

COLONIA VERDE HOMEOWNERS ASSOCIATION

LANDSCAPING RULES AND REGULATIONS

- 1. Authority and Organization.** The Board of Directors shall appoint from their membership a Landscaping Chairman. The Landscape Chairman shall recommend to the Board, additional unit owners to serve as the Landscaping Committee. The Landscaping Committee shall meet at the call of the Landscaping Chairman to consider requests from Lot Owners and to act on reports of non-conforming landscaping improvements by Lot Owners. A report of committee action and their recommendations shall be made to the Board of Directors for their approval. The Landscaping Chairman may act alone on requests that are specifically approved in these Rules and Regulations.
- 2. Landscape Improvements and Landscape Maintenance Requests.** The procedure for requesting landscaping improvements is addressed in Articles 10.2 through 10.3 of the CC&Rs. Landscape maintenance is the preservation, addition, or removal of existing landscape features. This includes the addition of trees, shrubs, and other plantings or the addition of rock to the immediate area near or around the lot owner's home. Landscape maintenance also includes the removal of dead or dying vegetation, pest control, irrigation, and weed control. Requests for landscaping maintenance are made using a CVHOA Form (Enclosure (1)). Homeowners should submit completed forms to the CVHOA office for consideration.
- 3. Timely Action.** Requests from Homeowners are to be considered by the Landscaping Committee within seven (7) days of submittal and the response to the request made within ten (10) days. Residents may be denied if multiple requests have already been granted to them.
- 4. Plantings.** The current list of approved desert plantings is available from the CVHOA Office. This list may be changed from time to time to include new species or to delete those which are inappropriate. We have many native "pups" that need to be thinned. These will be the preference for barren areas and low maintenance locations. New and replacement plantings that are purchased by CVHOA will normally be five (5) gallon size with a unit cost established annually by the Landscaping Committee. Homeowner s requesting larger plantings will be asked to share in the cost. Homeowners may request the planting of a tree in memory of a deceased person and considerable latitude will be given in the selection of the tree and the location to be planted. The irrigation and maintenance of the tree will be the

contract. The CVHOA Manager is the on-site liaison to contractors and monitors their day-to-day performance to insure compliance with contract specifications. Homeowners are not to make requests for work directly to contractor employees. Homeowners may have private outside landscapers around their homes provided they keep their landscapes in harmony with our community and abide with all Landscape Rules and Regulations.

8. **Trees.** There are a wide variety of trees in Colonia Verde, most of which are desert-adaptable. Our trees have different life spans, are affected by different insects and diseases and respond to drought differently. This requires an individual approach to the care and maintenance of our trees.

Every effort will be taken, within our resources, to preserve and protect our trees. The removal of a live healthy tree to be replaced by a tree of another species is prohibited. Over time, trees may grow to a height that will obscure a clear vision of distant landscape. However, trees are not to be trimmed solely for the purpose of providing a better view. Trees shall not be planted within 20 feet of a home, a resident's walkway or a paved pathway so that root growth will not damage the home's foundation or common landscape.

Memorial Trees. Consistent with longstanding CVHOA tradition, a member or members may, at their own expense and with the approval of the Board of Directors, plant a tree on common property in memory of a deceased CVHOA member. Such planting shall be coordinated through the Landscaping Committee, which must approve the type, size and placement of the tree planting must be in accordance with the annual planting timetable determined by the Landscaping Committee and will normally be done by the Association's landscaping contractor.

9. **Shrubbery and Lawns.** The choice of shrubbery must include consideration of water consumption, care and trimming, disease and insect resistance, and compatibility with the existing landscape. A current list of approved shrubs is available from the CVHOA Office. Diseased or dying shrubs must be replaced with shrubs from this list. Shrubs requested by residents for barren areas will have priority over residents who have received multiple requests. No artificial plants or turf is allowed on common ground. Due to maintenance and water need, no lawn areas may be planted with the exception of 7227 E Camino Vecino.

10. **Trimming.** Trees shall be trimmed to present a natural and balanced profile and at height to allow free passage of persons on walking paths. Trees shall be kept trimmed free of infestation of mistletoe and shall be trimmed to prevent overhang of roofs of homes and out buildings. Trees and shrubs shall be trimmed to prevent overgrowth into parking areas or streets and trimmed to prevent obscuring a driver's vision. The schedule of trimming will be based on the recommendation of the contractors. Shrubbery shall be trimmed to the recommendations to present a cultured and groomed appearance; topiary trimming is not allowed. Prickly Pear cactus shall be trimmed to prevent pads from touching and rooting in the ground. Other cactus varieties that spread on the ground shall be kept to a spread of less than 6 feet. Agave shall be kept trimmed to keep bottom leaves from the ground.

11. **Rock.** Rock is used to prevent erosion, prevent water run-off, and for weed control. Rock is also used as a decorative ground cover. Requests for rock coverage are consolidated annually and filled when within budget. Unfilled requests will be carried over to the following year. The allocation of rock will be granted on an “as needed basis” with priority for rock request to be given to areas of erosion and water run-off before aesthetic rock requests are filled. Request for rock from homeowners that are over 1000 square feet (6.6 tons) must include an agreement to reimburse CVHOA for cost of the excess. The committee will request the contractor to estimate the amount of rock (tons) that is required to fulfill the resident’s request. The color and type of the rock will be Desert Brown ¾” with the exception on the few homes that have red rock. If the resident doesn’t like the color of the current rock they have, they can pay the difference of rock and labor to change it to desert brown.

Revised March 2015

Approved by the Board of Directors
March 18, 2015