

**ROLLING HILLS RANCH TOWNHOMES ASSOCIATION REGULATIONS
FOR TREES AND SHRUBS**

SUBJECT: Board Resolution re the creation of Rules and Regulations for planting and care of trees and shrubs.

AUTHORITY: The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law, (the Controlling Documents), which provide that the Association's power to adopt Rules and Regulations rests exclusively with the Board..

EFFECTIVE DATE: November 20, 2013

RESOLUTION: The Board hereby adopts the subject resolution.

1. Planting

Each homeowner is responsible for maintaining the area between his or her townhome and the adjacent sidewalk as well as the gravel-covered planting areas outside his or her fenced patios. The homeowner may plant trees and shrubs within said areas but under no circumstances in the HOA common areas. Fruit-bearing trees are specifically prohibited.

Prior to planting any trees or shrubs on or about his or her property, a homeowner must submit a Design Review Form to the Architectural Committee for approval. The form must be accompanied by a sketch showing the exact location (including the distance each is from the nearest structure, fence, etc.) of each tree and/or shrub the homeowner proposes to install. The form must also indicate the species of each tree and/or shrub and data on its height and crown width at maturity . Any tree planted closer to a structure than half of its predicted crown width at maturity will have to be removed at the homeowner's expense at such time as the Board of Directors, in its sole judgment, determines the tree to have become detrimental, as hereinafter defined. Unless approval from the Architectural Committee was received prior to planting, no tree is grandfathered and homeowners can expect an order to remove them at the first sign that they are determined to be detrimental, as defined below.

2. Trimming of shrubs

Shrubs and bushes shall not overhang sidewalks and streets or be allowed to penetrate patio fences. Trimming of shrubs and bushes in areas maintained by the homeowners is the responsibility of the homeowners. Shrubs and bushes must be trimmed with zero overhang over common sidewalks, must be 12 inches clear from all structures, and must be kept in that condition at the homeowner's expense.

3. Trimming of trees

Trees that overhang sidewalks and streets shall be trimmed so that they are clear by at least 7 feet above sidewalks and 10 feet above streets. Trees must be kept trimmed so that the branches clear any roof or painted surface on the homeowner's unit by at least two feet, or more if required to ensure that they do not brush against the roof or painted exterior of the unit during periods of high wind. Any tree whose trunk is so close to a home that the trunk itself touches any part of the home under windy conditions must be removed. Trimming must include removal of dead branches. Trimming of trees in areas maintained by the homeowner is the responsibility of the homeowner.

4. Detrimental trees

Nuisance trees; trees that are too close to existing structures; trees that have crowns that encroach upon structures or adjacent sidewalks; trees with root systems that result in upheaval of adjacent sidewalks and trees that drop fruit to rot on the ground are all examples of trees considered detrimental to the community.

5. HOA responsibilities

Trimming and/or removal of trees and shrubs in common areas and trees that are grandfathered is the responsibility of the HOA. Any homeowner who is aware of a tree in common areas requiring trimming or removal or that is, in the homeowner's opinion, a detrimental tree should bring it to the attention of the Board of Directors.

6. Gutters and downspouts

The HOA will be responsible for cleaning out rain gutters and downspouts on an annual basis after the leaves have fallen in the fall.

7. Schedule for shrubs

Professionals advise that shrubs will best thrive if they are not trimmed between Labor Day to about Memorial Day. For that reason, all shrubs for which the HOA is responsible will be trimmed by June 30 of each calendar year. All residents are also required to bring all shrubs for which they are responsible into compliance with this Regulation by June 30 of each year.

8. Schedule for trees

The HOA trims trees for which it is responsible in the fall of each year. Homeowners are required to do likewise and must trim trees for which they are responsible no later than November 1 of each calendar year (but by November 21 of 2013 due to this late notice).

9. Notice to homeowners

A written notice will be sent to each homeowner whose shrubs and trees have not been brought into compliance in accordance with the above schedule. The homeowner will be given 14 days to correct the situation. If not in compliance within the 14-day period, the HOA will engage the services of a commercial tree service to perform the work and will assess the homeowner for the full cost thereof.

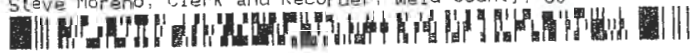
CERTIFICATION

The undersigned, being the President of the Rolling Hills Ranch Townhomes Association, a Colorado nonprofit corporation, certifies that the foregoing resolution was unanimously approved by the Directors of the Association via email voting as of November 7, 2013.

ROLLING HILLS RANCH TOWNHOMES ASSOCIATION

By: Frankie Simmons 678-147

President



HOA-010A

AMENDMENT
TO
TREES AND SHRUBS REGULATION

Article 2. Trimming of shrubs is hereby revised to provide that trees and shrubs are allowed to penetrate fences with the understanding that such growth must be kept clear of sidewalks and any damage to fences that results shall be promptly repaired at the sole expense of the owner. Further, the requirement that shrubs be kept clear of structures does not apply to masonry surfaces such as brick or stone veneer on walls.

CERTIFICATION

The undersigned, being the President of the Rolling Hills Ranch Townhomes Association, a Colorado nonprofit corporation, certifies that the a resolution to the above effect was unanimously approved by the Directors of the Association via email voting as of November 23, 2013.

ROLLING HILLS RANCH TOWNHOMES ASSOCIATION

By: Frankie Simmonds 6-30-14
President