

Resolution 9 – "Landscape Maintenance, Changes & Plant Health Care"
(Revised and approved by the board of directors on October 2, 2017)

WHEREAS, the Bylaws, Article 3 Board of Directors, Section 3.7 Powers and Duties, Article 7 Maintenance and use of Condominium Property, Section 7.1 Maintenance and Repair, and Section 7.5(f) Windows, terraces, yards, balconies, porches and outside walls, grants the Board of Directors the duties and obligations to manage the landscaping and plant health care at the Cottages at Hastings Green;

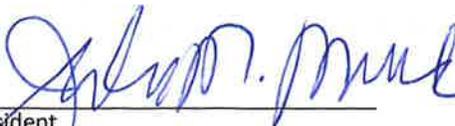
AND WHEREAS, it is the intent of the Board of Directors to govern and protect the landscape areas so that:

1. A standard for maintaining the landscaping within the community.
2. The landscaped areas are maintained at a quality level of care and appearance.
3. Necessary steps may be taken by the Association to help preserve and protect the landscaping investment.
4. Consideration is given to environmentally sound practices.
5. The initiative of individual owners to make improvements and additions to the landscaping around their homes is supported with appropriate procedures and approval processes.
6. Property values are continually supported by maintenance of a landscape theme, design and beauty of appearance.

NOW THEREFORE BE IT RESOLVED THAT, the following conditions and procedures are to be observed:

1. Owners with questions, requests or complaints relating to landscape maintenance are to communicate, in writing, directly to the Association's property management company.
2. Landscape contractors work within the terms of their contract with the Board of Directors. Contracts for these services are administered by the Association through the Board and/or managing agent.
3. The Association provides routine maintenance to plants and lawn via the Association's landscape contractor so as to provide for consistency of care for the community at large. Individual owners may elect to maintain the landscaping in their respective limited common element, except for the lawn areas as defined in paragraph 5 of this section, but they must meet or exceed the standards of the Association's landscape maintenance contractor. The Board of Directors reserves the right to terminate this election if the owner fails to comply.
4. Reasonable efforts will be made to protect flowers and plants when performing maintenance to buildings and grounds. However, the Association and its contractors cannot be responsible for damage to owners' plants. An example of common maintenance and repair service is irrigation maintenance and repair.
5. Owners are responsible for the replacement of plants in their limited common element, but not responsible for replacement of plants in community drainage facilities such as community rain gardens (swales). If an owner is planning to replace any plants in their limited common element, the owner must contact management first in order to have the landscape company identify any irrigation components that are in the vicinity of the desired planting replacement location. This is to alleviate damage to the irrigation system. An inspection by the landscapers will follow after the owner has finished planting.
6. Twenty-five square foot turf pads at the downspouts, as well as the lawn around the drainage swales, must be left as lawn as they are a part of the storm water management system on file with the City of Portland. No modifications of the turf pads or rain gardens (swale) areas will be permitted, except as directed by Board of Directors.
7. Owners who wish to add or modify garden structures such as pergolas, patios or arbors need to make a formal application with the Architectural Review Committee and obtain advance approval for these changes. The formal application is made on an "ARC Change Request Form" as specified in Resolution 3; at least two neighbors with views of the structures must review and sign the "ARC Change Request Form" requesting the addition or modification of a garden structure.

8. Owners are responsible for all maintenance of any such garden structures located on their LCE.
9. The Association's list of prohibited plants are those plants which are included in the "Nuisance Plants List" section of the City of Portland "Portland Plant List". Owners may elect to add plants to their LCE provided they are not specified in the "Nuisance Plants" section of the "Portland Plant List".
 - a. Plants listed in the "Nuisance Plants" section of the "Portland Plant List" that were either planted by the developer or part of the original landscaping of Hastings Green will be removed by the Association.
 - b. Removal and replacement of any plants currently listed in the "Nuisance Plants" section of the "Portland Plant List" that were planted after the original Hastings Green development are the responsibility of individual owners.
 - c. Any future additions to the "Nuisance Plants" section of the "Portland Plant List" will be considered as prohibited plants and may require removal. **If** removal is required, removal and replacement will be the responsibility of individual owners.
10. Care should be taken in plant placement. A plant cannot be planted within 18" of the foundation of a neighboring house. In addition, taller plants may not block windows unless mutually agreed to by the affected neighbor.
11. **It is the Association's responsibility to provide routine maintenance of all trees, bushes and shrubs except the care and pruning of fruit and nut trees, berry bushes or grapevines that owners prefer to maintain for maximum yield. Owners must notify management or the Board of this preference to maintain their fruit/nut trees, berry bushes, or grapevines. The same applies for pruning roses for maximum bloom; and pruning shaped or espaliered plantings are the responsibility of owners and not the responsibility of the **Association**.**
12. Trees should be planted only if they have a mature height of 25 feet or less. Trees with a mature height of more than 25 feet require approval from the Board.
13. During the growing season, adjustments are required to the irrigation system to account for less rain, higher temperature and growing plants. While the Association attempts to monitor these adjustments as closely as we can and implement as needed, we are also subject to scheduling of our landscape contractor. If you feel adjustments are needed in the irrigation schedule, please contact the Association's management company. However, if your plants require more water than they are receiving, please take the initiative to water these plants manually. The owners are ultimately responsible for the replacement of plants in their limited common element.
14. Modification to the irrigation system is sometimes required when new plants are installed. This is done to ensure there is proper water distribution to new and existing plantings. If modification of the irrigation system is required to accommodate new or existing plants and landscape elements for an individual owner, that owner is responsible for the costs incurred. The Association's landscape contractor must perform all irrigation work.



 President
 Board of Directors
 Association of Unit Owners
 of Cottages at Hastings Green, A Condominium



 Secretary
 Board of Directors
 Association of Unit Owners
 of Cottages at Hastings Green, A Condominium

DATED this 2 of October, 2017