

MUTUAL OPERATIONS

Physical Property

Landscape Areas, Trees and Shrubs – Mutual One Only

PURPOSE

This policy is adopted to enhance the enjoyment of the Mutual One living style by setting and enforcing standards for Mutual One landscaping.

This policy outlines the shared responsibilities of Mutual One and its residents. The Landscape Committee is entrusted with the management of landscaping including the responsibility for inspections and enforcement of this policy.

If all residents follow the policy as outlined below, the landscape areas will display what most residents would consider an appealing appearance of Mutual One, a benefit to us all as a good place to live and an enhancement of property values in the event of resale.

I. GARDEN AREA SIZES

Every resident is allowed the privilege of a flowerbed area in front of his/her apartment. Existing flowerbeds range in width from 24" to 36" and cannot be more than 36". The flowerbed must, however, conform and align with the existing flowerbeds in front of the building. Under no circumstances can the flowerbed exceed the width of the predominant flowerbeds in front of the building. The maximum permissible width of 36" is measured from the outer edge of the building/porch toward the sidewalk, and must be aligned with the adjacent flowerbeds if they are less than 36". The purpose is to align, conform, and maintain continuity of the flowerbeds in a straight and contiguous alignment. Existing extensions beyond the 36" limit are "grandfathered" in. No new extensions are permitted after 10-23-08. At the time of sale, transfer of stock or remodel, extensions will be returned to the permissible width in conformity with the established predominant alignment in front of the building. The work will be done by Mutual One and at seller's expense or at owner's expense when a remodel.

II. FLOWERBED AREA USE AND MAINTENANCE

Residents are expected to maintain their flowerbed area in a manner which most people would consider to be an enhancement and aesthetically appealing to the appearance of the Mutual. If a resident does not adhere to the requirements of the landscape policy, the Mutual will advise the resident, in writing, of the problem to be corrected.

If the resident does not correct the problem, the Mutual will revoke the resident's flowerbed privilege and assume planting of the flowerbed.

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1. Residents may plant greenery of their choice from the Mutual One approved planting list (See Section IV), at their cost, subject to the restrictions set forth in Section IV.

Vines (all varieties) are not permitted. Vines provide ready habitat for rats and other small animals; they also increase humidity against all surfaces, causing dry rot.

All parts of all plantings must be at least 6" from the building/porch and remain 18" below the eaves.

All non-conforming plantings will be cut back by the Mutual at resident's expense.

All plants in flowerbed areas with a trunk diameter of 4" or more will be removed by the Mutual at resident's expense.

2. All fertilization and plant pest control within the flowerbed area are the responsibility of residents at their expense. Pesticide application requires careful attention to prevent endangerment to others as well as useful insects.
3. Flowerbed areas are cultivated, weeded, and trimmed by contracted garden staff. Residents who desire to do that work themselves may alert contracted garden staff by placing red flags within the flowerbed areas. Flags are available from Directors.
4. The staff members of the contracted garden service are instructed to remove weeds from all flowerbed areas, including Baby's Tears, wild mint, and plants of the spiderwort family. All these plants are capable of spreading onto the lawns or invading neighboring gardens.
5. In no instance are plants of any sort permitted to become entwined, lay upon, or in any manner touch a roof, an exposed beam, or any portion of a structure as these conditions tend to invite termites, rats, and mice.

Any plant materials in the flowerbed areas whose roots are damaging the building structure, walkways, lawn area, or retaining wall must be removed at the expense of the resident and the damages repaired at the expense of the resident.

Plants not already trimmed to acceptable standards will be cut back, at resident's expense, when the structure is painted or repaired.

