

MUTUAL OPERATIONS

PHYSICAL PROPERTY

Landscape – Mutual Twelve Only

- 1 Shareholder Garden. Shareholders may garden in the bordered common area in front of their units in compliance with this policy. The border itself is Mutual property and shareholders must be in possession of a Board approved Policy 7480.12.1 Architectural Standards Approval Form prior to making any change.
 - 1.1 Garden Area Size
 - 1.1.1 The maximum garden area allowed for one side of a building is 48 inches from the main stucco structure or measure from the original roof support post location. The garden area shall conform to the width of the majority of other units on the same side of the building, but may not exceed 48 inches. The 48-inch width includes original or Board approved decorative edge blocks which may not exceed six inches in width. All plants must be kept trimmed 12 inches from the building to allow inspectors, maintenance personnel or painters access to the building for inspections, repairs or painting and to allow for rodent and pest control.
 - 1.2 Shareholders may not encroach with plants or any other objects or material beyond the above area including, but not limited to, the building end access area (Policy 7481.12), on or near the pad mount transformers and their surrounds (Policy 7492), on or near ground vaults, on turf, in tree wells, hanging from trees, in carport end gardens or in other common area Mutual gardens.
 - 1.3 Permitted plants
 - 1.3.1 There are many colorful flowers and plants that will provide beauty in your gardening area. All garden plants must be small enough to continue to have appropriate foliage at maturity when trimmed according to the parameters of this policy. Read the tag inserted in the nursery pot, write ups in gardening books or information on gardening websites to be sure the plants won't grow too large for the area where you're allowed to garden. Topiary must be maintained at shareholder expense. Mutual gardeners will only trim a simple outside form or remove untended topiary. Be sure any gardener or other who purchases and/or installs plants for you knows what's allowed in Mutual 12. Mutual Directors can help you access information.
 - 1.3.2 Warning! Rabbits love pansies and some other flowering plants. Place them in tall pots or pots on stands.
 - 1.4 Non permitted plants
 - 1.4.1 Following are groups and examples of plants that may not be placed in shareholder gardening areas. The examples are not a definitive list. Some plants fit into more than one group. Consult with the Mutual Board

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to confirm whether a plant is acceptable.

- 1.4.2 Non-permitted plants may not be planted in the ground or in pots.
- 1.4.3 Plants that may grow too tall or have branches and leaves too wide to be contained appropriately within the permissible gardening area.
- 1.4.4 Plants with invasive root systems. These can destroy foundations.
- 1.4.5 Ground cover and other plants that spread or send runners and invade other planting, neighboring gardens and or turf.
- 1.4.6 Hedges more than four feet tall
- 1.4.7 Single plants more than five feet six inches tall or four feet wide
- 1.4.8 Non-permitted-plants (partial list)
 - 1.4.8.1 Baby Tears
 - 1.4.8.2 Bamboo
 - 1.4.8.3 Bird of Paradise
 - 1.4.8.4 Cactus
 - 1.4.8.5 Cedar-type bushes (The very small low growing junipers in this group are exceptions)
 - 1.4.8.6 Ferns
 - 1.4.8.7 Food of any kind
 - 1.4.8.8 Fruit
 - 1.4.8.9 Garlic, onions and greens
 - 1.4.8.10 Hibiscus
 - 1.4.8.11 Ivy
 - 1.4.8.12 Marguerite (large variety)
 - 1.4.8.13 Tradescantia (wandering Jew)
 - 1.4.8.14 Trees of any kind (Junipers other than very small varieties, eugenia, cypress, plumaria, rubber trees, palms, tropical, citrus, and dwarf trees are all included in the category of trees).
 - 1.4.8.15 Vegetables
 - 1.4.8.16 Wild Mint

