

MUTUAL OPERATIONS**PHYSICAL PROPERTY****Garden Areas, Trees, Shrubs – Mutual Five Only****PURPOSE**

This policy is adopted so that the landscaping of Mutual Five will present an environment that enhances the ambience of its surroundings and thus adds to the enjoyment of the cooperative living style of Mutual Five. It is designed to outline the responsibilities of the shareholder and the Mutual in accomplishing this aim.

1. **TURF AREAS** The maintenance of all turf areas is the exclusive responsibility of the Mutual.
 - a. Mowing: To facilitate mowing, any Board approved hardscape items shall be removed by the shareholder from the turf area before scheduled mowing begins and may be returned after mowing is completed.
 - b. No items, such as rugs that may impede mowers, may be placed on a walkway.
 - c. In performing their duties, the gardeners shall use labor-saving, efficient equipment, such as blowers, as per contract.
 - d. Mutual turf areas may be temporarily used by shareholders from sunrise to sunset for such reasons as, but is not limited to: yard sales, construction activity; moving; or picnics. Any damage to the turf from such activities shall be the financial responsibility of the shareholder.

2. **TURF AREA – TREES**
 - a. Tree removal or planting. After consultation with a certified arborist, a majority vote of the Board of Directors must be obtained prior to plant or remove any trees in the Mutual - except for storm damaged trees. Such damaged trees may be removed at the discretion of the Landscape Committee.
 - b. Shareholders are not permitted to plant or remove trees either on the common ground turf or within their gardens.
 - c. Tree wells:
 - 1.) No plants may be added to or removed from tree wells.
 - 2.) Shareholders are not permitted to hand-water the tree wells.
 - d. All pruning shall be done under the direction of a certified arborist.

3. **TURF AREA – SPRINKLER** Turf area sprinklers are the exclusive responsibility of the Mutual.
 - a. Shareholders are not permitted to install, relocate, or adjust sprinklers in turf areas. In order for the gardeners to have a true gauge of turf watering needs, shareholders are not permitted to hand water the grass or tree wells.
 - b. Projects requested by shareholders which would result in changes in turf areas, such as patios, must be submitted to the Mutual Board in writing, and if approved, the cost of the project, will be at the shareholder's expense.
 - c. Shareholders are asked to sweep walkways and avoid hose watering to conserve water.

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- a. Shareholders must water their garden. If a shareholder does not adhere to the requirements of the landscape policy, the Mutual will advise the shareholder, in writing, of the problem to be corrected. If the problem is not corrected, the Mutual may remove the plant material from the flower bed.
- b. The Mutual gardeners will trim and weed each shareholder's garden periodically.
- c. To opt out of this service, place red flags in the garden. Red flags are available from the Landscape Chair.
- d. Shareholders who decline gardening services are expected to keep their garden groomed and free of debris. If accumulated debris is not removed by the shareholder, the Mutual has the right to have gardening service perform this task, and it will be the shareholders responsibility for excessive costs.
- e. Plant materials or hoses must not extend outside the boundaries of the garden area (as defined by "scallops" or other mowing strips), sidewalks, entry walks, turf, or into neighboring gardens.
- f. Plants must remain clear of rain gutters and not become entwined, lie upon nor touch the roof, patio beams, or other parts of the building.
- g. A freestanding trellis may be utilized for plant support but must be installed far enough away from the building to prevent plants from touching or growing onto the building or deco blocks.
- h. Any plant materials within shareholder garden areas whose roots are, or by the nature of their growth pattern, may become damaging to the building structure, to walkways, to lawn areas, to sewers or to retaining walls must be removed. The Mutual may have the gardening service perform this task and any damages repaired at the shareholder's expense.
- i. In addition to plant material, only ornamental items are allowed in the garden area.
- j. Mosquito control: Potted plants with saucers are not allowed.
- k. The Mutual shall add soil and or mulch to enrich garden soil annually or biannually as needed. Gardens with red flags are accepted

4. GARDEN AREAS - SPRINKLERS

- a. Shareholders are responsible for watering their own garden area.
- b. Sprinkler systems may be installed in garden areas by the shareholder. The sprinkler system may not be connected to the Mutual's automatic sprinkler systems. The shareholder's sprinkler system must be installed in accordance with code requirements for attaching sprinkler systems to water supply lines and must be maintained at the expense of the shareholder.
- c. The shareholder's sprinkler heads must be adjusted so as not to spray water onto the building structure. If the shareholder does not adhere to these sprinkler regulations, corrections or repairs will be done by the Mutual and charged to the shareholder.

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- a. Shareholders may have a garden area at the front of their apartment. The depth of this front garden area may match the adjacent apartments. Shareholders may comply with this standard at their own expense.
- b. Mowing strips, scalloped edging, or other approved dividers are required to be in place at the shareholder's expense.
- c. Shareholder may reconfigure front garden area with approval of the Board.
- d. Pursuant to Barbecue Policy 7427.G: "Propane, butane or charcoal barbecues shall be stored on the outside, open patio but never stored in an enclosed patio. If a unit has no patio, the barbecue must be covered and stored in the garden area adjacent to the main entry walkway."
- e. Shareholders of apartments A, F, G, and L may also have a garden area at the end of their apartment. Generally, the maximum depth of such a garden varies according to the design of each building. Changes to the size of the existing end gardens must be submitted in writing to the Board. The requested change shall be determined on an individual basis. Any planting done must not encumber entry to the attic by ladder or access to the meter panel.
- f. The garden area in front of bedroom windows or doors must have a 36" wide path allowing for egress in emergencies and/or entry of emergency personnel. Any violation of this requirement will cause such plantings to be removed at the shareholder's expense.
- g. The Mutual may allow a shareholder to have a garden area next to a laundry room. These garden areas may be requested in writing and may be granted on an individual basis.

6. GARDEN AREAS – PROHIBITED PLANTS, FLOWERS AND BUSHES

- a. The following may not be planted in any garden area or in a container placed in the garden area: members of the tradescantia family i.e.(plants with a creeping root system), Yucca, citrus trees, or other fruit trees.

Note: A number of the above-mentioned species have been planted in Mutual Five over the years. As units are sold, these plants are being removed, and may no longer be planted in shareholder's garden.

- b. Plants that may only be planted in containers with a stone root barrier underneath: asparagus fern, baby tears, bird of paradise, ivy, nasturtium, palm tree, mint and all bamboo (except heavenly).
- c. All vegetables must be grown in a half-inch metal mesh rodent resistant enclosure minimum height of two feet. Ripe produce must be removed in a timely manner to deter rodents.
- d. No trees maybe planted in the shareholder's garden area.

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- e. Only Decorative pots are allowed in garden area or on patios. Nursery plastic pots are not allowed.
- f. Potted plants are not permitted on top of the pad mounted electrical transformers, nor may they be hung from or placed on pad mounted enclosures (per Policy 7492) or on telephone vaults. The area in front of the transformer door must be clear to a distance of eight (8) feet.
- g. Potted plants are not permitted on entrance walkways if they inhibit the 36-inch width entry requirement.
- h. If shareholders do not comply with these regulations, the Mutual will bring the garden into compliance at the shareholder's expense.

MUTUAL
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ADOPTION
07-17-96

AMENDMENT(S)
09-09-99, 08-15-01, 01-18-06, 03-15-06
03-18-08, 01-16-13, 05-21-14, 12-01-15