

MUTUAL OPERATIONS

PHYSICAL PROPERTY

Garden Areas, Trees, Shrubs - Mutual Ten

A. Purpose

The purpose of this policy is to establish landscaping standards for Mutual Ten for the following common areas: garden areas, trees, and shrubs. Compliance with this policy will permit shareholders to temporarily utilize certain common area property, subject to the limitations herein. Common area property, being temporarily utilized by a shareholder, shall remain common area property. Temporary use permission of the common area property area may be revoked by the Board of Directors (BOD) at any time.

B. Definition of Term

A garden is a planting area, of soil, pavers, or pots/plants only, outside the building and uncovered except for the roofline.

C. Garden Area Sizes

All Shareholders have the privilege of a garden area (or flower bed area) in front of their unit defined by this policy as being 40 inches deep along the outside frontage length of the unit, measured from the face of the building toward the sidewalk. The garden area may conform to the width of the majority of other units on the same side of the building which, in some cases, exceeds 40 inches. End of building unit garden areas shall be up to 40 inches deep from the side face of the building. Garden areas will be brought to conformity with adjacent gardens upon the resale or transfer of the shareholder's stock. All garden areas are site-specific and must be BOD approved.

D. Garden Policy

1. Contact your Mutual Director for gardening request or sprinkler service. Refrain from giving instruction to gardeners.
2. The Mutual contracted gardeners will trim bushes, rake, and cultivate routinely. Rose bushes are pruned annually, usually in January. Spraying and tending flowers are not standard services provided by the gardeners.
3. The limited planting area in front of shareholder's units does not allow the planting of trees.
4. Vines that climb or cling to deco blocks or buildings are not allowed, unless confined to a staked trellis that clears the building and roofline by 6 inches.
5. Routine trimming of trees and shrubbery, cultivating, and weeding are included in the gardening contract. All other requests constitute a shareholder charge.

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6. All growth must be kept trimmed away from buildings and must not interfere with mowing machines. If you do not want the gardeners working in your garden, please obtain a red flag from your Director.
7. Upon the effective date of this policy, shareholders whose gardens are not compliant with said policy shall be notified in writing of the non-compliant condition and advised of the steps to be taken to achieve compliance. Written appeals may be made to the BOD.
8. Containers on porch ledges may be small and must not be so large that they present a danger of falling off the ledge. A maximum of eight (8) items, including containers, figurines, and artifacts, may be placed on a ledge.
9. The following flowers or plants may not be planted in garden areas. Additional prohibited plants or flowers may, in the future, be added to this list by the BOD.

Asparagus Fern	Thorny Cactus	Ivy	Wild Mint
Bamboo	Citrus of any kind	Ficus	Elephant Ears
Bird of Paradise	Trees of any kind	Most Palms	Artificial Plants

NOTE: If planted in a pot with a root barrier under the pot, Bamboo, Miniature Citrus trees, and Ficus are allowed.

10. The approved plant palette includes:

Agapanthus	Escallonia	Holly family	Pink	Lady's Slipper
Ajuga	Flax	Hydrangea		Rose
Azalea	Fuchsia	India Hawthorn		Santa Barbara Sage
Camellia	Gardenia	Heather		Juniper shrubs
Chrysanthemum	Heavenly Bamboo	Lily of the Nile		Star Jasmine
Dahlia	Hibiscus	Lily of the Valley		St. John's Wort
Daylilies	Hidcote Lavandula	Mandevilla Splendens		
Duranta Repens	Verbena	Mirror Plant		Succulents
Drought resistant shrubs				

Annual and Perennial Flowering Plants

Geraniums	Marigold	Wax Begonia	Impatiens
Vinca	Pansies	(others may be approved in the future)	

E. Garden Use

1. A maximum of eight (8) hanging containers or baskets are permitted (including wind chimes and other artifacts, provided noise does not bother your neighbors).

