the landscaping and plant health care at the Village at Forest Heights (the Village);

AND WHEREAS, it is the intent of the Board of Directors to govern and protect the landscape areas so that:

1. A standard for maintaining the landscaping within the community, and
2. The landscaped areas within the Village are maintained at a quality level of care and appearance, both in the common areas and around the homes, and
3. The Association is obligated to take appropriate steps to provide guidance and assistance to owners regarding the “personal areas” around their homes, how those areas interface with the common area landscape theme and design and neighboring homes, consideration for potential impact on the Association’s landscape maintenance contract and costs, to help preserve and protect the landscaping investment, and
4. Consideration be given to environmentally sound landscape health care practices, and
5. The initiative of individual owners to make improvements and additions to the landscaping around their homes is supported and encouraged with appropriate pre-approved plant lists and landscape designs to assist owners, while providing an opportunity for owners to request other plant materials and designs, subject to an easy to follow set of procedures and approval processes, and
6. Property values are continually supported by maintenance of a landscape theme, design and beauty of appearance, while at the same time providing for diversity and personalization around homes that support and harmonize with the Association’s overall theme and maintenance program.

NOW THEREFORE BE IT RESOLVED THAT, the following conditions and procedures are to be observed:

1. Landscape contractors work within the terms of their contract with the Board of Directors. Contracts for these services are administered by the Association through

the Board and/or managing agent. Individual owners with questions and requests relating to landscaping matters are to communicate through the Association's management office for assistance. Individual owners need to leave maintenance and care of the plants to the Association's contractor. Care and cleanup related to flowers is the owner's responsibility.

2. The Association has the responsibility for setting standards for landscape design, selection of materials and maintenance services to all areas within the Village, including the areas directly adjacent to, in the front and rear of the buildings. The integrity of the plan is under the guidance of a professional landscape architect. The types and placement of plants, their size at maturity, irrigation needs, new plant integration with current design, among others, need to be considered as part of the overall theme and plant health care program. The goal is to have a beautifully landscaped community while helping to contain maintenance costs.
3. The Association's landscape has a northwest theme. It is the intent of the Association to preserve this landscape theme and property values by community guidelines.
4. All landscaped areas around the buildings are maintained by the Association. The Association provides plants and maintains the concrete and other permanent planter areas located in front of the homes in the Village. These areas may not be used by individual owners for annuals or other plants or materials so that the Association may maintain a standard aesthetic view of the Village.
5. Owners wishing to have annuals may use containers placed close to the front entry door or close to the rear of the buildings. Acceptable containers may be of stone, pottery or ceramic materials that harmonize with the area and be within the earth tone range of colors. Individual owners are responsible for maintaining these annuals and containers in good order and good health. Selection of flowers is normally at the discretion of the individual homeowner. However, the Association retains the responsibility for addressing potential issues, especially where the flowers are visible from the street or a neighboring property.
6. Given the Association's role in landscape maintenance and helping to control costs, it is recommended that when an owner elects to install plants from the pre-approved plant list, they notify the Association of their plans in the event there is a potential need for adjustment to the irrigation system, plant sizes that may create pruning and other issues. This type of information is routinely forwarded to the landscape maintenance contractor for advice. This helps to maximize the potential for healthier disease and insect resistant plants in the right locations and minimize the possible removal due to problems. Decks, patios, hard surface walks, and similar structures are subject to pre-approval as defined in the Association's Architectural Review application process.

7. Owners are encouraged to make improvements to those areas behind their homes where few plants exist. To assist owners, the Association's landscape architect has developed some pre-approved plans (Exhibit A, Options 1, 2 and 3) for consideration.
8. If an owner requests other types of approvals (does not use the pre-approved plans and/or plant list) there is a potential that the Association will need to defer the review to the landscape architect, a procedure that has a modest charge to cover the Association's costs for these special services.
9. When an owner installs plants they become responsible for the initial minimum one-year warranty period and this responsibility is not typically shifted to the Association. Installation of plants by the Association's landscape contractor can be helpful with warranties, irrigation, placement for size, etc., helping to protect the owner's investment and the installation's long-range value to the community landscaping.
10. Modification of the irrigation system is sometimes required when new plantings are installed. Since the irrigation system is the property of and is maintained by the Association, all irrigation work must be performed by the Association's landscape contractor.
11. The Association provides routine landscape maintenance to the new pre-approved elements, including plants, lawn, bark mulch, etc., via the Association's landscape contractor so as to provide for consistency of care and standards for the community at large.
12. Landscape related activities by owners in the past and in the future are subject to this resolution. It is important that each owner have on file in the Association's office an approved landscape plan for changes they may have made in the past, especially if it does not conform to the Association's guidelines. The Association maintains an ongoing authority to either grandfather or to require future changes so as to meet the overall community landscape theme. Early clarification of such matters is recommended. If an application does not exist, a new one will need to be submitted for consideration.

Adopted by Board of Directors September 24, 2003

7/17/03