

# **FOREST HEIGHTS HOMEOWNERS ASSOCIATION, INC.**

## **ADMINISTRATIVE RESOLUTION NUMBER 5**

Common Area Tree Removal, Pruning, Planting

WHEREAS, Article VIII, Section 8.4, Powers and Obligations, of the Declaration of Protective Covenants, Conditions and Restricts for Forest Heights Homeowners' Association, Inc. (the "Association"), and Article III, Section 3, Powers and Obligations, of the First Amended and Restated Bylaws of Forest Heights Homeowners' Association provide for the management of the affairs of the Association.

AND WHEREAS, Article VIII, Section 8.10, Association Rules and Regulations, of the Declaration of Protective Covenants, Conditions and Restricts for Forest Heights Homeowners' Association, Inc. authorizes the Board of Directors of the Association to establish and promulgate rules and regulations;

AND WHEREAS, the policy of the Forest Heights Homeowners Association, Inc., is to leave the undeveloped common areas within Forest Heights in their natural condition. The trees in the common areas within Forest Heights are to be left to grow, die, fall and decay without outside intervention, barring the existence of certain extenuating circumstances.

AND WHEREAS, it is recognized that circumstances may arise which would indicate a variance from this policy; trees which block or threaten the trail system may be removed with minimum impact on the surrounding area.

NOW, THEREFORE, BE IT RESOLVED THAT the following rules shall apply:

1. Owners of lots adjacent to common areas may petition the Association to have a tree felled that presents a clear and present danger to real property or humans who may be in close proximity.
2. The applicant will tag the questionable tree or trees with colored, plastic tape and submit the proper application form to the FHHOA Management Office.
3. A four-person committee, consisting of: A three-person group, selected from the Trails and Common Areas Committee, in conjunction with the FHHOA Maintenance Supervisor will examine the tree or trees in question to determine if a potential danger to the homeowner's property exists. When at least three-fourths of the Tree-Examination Committee agrees a potential danger exists, the tree or trees will be pruned or removed at the FHHOA's expense.
- 4.. If the Tree-Examination Committee is dead-locked or feels that more information is needed, the HOA may hire a licensed arborist to determine if a potential danger does exist. The HOA will pay for the arborist.

5. The Arborist must submit a written report to the FHHOA Management Office. If a danger exists, the Committee will initiate action and pay for the requested tree removal or pruning.
6. All of the above actions are subject to the approval of the FHHOA Board of Directors.

This Policy Resolution is adopted the 3rd day of June 2003, by the Board of Directors of the Association.

ATTEST:

**September 10, 2003**

DATE

**/Suzanne Hayden/**

FHHOA, Association Secretary