

STATEMENT FROM THE BOARD TO PARKSIDE HOMEOWNERS REGARDING TREES

APRIL 2019

The rules that govern the Parkside development (Parkside 1 and Parkside 2) were established in January 1992, when the property was transferred from the developers, Puget Sound Development, to the Parkside Owners Association. The Bylaws and Declaration & Covenants, Conditions, Restrictions, Easements and Reservations (CCRE&Rs) are the documents that outline the policies and procedures to be followed by the Parkside homeowners and that are enforced by the Board of Directors. New homeowners are required to receive a copy of the CCRE&Rs and to sign that they have read them.

Although the CCRE&Rs were written and filed with the Skagit County Auditor in 1992, they have been amended several times since then to reflect changes voted on by the owners. The most recent amendment was filed as Auditor's File No. 9103250003 in the summer of 2014.

Central to the vision of the Parkside development was the commitment to preserving the forest ambiance. Part of that vision included protecting the trees, particularly the large native forest trees that both surround the properties and that grow in many owners' yards. Over time these trees may become diseased or dangerous and need to be removed. The board has been charged with the responsibility of approving removal of all native trees on private lots. The reason for the board's jurisdiction, rather than owner jurisdiction, is that the board is charged with the responsibility for looking out for the best interest of the neighborhood as a whole.

The common areas were intentionally planned as part of the development. These serve as buffer zones between houses and provide privacy as well as esthetic value. The original Parkside developers did not want Parkside to be a place where nature is tamed so much that it's almost gone. The board has the duty to maintain the common areas, and owners must ask permission for any vegetation to be removed in those areas. The Parkside plat states that common areas "are to be retained in their natural state, keeping the natural vegetation in place..."

The board takes the responsibility for maintenance of trees and the common areas very seriously. Board members are committed to protecting Parkside owners and visitors' safety. All trees that are considered to be damaged, unhealthy, or dangerous are removed.

CURRENT PARKSIDE PROCEDURES REGARDING TREE REMOVAL AND COMMON AREA MAINTENANCE

1. Article 4, section 4.10 of the Parkside Covenants, Conditions, Restrictions, Easements and Reservations states that the board has a non-delegable responsibility and duty to maintain the common areas.
2. Article 3, section 3.6.16 states that the cutting of any trees other than those necessary to clear for the building site is strictly prohibited unless approved by the board.
3. Any owner or board member can report a problem with a tree on their own property or in a common area. Report should be sent in writing to the board and should include;
 - a) the location,
 - b) any bordering areas or properties that could be affected,
 - c) the species of tree or plants

- d) the proposed solution
 - e) the reason for removal (can include potential danger to people or property, diseased tree due to age or insects, etc.)
4. Each request is evaluated on a case-by-case basis. A member of the board usually meets with the requisitioner and inspects the site with that person. The board makes an effort to respond on a timely basis to requests and ensures that neighbors who may be affected have no objection to the proposed project. In some of the common areas permission to remove vegetation must be approved by the City.
 5. Permission for removal is only required for **native trees** on homeowner lots. No permission is required for pruning on homeowner lots.
 6. Parkside CCRE&Rs as well as the Plat of Parkside require that common areas be **maintained in their natural state**. For some tracts permission from the City is required for removal of any vegetation or trees.
 7. If permission is granted to remove vegetation or trees from a common area, the board may or may not pay for the work. This decision is made on a case-by-case basis. Usually the board will pay the expense if action is needed for safety reasons or to facilitate drainage but not when the work is requested for esthetic reasons.
 8. Occasionally a homeowner who requests removal of trees that will change the ambiance of the street will be asked to replace them by planting new native trees in those spots.
 9. Each request will receive a written response from the board. In the case of disagreement about the removal of a tree the owner must present a written evaluation from a certified arborist stating the reasons for removal. The board reserves the right to retain its own experts before approving removals.
 10. Since the Parkside Bylaws require a quorum of three board members to make business decisions, at least three members will make final decisions regarding tree removals.
 11. While the board is charged with responsibility for enforcing the CCRE&Rs, including those governing tree removals and common area maintenance, the board is not able to see all areas of Parkside property and relies upon timely notification of problem areas by homeowners.
 12. All requests for and decisions about tree removals and common area work are recorded in the minutes and posted on the Parkside website www.parkside98221.org
 - 10 As required by the CCRE&Rs, funds for work in the common areas are budgeted each fiscal year. Unused funds may be rolled over into a reserve account for future use as needed.