

TREE POLICY

The following is the policy regarding the maintenance, removal and replacement of trees located within the Regency at Providence community.

The trees in our community fall into one of three classifications:

1. Common area trees
2. Lot trees (trees located on a homeowners lot, not including those in personal garden beds)
3. Trees located in a homeowner's personal garden bed

The responsibility for the maintenance, removal and/or replacement of a particular tree is dependent on the location and ownership of the tree. The following sections specify both the criteria and the responsible party for each of the actions.

(1) Common Area Trees

Common area trees include all those trees within the community that are located on common ground (i.e. not on any homeowner's lot). These trees were planted by Toll Brothers under the direction of the township as to number and type. Once a particular phase of the community has gone through dedication, these trees become the responsibility of the Homeowners Association (HOA). The HOA is responsible for all costs related to maintenance, removal and replacement of common area trees. The following actions apply to common area trees:

Trimming and Mulching

- Common area trees are trimmed as needed and those that are not in a wooded area are mulched on an annual basis. Any evergreen tree on common property or in the rear yard of a resident will no longer be edged or mulched.

Replacement of dead trees

- Replacement of dead trees in the common areas must be approved by the Board.

Removal of dead trees

- If a tree is certified by the Landscape Committee to be dead and the tree is not in a wooded area, the tree will be removed.

Dead trees in wooded areas

- If a dead tree is taken down in a wooded section of the common area, the tree will be left to naturally decompose in the wooded area.

Removal of trees bordering homeowner property

- Common area trees that are in close proximity to a homeowner's lot will be removed only if they pose an imminent danger to the homeowner property.

Removal of live trees

- Residents do not have the option to remove live trees located in the Common areas.

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(2) Lot Trees

Lot trees include all trees that are located on a homeowner's property, with the exception of those trees that are planted in personal garden beds. The following actions apply to lot trees:

Mulching

- Lot trees are mulched on an annual basis. The cost of this work is borne by the HOA. Any evergreen tree on common property or in the rear yard of a resident will no longer be edged or mulched.

Trimming

- Lot trees are trimmed as needed. Trimming of trees is accomplished by a Landscape Contract worker with a tree pole trimmer to cut branches that are dead or growing erratically only as high as the worker can reach standing on the ground. Trimming of trees does not denote pruning, shaping or topping a tree. Trees will also be trimmed as necessary to facilitate mower access and to insure safe passage along the sidewalk. The cost of this work is borne by the HOA.

Removal of Live Trees

- Residents have the option to seek approval to remove live trees from their property. This needs to be reviewed by the ARC as to whether the tree has positive or negative influence on the aesthetics of this particular area and the overall community. If approved by the ARC, the cost to remove the tree is the responsibility of the homeowner.

Removal of dead trees

- Once a lot tree is determined by the Landscape Committee to be dead, it is the homeowner's responsibility to have the tree removed at the homeowner's expense.
- The homeowner can make a request through the ARC not to replace the tree. If the ARC deems the tree to be essential for the overall continuity of the area, the request not to replace the tree will be denied. The homeowner has the right to request a different type of tree be installed after approval by the ARC. If approved, replacement will be at the homeowner's expense.
- If the homeowner refuses to replace the tree, the HOA can replace the tree and bill the homeowner for the expense.

(3) Personal Garden Bed Trees

Personal gardens include the original planting bed installed by the developer, as well as additional ARC-approved beds that were installed by the homeowner.

- The homeowner is responsible for all maintenance of trees located in the personal garden beds. These trees may not interfere with mowing and may not contact a neighbor's house.

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- If a tree in the personal garden bed is determined by the Landscape Committee to be dead, it is the homeowner's responsibility to have the tree removed at the homeowner's expense. The homeowner has the right to request a different type of tree be installed (at homeowner's expense) after approval by the ARC.
- Removal or replacement of trees in personal garden beds must be approved by the ARC.
- Mulching of the Standard Front Landscape Bed is provided by the HOA in the Spring of each year to the Builder Installed front foundation landscape bed. The mulching and trimming of bushes, shrubs, plants, arborvitae, or trees in any additional landscape beds that are on the sides, back or away from the resident's home whether installed by the Builder or the resident are the personal responsibility of the resident. Note: these landscape beds must be maintained to the same standard as the landscape contractor maintains the Standard Front Bed.

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