

Prospect Point Foliage Cutting Guidelines, July, 2016

- 1. Absolutely No Cutting of Foliage on Prospect Point Property without prior written approval from the Board or Property Management Committee.**
 - This includes trees of any size, ornamentals, “woody” types of weeds, (i.e.: Sumac, Honeysuckle) perennial brush, and other plants known to the area.
 - Prospect Point has many varying depths of the property boundary surrounding our complex.
 - Homeowner must submit an Application to the Property Management Committee for the proposed cutting and must have signed approval by Prospect Point Property Management Committee, or the Board, before any cutting on Prospect Point Property.

- 2. Prior to requesting permission to cut on Prospect Point 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 if the cutting will be outside of the parameter of the property line of the applicant’s unit. The consent of neighboring owners is not required if the cutting will only be directly behind the applicant’s unit or within the parameter of the property line of the applicant’s unit. Prospect Point Management will do a visual check to insure 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) releases the Association 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 HOMEOWNER REQUESTING PERMISSION TO CUT.

- 3. When cutting, the homeowner must follow all local laws and guidelines as well as the requirements set forth herein.**
 - Homeowner must cut intended area within thirty (30) days after receiving approval to cut.
 - 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.
 - There shall 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.
 - Cuttings must be made “invisible” by homeowner who cuts area. Invisible means cuttings will be removed, scattered, or put down so they are not easily visible nor deter from view of 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.)

- 4. Cutting of 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 isn’t an eyesore, nor dangerous.
 - All cutting must be done by a contractor approved in writing by the Board who is familiar with and follows the above requirements.

5. 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.