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2. Containers on the ground in the garden area must be kept neat and tidy. Containers that have no drainage holes and standing water are not permitted, they are a breeding ground for mosquitoes.
3. For safety and maintenance reasons, containers, statues, tables, chairs, and artifacts are not permitted on the entrance walk from the sidewalk to the building. Nothing may inhibit the 36-inch to 48-inch entry requirement or in any way interfere with mowing, edging, or emergency personnel.
4. Bicycles and tricycles shall not be placed in front of buildings, in entryways or on sidewalks.
5. Items shall not be placed on or hung from the Edison Padmount transformers (per Policy 7492 – Padmount Transformers), or placed on telephone or cable vaults, or junction boxes.
6. Plants and other items of any kind may not be hung from trees or lampposts.
7. Large, freestanding inanimate objects (36 inches by 24 inches) are permitted in garden areas, but shall be limited to three (3). Garden furniture is allowed. Gardeners will not be responsible for damage to objects in the garden area.
8. Gardens may have solar or electric lights, but they must be kept in good operating order. There will be a limit of 10 solar lights in each garden (corner units may have 16). Holiday lighting must be removed after the holiday and be limited to the garden area. Decorative holiday light strings are allowed and may be attached to the rain drain.
9. Empty pots may not be stored in the garden area.
10. All edging block or other edging trim should be consistent by unit along the garden. No wood stakes with chicken wire should be use to keep out rabbits. Small decorative fencing may be used, not to exceed 12 inches in height, and it must be consistent along the whole garden.

F. Trees: Planting, Care and Removal

1. Trees are the responsibility of the BOD, including planting, care and removal. Trees may be planted in common areas only, not in a shareholder's garden area. Trees must be on the list of approved trees and the BOD must pre-approve the planting. Replacement or new trees may be planted in select locations at the Mutual's expense. All new trees will be mulched and no plants or pots will be allowed under the trees. Consultation with the Arborist is required in all tree decisions.
EXCEPTION: Shareholders may submit a request in writing to the BOD to have a tree planted by the Mutual at the shareholder's expense. All planting of trees shall be done after review by the arborist and the BOD approval. The shareholder may, generally, choose the planting site if approved by the arborist after considering, among other criteria, the existing sprinkler system, adequate space for roots, proper

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clearance from any structure, appropriate variety of tree for the location, etc. A memorial plaque can be ordered to be placed by the tree with the following guidelines:

- a. Plaque will be bronze, not to exceed 6 inches by 10 inches in size.
 - b. Engraving will consist of name of person to be honored, example: "in honor of..." or "in memory of...".
 - c. Design for plaque will be submitted to the BOD for approval.
 - d. Cost of plaque to be paid by the shareholder.
2. Due to disease, falling branches, leaning dangerously, or other cause, a tree may need to be removed. In every case the arborist will be asked to inspect the tree and provide an opinion.
 3. Specifications and a bid process will be used for the removal of trees, except for some very small trees. In order to reduce expenses, tree removal may be coordinated with other Mutuals requiring the same. Small trees with obvious problems may be removed by the gardeners upon approval of the BOD.
 4. The Mutual landscape contractor has the responsibility to prune flowers around common area trees when they are in need of trimming.

G. Turf Areas

1. The Mutual turf areas may be used by shareholders on a temporary basis for construction activity, moving, parties, etc. Lawn furniture, tables and other similar items are permitted in the common turf areas only during actual use and must be stored in the shareholder's apartment and not left on the turf areas or in the well at the base of a tree when not in use.
2. Lampposts may be decorated for special holidays. If the decorations are attached to the post, painter's tape must be used so that the painted surface of the lampposts will not be damaged. Nothing can be stuck to the light bulb cover.
3. Projects requested in writing by shareholders that would result in changes to turf areas must be approved in writing by the BOD. The work involved in such projects must be performed by the Mutual's gardening contractor, with the cost of such work charged to the shareholder, unless the BOD rules otherwise.

H. Maintenance

1. Fertilization and plant pest control in the garden area is the financial responsibility of the shareholder. Care must be used in the application of pesticides so as not to endanger others or useful insects. Watering the garden area is also the shareholder's responsibility.

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2. If a shareholder wishes to have sprinklers installed within the garden area, and it is feasible to do so, the shareholder must submit the request in writing to the BOD for approval. If approved, the Mutual landscaper will install the sprinklers. Any expense related to the installation shall be borne by the shareholder.
3. Shareholders are responsible for any damage to wood and stucco surfaces as a result of watering hanging plants. Brackets may not be attached to wood or the building for the purpose of building shelves or other scaffolding, except the type normally used for the American flag, mailboxes, water hose holder, and unit numbers or number plates.

I. Enforcement

1. Gardens will be inspected on a quarterly basis. Any shareholder that does not adhere to the garden policy requirements will, in writing, be advised of the problem(s) to be corrected. If the shareholder does not correct the problem(s), the Mutual will cause the correction to be made at the shareholder's expense.
2. At the time of sale or transfer of the share of a unit, any vegetation not in compliance with this policy, including all trees, in said garden area, shall be removed and remediated at the seller's expense. Final inspection and signing of escrow shall not take place until the above changes have been completed.
3. Written appeals may be made to the BOD.

MUTUAL ADOPTION

TEN: October 23, 1991

AMENDMENTS

10-23-03; 08-24-16