

THE LAKES AT MERCER ISLAND – POLICY FOR REPLACING STREET TREES ON PRIVATE PROPERTY

Revised February 21, 2018

Policy Statement

The street tree corridor beautifies and enhances the character of The Lakes neighborhood. The Association is responsible for maintaining the street trees in the Common Areas and encourages all homeowners to retain street trees on their properties. The Board monitors the condition of the entire street tree corridor and manages the replacement of any dead, dying or fallen street trees. To encourage homeowners to replace impaired street trees on their properties, the Association's Board has adopted this policy for sharing the expense of replacing street trees on private property with homeowners as provided in this policy. As with other landscaping, care of street trees on private property is the responsibility of individual homeowners.

Homeowner Responsibilities

All homeowners are encouraged to maintain their street trees in good health and keep them properly pruned, watered, and fertilized. This includes proactive measures to address known diseases or insect infestations that could harm or kill the trees. (See CC&Rs, Article III, Section 1.)

Homeowners are responsible for keeping sufficient overhead clearance of tree limbs on their property from interfering with vehicular and pedestrian traffic and safety views. Mercer Island City Code requires minimum clearance of 12 feet over streets and 8 feet over sidewalks. The City provides a pruning guide at <http://www.mercergov.org/files/treepruning.pdf> and the City arborist is available upon request for personal consultation.

Any repairs required to homeowner property caused by a street tree, including structures, irrigation, sidewalk, driveway and/or utilities on a homeowner's property, remains the responsibility of the homeowner.

Street Tree Replacement

A. Approved Street Trees

The Board approves the tree varieties that can be planted to replace street trees with Association assistance, with a view to selecting varieties that will maintain an attractive, healthy street tree corridor. The approved varieties are listed in Appendix A, which the Board may modify from time to time.

B. Process for Replacing Street Trees

Homeowners are encouraged to contact the Board if a street tree on their property is dead, diseased or dying and request the Association's assistance in replacing the tree. The Board may also identify candidates for replacement as part of its monitoring of the street tree corridor and contact homeowners to discuss possible replacement. If the Board and the homeowners agree to replace a street tree, the Association will share the expense with the homeowners by

covering seventy-five percent (75%) of the replacement cost. Replacement costs include (a) removing the existing street tree, stump and root grinding and, as necessary, seeding the original site with grass; (b) preparing the site identified for the replacement tree including, as necessary, installing a tree root barrier; and (c) purchasing and planting the new tree. Site identification will consider the impact on existing vegetation, sidewalks, driveways, hydrants, electrical vaults or brickwork.

The homeowner may select the variety of replacement tree from the list on Appendix A. The Board will be responsible for determining the height and caliper of replacement trees and the vendors for removing and replacing street trees. The Board will coordinate all work associated with planting a new street tree with the homeowners. If removal or replacement of a street tree by the Association results in damage to homeowner property, those damages will be repaired at no expense to the homeowner.

C. Homeowners' Responsibility to Care for Replacement Street Trees

It is critically important that homeowners properly care for new street trees. A replacement tree generally comes with a limited warranty for replacement if the tree dies within the first year after planting, including a requirement that the tree be adequately watered as it settles into its new location. The Board will ask that vendors of new trees provide homeowners with care instructions. Homeowners will be required to acknowledge their responsibility for caring for a new tree when the Board agrees to share the replacement costs with the homeowner. If the vendor determines that a tree died due to lack of proper care and declines to replace a dead tree, homeowners will be exclusively responsible for removing and replacing the dead tree.

D. Cost Sharing & Annual Budget

Homeowners will be billed for twenty-five percent (25%) of the cost of removing and replacing a street tree that the Association has agreed to replace, with payment due within thirty (30) days of billing.

The Lakes Board manages a budget line item each year in the Operations Budget to cover the estimated full replacement costs of dead, dying, fallen, or removed street trees in the Common Areas and on homeowner lots in The Lakes. In addition, the Association maintains annual funding of the Reserve Fund at a rate that covers a large replacement of street trees caused by widespread disease or severe weather or other significant accumulation of dead or dying street trees. Generally, funding estimates use a tree count based on street trees planted and maintained at approximately every twenty-five lineal feet (25') throughout The Lakes to preserve the existing street tree corridor. As determined by the Board or its designate, the actual planting of street trees may vary from 25 feet to accommodate driveways, utilities or existing vegetation, aesthetics or to avoid replanting in the identical location as a just-removed tree.

Appendix A – Approved Street Tree Varieties

The following trees are approved as replacements of street trees when planted with the assistance of the Association:

- Emerald Queen Maples (*Acer platanoides*)
- Red Sunset Maples (*Acer rubrum*).