

Tuscany Homeowners Association

A Resolution Establishing Rules, Regulations, and Community Wide Standards

June 12th, 2014

Whereas, Article V, Section 7 of the Amendment to the Declaration of the Covenants, Conditions and Restrictions (CC&Rs) for Tuscany Homeowners Associations, a community homeowners association, grants the Board of Directors the power to adopt, modify, and amend the Rules, Regulations, and Community Wide Standards governing Tuscany Homeowners Association, provided that such Rules, Regulations, and Community Wide Standards are not inconsistent with the CC&Rs and,

Whereas, Article III and Article IV of the CC&Rs which deals with Use Covenants, Conditions and Restrictions, establishes restraints and restriction on certain activities and practices within the community and,

Whereas, the Board of Directors has the power to enforce the Rules, Regulations, and Community Wide Standards on behalf of the Association and may prescribe penalties for the violation of such rules,

Therefore, let it be resolved that the following Rules, Regulations, and Community Wide Standards are hereby promulgated and may be expanded upon, amended or modified from time to time as deemed necessary by the Board of Directors.

As amended this June 12th, 2014, executed on behalf of the Association by:

Peter Williams, President

Wade Brewer, Vice President

Neal Jensen, Treasurer

Francis Bravo, Secretary

Mike Russo, Landscape Chair

Erik Swart, ACC Chair

Contents

1. Rules --- 2

1.1. Tree Removal (June 12, 2014) --- 2

1. Rules

The board can be contacted at board@tuscanly-hoa.org.

Review or questions about trees should also go to the board email address but if phone contact is urgently required, Mike Russo, Landscape Chair, can be contacted at 310-339-5986.

1.1. Tree Removal (June 12, 2014)

In General: No homeowner or resident in the Tuscany neighborhood shall cut down or otherwise remove a tree growing on their property without the prior approval of the HOA Board. This rule applies to any tree with a trunk measuring eight (8) inches or more in diameter at a point 4.5 feet above grade at the base of the tree.

Hazardous Trees: Nothing in this rule shall prevent a homeowner or resident from cutting down or otherwise removing a hazardous tree on their property, provided that:

1) A report detailing the hazardous condition of the tree is prepared by a certified ISA (International Society of Arboriculture) arborist and submitted to the Tuscany HOA Board prior to the removal of the tree, and;

2) If requested, permission is granted by the homeowner for a representative of the Tuscany HOA Board and/or an ISA certified arborist to enter on the homeowner's property to make an independent assessment of the tree, and;

3) If required, a permit is obtained from King County prior to removal of the tree.

In the event that the hazardous condition of a tree on a homeowner's property poses a threat that is so imminent that any delay in removing the tree would present a safety risk, a homeowner may remove the tree upon notification to the Tuscany HOA Board, or may remove the hazardous tree and inform the Board as soon as possible thereafter. In such circumstances, the homeowner shall include a photograph of the hazardous condition requiring the removal of the tree along with the notification to the Tuscany HOA Board.

Sanctions: Any homeowner or resident who cuts down or otherwise removes a tree in violation of these rules shall be liable for all costs incurred by the Tuscany HOA to replant and establish a new native tree (or trees, if more than one tree has been removed) in the Native Growth Protected Easement (NGPE), either at a point closest to the site of the removed tree or at another area of need. The selection of the tree(s) to be planted, the location where the tree(s) will be planted and the arborist chosen to plant and maintain the tree(s) shall all be left to the sole discretion of the Tuscany HOA Board.

Adherence to Federal, State and Local Law: Nothing in this rule is intended to nor shall relieve any homeowner or resident of the Tuscany neighborhood from the requirement to abide by any additional

restrictions on tree cutting and/or removal as are or may be imposed by federal, state or local law. It is the sole responsibility of each homeowner and/or resident to ensure compliance with all laws and regulations regarding tree cutting and/or removal.