

MUTUAL OPERATIONS

PHYSICAL PROPERTY

Garden Areas, Trees, Shrubs - Mutual Six

All garden areas beyond the drip line are in the common area owned by the Mutual shareholders; therefore, the use of this common area for gardens is subject to conditions set forth in Policy 7406.6 – Exclusive Private Use of Property by shareholder.

Shareholders are allowed a garden area in front of their units. Over the years, the sizes of the gardens began to vary throughout the mutual. While it is impossible to have total consistency in the sizes of the gardens, providing guidelines can be helpful in decision-making.

GARDEN AREA SIZES

1. Guidelines for approved garden sizes vary depending on the unit location, sidewalk location, safety and aesthetics. Garden measurements are up to a maximum of 48 inches from the face of the building.
2. At the time of resale or transfer of the share of stock, the shareholder (seller) may be required to re-align the garden area with the remaining gardens in their building at the seller's expense; see policy 7406.6
3. Shareholders in units A, F, G and L, after Board consultation, may be allowed a garden area at the end of their unit, depending on the area available. The planting cannot encumber entry to the attic or access to the meter panel nor block egress.
4. The Board may allow, on a case-by-case basis, plants at the base of trees located in the front or side lawn. When a shareholder has permission to use one or both of these areas, the shareholder should use the approved choices of plants and will be required to care for the plants so as to keep them attractive. Approval for these special garden areas may be revoked at any time without reimbursement to shareholder for items removed.

GARDEN USE

1. Shareholders may select plants of their choice from the list of approved plants (see list on page 4). Trees of any type or other plants with root growth that is invasive and has the potential to damage the Mutual's structures and walkways are prohibited. Vines are not permitted to climb on any structure or light poles. If a trellis is used, it must be freestanding and be kept 12" below the eaves. All planting must be trimmed back 6" from the building. Removal of any offending growth will be done by the Mutual at the shareholder's expense if shareholder does not maintain these standards.

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2. Watering, fertilization, and plant pest control within the garden area are the responsibility of the shareholder. If a shareholder wants the Mutual's gardener to fertilize and provide plant pest control, the gardener will give shareholder an estimated cost of this work.
3. Gardens are cultivated by the Mutual's gardening service UNLESS the shareholder wants to perform this task. If the shareholder wants to maintain their own garden(s), they must insert red flags in the garden area. Gardeners are instructed to remove weeds, including baby tears, wild mint and plants of the spiderwort family, all of which can spread into the lawn or neighboring garden in all gardens. Roses are trimmed in December/January by the Mutual's gardeners in all gardens except red-flagged gardens.
4. Potted plants may not inhibit the 36" entry requirement, nor are they permitted on the entrance walk, on top of padmount transformers, to be hung from or placed on padmount enclosures (per Policy 7492), or on telephone vaults. Trees and shrubs planted in pots must have a cement root barrier. Planted material may not be kept in nursery containers.
5. Free-standing, aesthetically-pleasing objects are permitted in the garden area. The Board may, on a case-by-case, request any objectionable items to be removed by the shareholder at the shareholder's expense.
6. Wall gardens (defined as adjacent to streets) shall be 36" maximum, including any decorative edging. If a garden area does not exist, shareholder may establish a garden. Shareholder must pay to remove sod or relocate sprinklers, as needed. Planting shall be in accordance with the list of approved plants (see list on page 4). Vines and other climbing growth that will attach itself to any wall are prohibited and will be removed at the shareholder's expense. The shareholder shall keep the garden area in a neat and attractive state. Failure to abide by the Mutual's gardening policy will result in a revocation of use.
7. Sprinklers within the shareholder's garden areas or wall garden must be installed by the Mutual's gardeners or a qualified outside source at the shareholder's expense. Maintenance of sprinklers within garden areas will be at the shareholder's expense.

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TURF AREAS

1. Turf areas are all the grounds located outside of each apartment beyond the drip line and garden area. Turf areas are common area. This area is owned by the Mutual and the maintenance of same is the exclusive responsibility of the Mutual. Shareholders are not permitted to install, remove or relocate plants or any other landscaping in the turf areas, including areas around light poles without Board approval. Relocate or adjust sprinklers in turf areas. A director has the authority to remove any plant.
2. Tree issues will be addressed by the Board of Directors. Under certain circumstances, trees that are removed may not be replaced.
3. If a shareholder wants a tree planted in Mutual property, approval in writing must be obtained by the Board of Directors. The tree shall be planted by a reputable landscaper and all costs related to this planting shall be borne by the shareholder. After planting of the tree, it becomes the property of the Mutual and will be maintained by the Mutual at the Mutual's expense.
4. The Mutual's "common areas" can be used for temporary reasons, i.e. picnic, party, moving or construction, etc., with director approval. All projects requested in writing by the shareholder that would result in changes to turf area must be approved by the Mutual Board of Directors. Cost and maintenance is the responsibility of the shareholder.

PLANT GUIDELINES

The selection of plants allowed for the gardening areas is not limited to the plants listed here.

Bushes and shrubs that do well are: Holly Family, Juniper Shrubs, Star Jasmine, Heavenly Bamboo, Hydrangea, Indian Hawthorn, Mirror Plant, Hibiscus, and Lily of the Nile.

Smaller flowering plants that do well are: Azalea, Dahlia, Gardenia, Camellia, Daisy, Fuchsia, Mums, and Roses.

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Perennial flowers that do well in our climate and soil (young plants need protection from rabbits) are: Geraniums, Impatiens, Marigolds, Vincas, and Wax Begonias.

Note: The plants listed above seem to be ignored (at this time) by rabbits, but that could change (pansies and lobelias are favorites of rabbits).

Plants that, by their nature, cause problems and not allowed are: Asparagus Fern, Bird of Paradise, Ivy, Baby Tears, Citrus/Fruit Trees, trees of any type (including selected palm trees based upon location), Spiderwort family, and Wild Mint.

Vines that climb or cling to deco blocks, buildings or light poles are also not permitted.

MUTUAL ADOPTION

SIX: 07-25-00

AMENDMENTS

01-22-13, 08-26-16