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- 1.4.9 All plants installed by shareholders or their agents that violate this policy, become unsightly or diseased, or grow too large for the garden area shall be subject to removal at shareholder expense.
- 1.5 Shareholder Gardening Requirements and Responsibilities
- 1.5.1 Vines are permitted only on a free standing, flat trellis no taller than 5 feet, no wider than 4 feet and no less than 14 inches from the face of the building. Foliage must be kept 12 inches below the eaves and confined to the trellis.
- 1.5.2 Fertilization and plant pest control in the garden area are the financial responsibility of the shareholder.
- 1.5.3 Watering the gardening area is shareholder responsibility. A sprinkler system may be installed in a shareholder gardening area if it meets approved City codes, is connected to the shareholder's gardening faucet pipe outlet and a Board approved GRF Building Permit is posted prior to installation. Sprinkler heads must be installed so as not to spray water on the building structure.
- 1.5.4 A shareholder wishing to adjust their gardening area to match the adjoining units, not exceeding 48 inches may submit a 7480.12.1 Architectural Standards – Approval Form to the Board of Directors. If approved, border adjustment must be done by a landscape contractor or gardener approved by the Mutual at shareholder expense. Prior to border adjustment, all plants and items not permitted by this landscape policy must be removed from the requesting shareholder's garden area,
- 1.5.5 The Policy 7480.12.1 – Architectural Standards – Approval Form is required for any change in border material whether from the original Mutual scalloped border or a previously changed border.
- 1.5.6 No plants, decorative items, or other objects can obstruct the window of a sleeping room that must be kept clear for emergency exit.
- 1.6 Garden hardscape
- 1.6.1 Hardscape as detailed below must be authorized by the Board on a Policy 7480.12.1 – Architectural Standards – Approval Form.
- 1.6.2 Stone pebbles, not less than 1" nor more than 3" diameter, may be used to cover the gardening area when Board approved. Glass pebbles are specifically prohibited.
- 1.6.3 NO pebbles aggregate, gravel or any hard substance that includes pieces smaller than 1" may be spread, strewn or placed in the garden.

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- 1.6.4 When the Policy 7480.12.1 form is accompanied by a plan or sketch and approved by the Board, pavers (not interlocking), may be placed randomly as decorative feature or in sections interspersed with areas of soil or pebbles when a plan or sketch presented to the Board along with the approval form is approved by the Board.
- 1.6.5 When the Policy 7480.12.1 form is accompanied by a plan or sketch and approved by the Board, a few (five or less) larger rocks of appropriate size for our small gardens may be placed in the garden area as decorative features.
- 1.6.6 The only soft covering permitted in flowerbed areas is landscape cloth under approved hardscape.
- 1.6.7 Poured concrete is expressly forbidden in the garden area.
- 1.6.8 Shareholders with hardscape installed prior to 10/13/16 may apply for Board approval or waiver until sale or transfer. Application does not assure approval.
- 1.6.9 Shareholders may be required at any time and at their expense to remove unapproved or deteriorated hardscape. Such hardscape will be removed at seller expense upon sale or transfer.
- 1.6.10 All garden hardscape will be removed at sale or transfer unless the buyer or successor agrees maintain it.
- 1.7 Plants in pots may be placed in the shareholder gardening area if the plants are not in violation of section 1.4.
 - 1.7.1 No potted plant or other object may be placed on the unit walkways.
 - 1.7.2 Any use of pots or potted plants must be reasonable.
 - 1.7.3 Every gardening area pot must be placed directly on a flat concrete paver larger than the pot. No saucers may be placed under pots due to the possibility of standing water attracting mosquitoes bearing West Nile Virus.
 - 1.7.4 Pots placed on scaffolding or arranged on top of other pots or plants are not permitted.
 - 1.7.5 Log or branch sections may not be used as stands or decoration due to probability of termite or other infestation.
 - 1.7.6 Potted plants and other decorative items may not be placed on the apron, walkway or beyond the bordered garden area.
 - 1.7.7 Pots may not be lowered into the ground for stability or any other reason.

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Top-heavy potted plants must be removed from the premises.

