

## Kinderton Village Residential Master Homeowners Association Resolution 2023-02: Maintenance of Common Area Trees

WHEREAS, the Board of Directors of Kinderton Village Residential Master Homeowners Association is empowered to set rules and regulations pursuant to Article IV. Common Area Property Rights, Section 2. F. Rules and Regulations. "The Board of Directors of the Master Association shall have the power to formulate, publish and enforce reasonable rules and regulations concerning the use and enjoyment of the General Common Areas...;"

WHEREAS, the Master Association Board of Directors. Under the authority of the North Carolina Planned Community Act and the Association's Articles of Incorporation, Bylaws and Convents, Conditions and Restrictions has an obligation to maintain the common areas;

WHEREAS, the Board of Directors through complaints from homeowners and visual inspection is concerned about maintenance of common area trees, specifically those located between the sidewalk and the street, and how they are attended to by homeowners.

WHEREAS, the unauthorized topping, cutting, pruning of these trees interferes with the aesthetic nature of the community.

WHEREAS, it is the intent that this rule shall be applicable to all owners, tenants, residents entering upon the common areas and that this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of Kinderton Village Residential Master Homeowners Association is responsible for elevating limbs on trees located between sidewalks and the road. This increase in clearance will include limbs that extend over the roadway, and limbs that interfere with walking on the sidewalk. This will be done on a periodic basis as determined by the Master Board of Directors. Authorization desired by a homeowner for tree trimming over the residents front yard, porch, or roof must be obtained through the ARC process prior to any work on the tree. Any concern or needed changes to root systems for these trees must be approved through the ARC process with proof supplied through a certified service contractor, (e.g. A plumber if roots are interfering with the water lines; An arborist detailing what type work is to be done such as a root ground out) and stating it will not affect the health of the tree. The Kinderton Village Master Homeowners Association is not responsible for repairs affecting individual lots.

Approved:

Kinderton Village Residential Master Homeowners Association Board of Directors.

Date: 04/10/2023

President: 

Vice President: 

4/10/23

This supersedes the previous version: Resolution 2019-01 - Maintenance of Common Area Trees