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6. Entrance walkways, from the sidewalk to the structure/porch, must be kept at all times clear of potted plants and all other impediments, including electric carts. Nothing that will in any way impede the full use of the 36-inch-wide walkway and entry from the sidewalk to the entrance onto the porch is permitted to remain on the walkway. Plant materials must not extend outside the flowerbed limits over scallop borders, walkways, turf areas, or into neighboring flowerbed areas.
7. Plants are not permitted on top of the Padmount transformers, hung or placed on Padmount enclosures (per Policy 7492), nor on telephone vaults, telephone poles, or adjacent areas.
8. Residents of apartments A, L, F, and G, upon prior written Board approval, may be allowed to plant in the areas adjacent to the ends or sides (triangles in A & L) of their units. If the resident has permission to use this area, the resident must follow the rules as to what plants are permitted and care for the planting so as to keep them aesthetically appealing. Approval for these special areas may be revoked by the Board and the plants removed at any time without reimbursement to the resident for the items removed. A 36" unencumbered aisle or dirt walkway will be maintained from the sidewalk to the front window of the 2nd bedroom to ensure unobstructed access for emergency personnel. Violation of this requirement is not protected by a "grandfather" clause and any such plantings will be removed at resident's expense without compensation.
9. Watering garden areas is the resident's responsibility. Slow watering of plants all day or all night is not permitted. Watering plants without attendance is not permitted; this is to prevent flooding and over watering of the area. Hoses may not be left unattended, if the water is on, and soaker hoses are not permitted.
10. Care must be exercised to avoid over-planting flowerbed areas. Patio furniture is not permitted in the flowerbed area. The Mutual is responsible for the maintenance of the turf area.
11. A maximum of six (6) hanging items is permitted, which includes flower baskets, wind chimes or other artifacts. Plants must be kept trimmed, healthy and on non-rusting hangers.
12. Any potted plants placed in the flowerbed areas must be in decorative pots – they may not be left in the nursery containers. Potted plants are to be kept trimmed and in a healthy state. The flowerbeds are to be kept in an attractive state to avoid an overabundance of plants that can be an eyesore and attract black widow spiders, other spiders, bugs and rodents.

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13. If a flowerbed is deemed to be an eyesore by the Landscape Committee and provides hiding places for spiders and rodents, then the resident will be asked, in writing, to clean it out. If the resident does not clean out the “overgrown” flowerbed and/or overabundance of potted plants, then the Mutual will do it, and thereby revoke the resident’s privilege of planting in the flowerbed. In this case, the resident will not be reimbursed for any plants, pottery, containers or non-authorized “items” in the flowerbed.

III. TURF AREAS

1. Turf areas are described as the ground areas located outside the apartment’s flowerbed area. The Mutual is responsible for the maintenance of the turf area. Laundry room planters are a part of the Mutual’s landscape/lawn property – they are not for residents’ use. If a resident infringes upon this area, the Mutual will ask the resident to remove such infringements. If resident doesn’t remove them, the Mutual will have the infringements removed with no compensation to the resident.
2. Residents are not permitted to install, maintain, remove, or relocate plants or any other landscaping materials, in the turf areas, around trees, irrigation corners on green belts, or around light poles. Any plants or other landscaping material that is placed in a turf area by a resident may be removed at resident’s expense. Directors have the authority to authorize such removal. Subsequently, the plants may or may not be replaced.
3. Residents are not permitted to install, relocate, or adjust turf area sprinklers. Residents are not permitted to hand-water turf areas except for areas inadequately irrigated by the sprinkler systems.
4. The Mutual will not plant or replace trees in turf areas that have less than an eight-foot clearance from planting to sidewalk and/or entrance walkway.
5. Temporary use of turf areas by residents requires prior written approval by a Director (examples could include a picnic, party, moving, construction material storage, etc.).
6. Lampposts may not be decorated or have anything attached to them.

IV. APPROVED AND PROHIBITED PLANTS

1. The list of approved plants is shown below (no other plants are to be placed in the flowerbeds). If a resident has a question about a plant that does not appear on the approved list, the resident needs to contact a Mutual One Director for clarification and

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obtain written approval from the Director prior to planting. If planted without prior written approval, the Mutual will remove, at its discretion, the offending plant(s) at the resident's expense.

Approved Plants List:

Sun Areas:

- a) Day Lily – Yellow
- b) Hidcote Lavendula Angustifolia
- c) Salvia Leucantha – Santa Barbara Sage
- d) Nandina – Gulfstream
- e) Duranta Repens
- f) Raphiolepis – Pink Lady

Shade Areas:

- g) Mandevilla Splendens
- h) Camelia
- i) Azalea
- j) Pittosportum – M. Channon
- k) Nandina – Gulfstream
- l) Hidcote Lavendula Angustifolia

Small Flowering Shrubs:

Azalea
Camelia
Gardenia
Heather
Hydrangea

Drought-tolerant Plants:

Heavenly Bamboo
Star Jasmine
Dwarf Hibiscus
Mandevilles

3. The following plants are prohibited and may not be planted in the flowerbed areas: Asparagus fern (all variations), Ivy, Baby Tears, Poinsettia, Bird of Paradise, Spiderwort family, trees, fruit trees of any kind, citrus trees, cedar-type bushes, Boston ferns, cactus (large), palm trees (if too large), Ficus trees, Jade plant/trees, and Wild Mint.

NOTE: Any tree or plant will be removed if deemed by the gardener or Physical Property Inspectors to have roots that will cause damage to the sewers or infrastructure.

