

SUMMERFIELD TOWNHOUSE SERVICE ASSOCIATION NO. 5

TOWNHOUSE SERVICE ASSOCIATION OF SUMMERFIELD CIVIC ASSOCIATION

Resolution for Landscaping

by The of Board of Directors

Adopted 9/14/21 Amended 10/12/21

WHEREAS "HOA No.5" refers to Townhouse Service Association No.5 of Summerfield Civic Association, and will be hereinafter referred to as HOA No.5

WHEREAS "Bylaws" refers to the Bylaws of HOA No.5.

WHEREAS, the Board of Summerfield Civic Association (SCA) has appointed an Architectural/Landscape Committee, which provides an Architectural/Landscape Manual (the manual) with rules and procedures for maintaining landscaping as well as making landscaping changes. The manual states that "Any exterior change to a property is subject to the rules in this manual." And that "all properties must be landscaped in a manner that is harmonious and compatible with the overall landscaping policy of the SCA." The manual also states: "Due to the visibility of properties that abut the golf course, those properties are considered to have 'two front yards and all rules of this manual apply to both the front yard and the back yard.'" Also, "Obstructing visibility of the golf course by either structures or plantings is not permitted. It is recommended that plants are to be kept trimmed to no more than three feet high on the golf course."

WHEREAS the Bylaws of HOA No.5 under Article VI, Exterior Maintenance, give authority to the Board of Directors to "maintain and husband landscaping and plantings located on the Properties but not within unit courtyard areas". Because there is a need to provide clarification regarding landscaping services provided by the HOA, and those duties that remain with the owner, the Board hereby establishes the following resolution which will be applicable to all owners. This resolution supersedes all prior resolutions or statements made regarding (owners) landscaping responsibilities.

WHEREAS individual property plantings belong to the property owner, but because their appearance frequently provides ambiance and reflects not only on HOA No. 5, but also Summerfield Civic Association (SCA), and the City of Tigard, the City of Tigard has developed the Urban Forestry Manual that contains rules pertaining to owner's responsibility for caring for trees and for their removal.

BE IT RESOLVED that Properties are purchased in an "as is" condition regarding landscaping. Grass, plants, shrubs, trees, and beds belong to the property owner, but funds for costs of shared maintenance are included in HOA No.5 monthly dues.

BE IT ALSO RESOLVED that HOA No.5 shall contract to provide the following landscape maintenance items.

- Grass, beds, shrubs, and trees, including fertilization, pruning, and weed control where warranted.
- Shrubs and trees will be maintained at the appropriate shape and height.
- Sidewalks, driveways, and patios/decks blown off which will result in workers coming onto patios.
- Irrigation system:
 - For back and side areas.

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- Plantings may not be installed outside of the existing watering pattern unless homeowner pays for sprinkler modification.
- Plants that prevent water from reaching other plants will be pruned or removed to correct the situation.
- Moss removal in beds during annual cleanup in winter.
- Spot treatment and removal of weeds in grass, beds, cracks of sidewalks, walkways, driveways, and curbs.
- Leaf blowing and collection in fall. Additional leaves and other minor yard debris may be added to a personal yard debris container which is picked up at the end of driveways on maintenance day
- Treatment of drainage issues in landscaped areas, excluding courtyards.

BE IT ALSO RESOLVED that property owners may plant annuals, perennials, groundcovers, bulbs, and roses, but must maintain them, removing dead plant material as it occurs.

BE IT ALSO RESOLVED that property owners considering replacement of individual overgrown, diseased, dying, or dead shrubs or trees must first talk to the VP of Landscaping to make sure the replacement will be appropriate for the location in the long term, and eligible for shared maintenance if desired

BE IT FURTHER RESOLVED that from time to time the Board may request that some property owner plantings be replaced because they no longer have an attractive year-round appearance because of moss, age, or overgrowth. HOA No. 5 will pay the cost for their removal and replacement with a smaller plant projected to be approximately the same size at maturity.

BE IT FURTHER RESOLVED that the manual states that before making *major* landscaping changes property owners must submit two copies of an official proposed plan accompanied by two copies of the SCA Architectural/Landscape Change Request Form to the Landscaping VP for HOA No. 5 approval. If approved, it may then be submitted to the SCA Architectural/Landscaping Committee at the clubhouse for SCA approval. If the change request is not covered within this Resolution or is not approved, the request form will be returned to the owner indicating the reason for the disapproval, which may then be revised and the decision revisited. If approved, the cost of the new landscaping is solely the owner responsibility.

BE IT FURTHER RESOLVED that we recognize that neither the manual nor this resolution will address every possible question that could arise and that decisions may require the Landscaping VP to use their own discretion with the guidance of the Board of Directors.

BE IT FURTHER RESOLVED that in any given year the Board *may* approve the services such as:

- Bark mulch applied every other year to reduce weeds and moss and to ensure a uniform and attractive appearance of HOA No. 5 landscaping.
- Treatment for insects and disease when needed in grass, beds, shrubs, and trees.

BE IT FURTHER RESOLVED that the following items are property owner responsibilities and are not provided by the Association:

- Keeping patios and beds uncluttered so workers can easily access them for maintenance.
- Irrigation in front areas, patios, and courtyards.
- Weeding or removal of dead or dying plant materials in those portions of the beds containing flowers, bulbs and/or groundcover. Owners must choose between providing ongoing maintenance in that portion of a bed themselves OR removing them.
- Deadheading of rhododendrons, azaleas, and camelias unless current maintenance company provides this service.
- Care of roses or other plants that require maintenance outside that provided by maintenance company.

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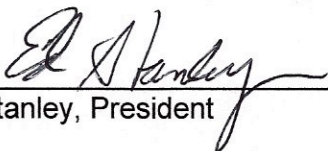
BE IT Further RESOLVED that the HOA will use the following guidelines regarding trees:

- To ensure a tree will meet the attractiveness standards of HOA No. 5 and the SCA prior to having any maintenance work performed on a tree above the maintenance company limitation, a change request must be submitted which includes estimates from two arborists or a professional with extensive experience pruning and shaping trees.
- When a tree is removed, the stump must be ground to below grade, and wood removed from the property.
- If a tree becomes a threat to the structure of your building or brick walls, or to live beings, HOA 5 will pay for the removal of the tree and grinding the stump. The validation of the threat is the responsibility of the Vice President of Maintenance and the HOA President. The fact that the tree roots are harming the sidewalk is not a reason for the HOA to pay for removal. Associated fees or other costs incurred such as arborist or engineer opinions, permits, cleanup, etc., are the responsibility of the owner.

Process for removing a tree:

- Ask the Vice President of Maintenance to validate the threat to structure, wall or people.
- Read the tree removal section of Tigard's Urban Forestry Manual and follow the City of Tigard process to obtain a tree removal permit.
- Obtain at least two estimates for tree removal including having stump ground to at least below grade by either an arborist or a professional with extensive experience in the removal of trees in urban areas.
- Complete an SCA Architectural/Landscape change request form to submit to HOA 5 first and then the SCA for approval.

An owner that wishes to remove a tree that does not represent a threat, shall assume 100% of the cost for removal of tree, stump, and cleanup. The process for removal is the same as above.

By: 
Ed Stanley, President

By: 
Claire Frye, Secretary

Date: 10/12/21 _____