

FORSTER RANCH MASTER ASSOCIATION I
ASSOCIATION MAINTENANCE EASEMENT TREE POLICY

OVERVIEW

Trees in Forster Ranch Master Association I (FRMAI or the *Ranch*) play a substantial role in defining the attractive appearance of the community. Mature trees are also a significant factor in creating value for communities like FRMAI and, to the extent properly installed and maintained, do increase home values. Such trees represent a monetary value of thousands of dollars in their current state of maturity. Trees referred to in this document may be included in the Association Maintenance Easement (AME), or part of designated Open Space or Fuel Modification Zone. As such, these trees are enjoyed by the community as a whole.

As trees in the Ranch mature, more and more of them are beginning to adversely impact homeowner lots, and the Association has been receiving an increasing number of requests from homeowners to remove or trim these trees. To date, the Landscape Committee, in conjunction with the association's contracted landscape company, has reviewed each of these requests on a case-by-case basis in an effort to determine whether it would then be in the best interest of the community (and not just that of the requesting homeowner) for the Association to remove or trim the trees at issue. The committee then recommends a course of action for the Board to take.

Given the anticipated increase in such requests as the trees in the AME continue to mature, and the potential, adverse financial impact to the community if numerous trees in the AME had to be removed or maintained at any given time, the Board plans to enact a policy to provide consistency of response to homeowner requests.

POLICIES AND PROCEDURES

1. If, and when, a homeowner believes that any AME tree is adversely impacting his or her lot, the homeowner may notify the Association of such fact by completing and submitting to management the form attached hereto as Exhibit 1 (the "Notice"), which, among other things, shall describe the situation with reasonable specificity.
2. Upon management's receipt of a properly completed Notice, (i) management shall contact the homeowner and arrange for an on-site inspection, identify such trees and take a sufficient number of photographs so that the Landscape Committee may be reasonably informed of the actual impact to the requesting homeowner, and (ii) management shall submit neighbor notification forms to the impacted neighbors. Management will work with the Landscape Committee to prepare an appropriate report to the Board, including the anticipated cost to remove, time to remove and/or replace the trees at address the issue, based on its on-site inspection of the property.

3. The Board will review and consider the requests contained in Notices. The Board will review and consider only those Notices that have been received by management at least one month prior to such meeting, and will make its decision based on the totality of the circumstances, including, without limitation, all of the following factors:

- Can reasonable actions be taken to accommodate the concerns of the requesting homeowner without unreasonably compromising the interests of the impacted neighbors and the community as a whole (*e.g.*, loss of privacy or shade)?
- Can the overall aesthetics of the AME landscape be maintained, if not improved, in the event that one or more trees is to be removed or trimmed in response to the Notice?
- Will the homeowners who are primarily benefitted by such removal and/or maintenance agree to bear the expense of any such removal or maintenance?

4. Public safety issues specifically identified by a homeowner (*e.g.*, diseased or otherwise structurally compromised trees) will be verified by the contracted landscape company's arborist, and will likely be resolved outside these policies and procedures. **In all other cases the requesting homeowner will bear the financial expense of this process.** The removal process may also include replanting a new tree in another part of the Ranch. The work must be performed by the contracted landscape company specified by management. Any deviation from this requirement will result in penalties and fines.

5. The Board will notify each requesting homeowner of the Board's decision as soon as reasonably practicable after the meeting.

6. Any removal or other agreed upon modification to the AME trees will be done as soon as reasonably practicable after the meeting and, in all applicable cases, after receipt of the required payment from the requesting homeowner.

7. The Board reserves the right, without the waiver of any applicable rights, to modify and amend these policies and procedures at any time, including, without limitation, to cease removing or maintaining any of the AMEs trees in response to homeowner complaints, and to take any such other action in connection with these policies and procedures that may be recommended to the Board by legal counsel.

CONCLUSION

The Board believes that the foregoing policies and procedures will allow the Board to respond to complaining homeowners in a manner that will best contribute to the long-term preservation of home values in the community, while, at the same time, preserving the financial well-being of the Association.