

FOOTHILLS POINTE OWNERS' ASSOCIATION

MAINTENANCE OF COMMON GROUNDS AND PRIVATE LOTS RULES

- A. **Purpose:** In an attempt to protect the health, safety and welfare of residents, the Association expects and requires that all grounds be maintained and cared for on a regular basis and in a manner consistent with a high-quality community.
- B. **Applicable CC&R:**
1. Article VI, Section C. Rules for Common Areas. (page 12): “The Association is authorized to adopt rules governing the use of the Common Areas and to provide penalties for violation of the same.”
 2. Article IV, Section A, General Provisions (page 10): “...the maintenance of, repairs to and replacement to the Common Elements shall be the responsibility of and shall be furnished by the Association.”
 3. Article IV, Section A, Paragraph 2, (page 11): “In the event that an Owner of any Lot or Living Unit shall fail to properly provide for exterior and/or ground maintenance thereof, the Association may, but shall not be obligated to, provide exterior maintenance such as cutting, trimming and caring for grass, trees, and shrubs...” [Note: the continuation of this CC&R paragraph defines the conditions under which the Board may provide exterior maintenance and assess the cost against the lot.]
 4. Article II, Section C. Association's Right of Entry. (page 7): “The authorized representatives of the Association or the Board shall be entitled to reasonable access to the Lots as may be required to correct any existing violation of the provisions of the Governing Documents, or in the event of an emergency....”
- C. **Standards and Requirements:** This policy defines the Association’s standards and requirements for maintenance of Common Grounds and Private Lots. This includes, but may not be limited to, the following:
1. Areas with turf grasses will be mowed and trimmed regularly so as not to exceed a height of six (6) inches. This could require more frequent mowing during the growing season.
 2. Vegetation on open fields may not exceed sixteen (16) inches in height. Vegetation on Forested Lots must be cut back to the tree line and may not exceed sixteen (16) inches in height. This may require monthly mowing during the growing season.
 3. A lot is not considered a fully forested lot if the trees have been cut down on part of the Lot and vegetation has been allowed to grow unabated. This portion of the Lot must be cut to maintain the (16) inch height requirement.
 4. After mowing, all vegetation and debris discharged onto the roadway must be removed. If the owner is using a contractor, it is the owner’s responsibility to make the contractor aware of this requirement. This requirement applies to **ALL** lots in the subdivision.
 5. Planting areas will be routinely weeded, trimmed, mulched, etc. and otherwise kept orderly and presentable.
 6. Trees, bushes, shrubs and grass will be cared for to assure their health and to correct any condition posing a potential hazard or nuisance.

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7. There shall be no accumulation of dead brush, limbs, grass or other debris on any Lots or Common Grounds. Dead trees, downed trees and dead brush are to be removed.
 8. No grass, bushes, limbs or other debris is to be put in the road right of way.
 9. There is to be no cutting of trees or bushes on the Right of Way or Common Areas without permission from the Board.
- D. **Contractor Performance Authority:** Only the Board or the appropriate Chairperson may direct the work of any contractor hired by the FPOA. No other FPOA member is authorized to give a contractor orders to perform a job or stop performance of an FPOA-funded job.
- E. **Procedure for All Common Grounds:** The Board, acting for the Association, will assure that all Common Grounds are properly maintained by establishing, empowering and funding the Grounds Committee and the Beautification Committee and by providing appropriate oversight for these committees.
- F. **Procedure for Private Lots and Living Units**
1. At the beginning of each mowing season, a notice will be sent to all Lot and Living Unit Owners reminding them that they must abide by the requirements listed above. Due to the different growing rate of vegetation on each lot, it will require different mowing schedules for each lot to ensure that the height does not exceed the six (6) inches on developed lots or sixteen (16) inches height on undeveloped lots. It is the responsibility of each lot owner and/or their mowing contractor to monitor and maintain this required height. In some cases, it will require Open Field and Forested Lots to be mowed at a minimum of once a month.
 2. Members are responsible for maintaining their properties in a quality manner as defined above. However, if a member's property doesn't meet the expectations stated above, the Board, acting for the Association, will provide the service and bill the owner.