V. FRUITS AND VEGETABLES

Growing vegetables and fruit in flower bed areas is strongly discouraged. Land in the 1.8-acre Mini Farms is set aside in Leisure World for vegetable planting. Call Community Facilities (ext. 398) for information.

All vegetables and fruit may be grown in pots within the shareholder's designated flower bed area. Pots may not be placed on walkways, sidewalks, or anywhere that will impede emergency access.

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Proper maintenance of flower bed gardens is required. Ripe produce must be removed in a timely manner so as not to attract vermin and rodents.

Vegetables, fruit plants, and trellises must be at least eight inches away from the building façade, patio and walkway and must be at least 18 inches below overhang.

Shareholders will have 10 days to correct violations of this policy, or plants will be removed by the Mutual at the shareholder's expense.

When notice of intent to withdraw, sell or transfer a unit has been completed, the garden area must be brought back in compliance with the Mutual's policy, at the seller's expense, prior to listing the unit for sale. Existing garden may be removed by seller or purchasing party per their purchase agreement.

Some prohibited plants may be permitted if planted in special containers that do not allow plant roots to touch the ground outside of the container. Clarify with the Mutual Board before planting and obtain written approval. Otherwise, the plant(s) will be removed by the Mutual at the resident's expense.

VI. ADMONITIONS

1. Use of leaf blowers by residents is strictly prohibited.
2. Legally, shopping carts brought into Leisure World are considered stolen property. TAKE THEM BACK.
3. Residents with a four-legged pet must clean up after their pet if it relieves itself in any area of the Mutual. Defecated material destroys grass and is a costly hazard to the gardeners.
4. Easily transported trash or other small items for disposal should be placed into the trash bins provided. Trash or other items may NOT be left on the ground, on the cover of a trash bin, or on a wall of the trash enclosure.

ANY and all electronic waste (computers, toasters, televisions, household batteries, etc.) must be taken to the Maintenance Yard (located at the very end of Golden Rain Road) and disposed of properly.

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5. Large, heavy items not destined for donation and pick-up by some organization must not be placed into a dumpster or left on the ground adjacent to a dumpster. These types of items must be taken to a special dumpster located on the street opposite the Mini-farm. If that is inconvenient, contact a Director who will arrange for the item(s) to be transported to the Mini-farm area (resident will be charged a fee for this service).

If large, heavy trash items are abandoned at or near a dumpster in the Mutual, the cost to properly dispose of these items will be charged to the owner, if the owner of the items is identified.

6. Be careful with hanging baskets, pots, hummingbird feeders (no other type of bird feeders are permitted), and any other items that hang from the eaves. If the item is too heavy, it may damage the eaves. If not well-fastened, it may be blown off by a strong wind and break a window or injure someone.

VII. RECOMMENDATIONS

All residents are urged to discuss plantings with the Board of Directors or a member of the Landscape Committee before making major changes in their flowerbed areas.

Necessary approvals as noted above must be applied for, in writing, and left with a Director or a member of the Landscape Committee. Required action will commence promptly, and the request will be handled in a timely manner.

VIII. RESOLVED

WHEREAS, at such times it is necessary to paint and/or make repairs to the exterior portions of the buildings of this Mutual, shrubs, trees, plants, vines and other growth that is entwined, laying upon or otherwise touching the roofs, exposed patio beams, or other parts of the building, must necessarily be removed, pruned, or trimmed back so as not to interfere with the repairs or the proper application and drying of paint; and

WHEREAS, between painting or repairs, such plant growth, if allowed to grow unchecked, can cause damage to the structure and/or the paint finish by rubbing, retaining moisture and/or attaching root mechanisms to the buildings' surfaces; and

WHEREAS, it is the intent of the Board of Directors to clean up, spruce up and maintain the Mutual's grounds and flowerbeds in a pleasantly appealing look of conformity and continuity in an effort to preserve shareholders' property values; to present Mutual One in a fashion so that ALL residents and visitors can be pleased to look at it, and ALL residents

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can be proud to live in Mutual One;

NOW, THEREFORE, BE IT RESOLVED, that the Mutual Corporation will trim, prune, or remove, as necessary, all such aforementioned plant growth, determining at the time whether it is a resident or Mutual Corporation responsibility.

BE IT FURTHER RESOLVED, that, in the future, plant growth will not be permitted to grow back to a condition of untidiness or so as to interfere with the building repairs or painting and, in order to accomplish these policies, the Mutual will trim, prune, and remove such growth from time to time as necessary.

MUTUAL ADOPTION

ONE: 06-24-02

AMENDMENTS

10-24-02
04-22-04 (effective 07-01-04)
09-25-08
10-23-08
07-22-10
02-23-17