

Prospect Point Foliage Cutting Guidelines

1. **Absolutely No Cutting of Foliage on Prospect Point Common Property (i.e., *outside* of the perimeter of the property line of the applicant's individual unit) without prior written approval from the Board or Property Management Committee.**
 - Prospect Point policy prohibits the cutting of trees that are considered healthy unless the location of the tree is contributing to building or other structural damage. The association will cover the cost of cutting in these circumstances, including the removal of any trees that have died. The expense for all other cutting is the responsibility of the homeowner.
 - When requesting cutting please remember that Prospect Point has many varying depths of the property boundary surrounding our complex.
 - Homeowners must submit a *Landscape Improvement and Repair Application* (available on the PPHOA website) to the Landscape Committee for any proposed cutting (see item #2 below before submitting). The Landscape Committee will perform initial review of the application for completeness and confirmation that cutting is within the guidelines of association policy.
 - For those Initial applications determined to be homeowners responsibility, the association's landscaper and tree specialist will be consulted who will contact the homeowner to review the foliage to be cut and a cost estimate will be provided. If the homeowner then wishes to go forward the complete application with cost estimate will be provided to the Property Management Committee and/or Board for final approval. The homeowner **must** have signed final approval from the Board of Directors before any cutting on Prospect Point Property.
2. **Prior to requesting permission to cut on the *hillside* of Prospect Point Common property, each homeowner wishing to cut must submit the following:**
 - A signed letter/note of approval from each neighbor who will be impacted directly by the planned cutting in the Common Area Prospect Point Management will do a visual check to ensure all affected neighbors have signed their approval, if required.
 - A diagram depicting the area proposed to be cut and/or trimmed.
 - A signed "*Acceptance of Liability*" form provided by the Board in which the homeowner (**a**) accepts liability for himself and any future owners for any damage caused to the Common Area, buildings, decks, patios or personal property because of the cutting, including damage to the hillside itself, and (**b**) released the Associate from liability for any such damage.
 - NOTE THAT THE BOARD'S APPROVAL, IF GIVEN, DOES NOT OPERATE AS ACCEPTANCE OF LIABILITY IN ANY RESPECT BY THE ASSOCIATION, WHICH WILL ALSO BE PART OF THE "ACCEPTANCE OF LIABILITY" FORM TO BE SIGNED BY THE HOMEOWNERS REQUESTING PERMISSION TO CUT.
3. **When cutting has been approved, the homeowner must follow all local laws and guidelines as well as the requirements set forth herein.**
 - Homeowner must not cut any hardwood trees or any mature trees (i.e., trees having a trunk of 6" diameter or greater) without expressed written permission of the Board of Directors.

- Cutting must be made “invisible” by the homeowner who cuts the area. Invisible means cuttings will be removed, scattered, or put down so they are not easily visible nor deter from view of the cleared area. (In some cases, it may be difficult to completely hide the cutting. In this case, caution must be used to make the modified area look acceptable to all affected homeowners.)
 - ***There shall be no cutting of woody bushes of any kind (including honeysuckle, sumac, or other similar woody bushes) to a level shorter than three (3) feet above the existing ground surface.***
 - Homeowners must cut the intended area within thirty (30) days after receiving approval to cut.
- 4. Cutting of the approved area must be done by a professional landscape company or contractor approved by the Board consistent with the requirements set forth above.**
- Most professionals know how to cut and trim foliage, so it is not an eyesore, nor dangerous.
 - All cuts must be made by a contractor approved in writing by the Board who is familiar with and follows the above requirements. The company or person contracted by homeowners to do the cutting must be fully bonded and insured.
 - Proof of insurance and/or bonding must be provided upon request.