- 1.7.8 Pots must be sturdy and “attractive.” For example, inexpensive red plastic pots are not sturdy, ceramic pots are usually “attractive”; nursery pots are not “attractive.” When pots become broken or deteriorated, plants must be repotted or removed from the premises.
- 1.7.9 Individual potted plants must fit within the garden area according to rules for other plants. Overgrown potted plants must be removed from the premises. The 6’ height limit includes flowers, foliage, and stalks. If plants in the ground fill the garden area, they must be removed as needed to provide space for potted plants.
- 1.7.10 No part of a potted plant or other object may extend into the 3’ wide emergency access area or interfere with access to any part of the premises.
- 1.7.11 All removals of shareholders’ pots and or plants are at shareholder expense.
- 1.7.12 Pots or other items, including but not limited to ceramics and other decorative accessories, wherever placed are shareholder responsibility. Neither the Mutual nor its employees are responsible for theft or breakage.
- 1.8 Shareholder gardening is a privilege and may be revoked.
- 1.9 Gardening areas may not be paved for patio use. Mutual 12 shareholders did not approve the By-Law amendment that would have allowed paving the common area adjacent to the separate interest for patio use. Portable outdoor furniture may be used on the lawn but may not be left out over night or when it interferes with mowing or other maintenance.
- 1.10 Mutual Responsibility in Shareholder Gardening Areas
 - 1.10.1 Every 4 to 6 weeks, gardeners will remove weeds, trim the plants and rake the flower beds. The gardeners will trim plants that require maintenance and/or extend outside the garden area.
 - 1.10.2 If work is not satisfactory, tell a Mutual 12 Director. Gardeners answer only to their supervisors. Special gardening requests must be directed to a gardener hired by the shareholder. Gardeners contracted by the Mutual may not work for shareholders during business hours or breaks therein. Tips may not be offered or accepted.
 - 1.10.3 If a shareholder wishes to maintain their own gardening area, red flags may be obtained from the Parcel Director (the gardeners will not cultivate

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a garden area with red flags). If a red flagged gardening area is not maintained according to this policy, the shareholder will be notified, and gardeners will be asked to remove the flags and resume maintenance.

1.10.4 Roses are pruned in December/January by gardeners, except for red-flagged garden areas.

1.11 Sale or Transfer

1.11.1 Upon the sale or transfer of the shareholder's stock, the garden area size will be adjusted as needed to conform to the established size of the garden areas on that side of the building, not to exceed 48 inches, and all items not permitted under Gardening, Item 2, shall be removed from the garden area at the seller's expense. Work to be done by landscape contractor designated by Mutual. Mutual pays contractor, and seller or transferor pays the Mutual. Transfers may not be completed until transferor pays Mutual.

1.12 Construction Permit

1.12.1 When a shareholder hires a contractor that is approved by the Golden Rain Foundation to modify the exterior structure of the main foundation, the contractor must add a 12-inch exterior apron to the main foundation structure. If garden is non-conforming the border shall be aligned with the width of the adjoining gardens on the building, not to exceed 48 inches, and all plants and items not permitted by this policy shall be removed from the garden area at the shareholder's expense.

2 All Other Landscape Areas

2.1 All of the ground areas located outside of the shareholder gardening area allowed for each unit are maintained by the Mutual's landscape contractor according to Mutual 12's contract with that company. For example, the garden areas next to laundry rooms, carport walls and the tree plots are the responsibility of the Mutual. Shareholders may not place plants, whether in the ground or potted, or decorative items anywhere beyond the borders of the gardening areas adjoining the residential buildings.

3 Trees

3.1 Maintenance and improvement of the Mutual 12 Urban Forest will be based on the most current findings and inventory prepared for Seal Beach Mutual No. Twelve.

3.2 Placement of new trees shall take into consideration the sprinkler system and sewer lines.

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3.3 Planting, Care and Removal

3.3.1 Trees are the responsibility of the Mutual, including planting, care and removal. Trees may be planted in common areas only, not in a shareholder's garden area. Replacement or new trees may be planted in vacant planting sites by landscape companies with approved arborist hired by the Board at the Mutual's expense.

3.4 EXCEPTION: Shareholders may submit a request, in writing, to the Board to have an approved tree planted in a vacant planting site by a contractor hired by the Mutual at the shareholder's expense. All planting of trees must be done under the supervision of Board approved professional arborists. Board-approved trees are selected, as needed, by the arborist and picked up from a nursery and delivered as part of the cost of planting.

3.5 Pruning or "lacing" (thinning) is performed on a scheduled basis. Root control will be done, as needed, to limit intrusion of roots under walkways, garden areas or buildings. Broken branches, wind-caused or otherwise, will be removed by the gardeners.

3.6 Due to disease, falling branches, leaning dangerously, root invasion or other cause, a tree may need to be removed. In most cases, a professional arborist will be asked to inspect the tree and give an opinion. The gardening supervisor may also be consulted before an arborist is called.

3.7 Specifications and a bid process will be used for the removal of trees, except for some small trees or emergency removals. 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 Board.

MUTUAL ADOPTION

TWELVE: 2001-10-11

AMENDMENT(S)

2003-05-08; 2011-10-11; 2016-11-28; 2017-05-11

(2017-05-11)