

SUMMERFIELD CIVIC ASSOCIATION

LANDSCAPE MANUAL

1. SOURCE OF AUTHORITY

Summerfield Covenants, Conditions, and Restrictions

2. PURPOSE OF MANUAL

To educate and inform Summerfield Civic Association members

To provide a concise source of information

3. PURPOSE OF THE LANDSCAPE COMMITTEE

To provide direction to homeowners for keeping their own property well landscaped and maintained and to assure consistent application of rules in order to maintain an attractive and desirable appearance of the community

To investigate violations or rules

To enforce the violation provision

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LANDSCAPE MANUAL

Revised 11/91, 7/00, 10/00, 1/03, 12/03, 11/08

1. LANDSCAPE COMMITTEE RESPONSIBILITIES AND POLICIES

1.01 Purpose: The Landscape Committee (the “Committee”) is dedicated to keeping the Summerfield area one of the most beautiful and desirable places to live. The Committee will also provide direction to homeowners for keeping their own property well landscaped and maintained.

1.02 Responsibilities: In accordance with the Articles of Incorporation, Amended Bylaws, and Restated Declaration of Conditions and Restrictions of Summerfield recorded in the records of Washington County, Oregon (the “Declaration”), the Committee appointed by the Summerfield Civic Association Board of Directors has jurisdiction over significant landscaping, including the power to approve landscape plans and changes to existing plans, recommend improvements in common areas, and enforcement authority over violations in Summerfield in accordance with the terms and conditions set forth in this Landscape Manual (the “Manual”).

1.03 Policy: No significant landscaping or any modification to any landscaping within Summerfield shall commence until written plans and specifications have been submitted and approved in writing by the Committee. The Committee’s review shall include, but is not limited to, the planting or removal of trees, shrubs, ground cover, grass, bark dust, flower beds, ponds, pools, fountains, flowing water, walkways, rock and stone, retaining walls, statuary, and unattached fences and walls incorporated as a landscape feature.

Changes to Landscape do not include structures such as building exteriors, fences, walls, patio covers, decks, driveways, thereto directly attached or unattached.

Applications, known as **Landscape Change Requests**, are available at the office and must be fully completed and submitted to the Committee in duplicate.

The Committee does not assume responsibility for the review of the structural integrity, safety features, mechanical operations, or building code compliance of the proposed building codes as are established by the City of Tigard, Washington County, and other governmental agencies.

1.04 Committee Discretion: This Manual does not contain specific requirements for every situation that may require Committee approval. Therefore, the Committee may exercise discretion when a proposal deserves consideration on its own merit, even though it may not meet a specific standard set forth in this Manual. Both the Committee and the Summerfield Civic Association Board of Directors must approve such proposals.

If there is a question as to whether the request falls under the jurisdiction of the Landscape Committee or Architectural Committee, both Committee chairpersons shall work together to establish which committee shall have jurisdiction to review the application.

1.05 Committee Decision: The Committee shall approve or disapprove the landscape plan within fourteen (14) days after receipt of complete application. The Committee shall return one copy marked to indicate approval, or if disapproved, marked or otherwise briefly noted with the reason for such disapproval. If the Committee does not respond within fourteen (14) days, the application shall be deemed approve.

1.06 Reconsideration; Appeal: If the resident or owner wishes to seek reconsideration of a Committee decision, such owner may, within ten (10) days of the date of such decision, request in writing that two Committee representatives revisit the site and review the decision. In such event, the Committee shall either affirm or modify the decision within ten (10) days of receipt of the written request for reconsideration. If the Committee fails to render a decision on reconsideration with the 10-day period, the original decision shall be deemed affirmed.

There is no automatic right of appeal of a decision of the Committee to the Board of Directors of Summerfield Civic Association. An applicant may petition the Board of Directors of the Summerfield Civic Association for a review of the decision of the Committee by submitting to the Summerfield Civic Association Administrator a written statement explaining the problem and the applicant's proposed solution. The Administrator will provide copies of the request to all of the members of the Board and the members of the Committee. The Administrator will notify the applicant within thirty (30) days after receipt of the applicant's letter

of appeal as to whether the Summerfield Civic Association Board is willing to review the matter and on what terms. The Summerfield Civic Association Board may set procedural limitations for the review, including without limitation, restricting the scope of the review to specific issues and limiting the time the applicant may speak. In addition, the Summerfield Civic Association Board may specifically request to review a decision of the Committee without a request by the applicant or the Committee. The Board may affirm or overturn any decision of the Committee.

2. LANDSCAPE REQUIREMENTS

2.01 Design: All lots shall be landscaped in a manner that is harmonious and compatible with the overall landscaping policy as noted herein.

2.02 Landscape Maintenance: Each owner shall maintain the owner's landscaping, yard area, and parking strips, if applicable, in an attractive appearance free from trash, insects, disease, weeds and any other undesirable material. Each owner shall provide for the timely replacement of dead or dying plants and bark dust, as well as periodic trimming and pruning of plant material to prevent an overgrown look. All lots must be maintained free of debris and all leaves must be removed in a timely manner and not allowed to accumulate. The debris on a homeowner's property is the homeowner's responsibility to properly dispose of and is not to be placed in the street or common areas.

Pre-emergent chemicals or appropriate landscape cloth should be applied before putting down bark dust. Directions must be followed closely, especially as to strength of the pre-emergent product and the need to apply water. Bark dust or fine mulch is appropriate as a ground cover. Bark nuggets or large pieces of bark are not permitted.

2.03 Street Trees: For safety reason, no tree, shrub, or other planting may obscure the view at any intersection. Pruning or trimming of trees in boulevard parking strips should normally be unnecessary unless a problem develops. These trees should not be topped, as they should be allowed to grow to their natural height. As a condition of approval to remove a parking strip tree, the abutting property owner must execute a written commitment to the effect that such owner will, upon request, replant the parking strip with the quantity, size and species of

tree designated by the Committee and the master plan (application forms available at the office)

2.04 Hedges Fences and Walls: On any lot abutting the golf course, no hedge shall be placed or maintained or allowed to exist parallel to the golf course between the house and golf course property line. On all lots, no hedge over 24 inches in height shall exist between the setback line and property line. No residential lot may have fences, wall or hedges that exceed 72 inches in height or that extend beyond the front corners of the dwelling on the lot. (See Section 1.3 of the Restated Declaration.) Fences and walls constructed as property barriers or security walls whether attached or unattached to the home shall be constructed principally of wood, masonry or wrought iron. Any other material must be approved by the Architectural Committee. Wire fencing, including chain link type, is not permitted. Low retaining walls may be allowed to prevent soil slippage along property lines. Any fence installed must be aesthetically pleasing on both sides, e.g., a good neighbor fence. Variances or exceptions with respect to any restrictions to this paragraph may be allowed if first approved in writing as provided in the Bylaws and the Declaration. No hedges or shrubbery plantings shall be allowed that would obstruct a neighbor's view of any amenity such as the golf course or a water feature.

2.05 Trees/Shrubbery: Dead trees and shrub shall be promptly removed. If a required treatment does not cure diseased trees or shrub, the tree or shrub shall be removed immediately to deter further spread of the disease or infestation. Care must be taken in the removal of trees or shrub so as not to interfere with irrigation systems or other underground services (telephone, cable, electrical, etc.) In undertaking actions, the owners and their contractors shall consider the effect on neighbors' livability. To preclude the possibility of any adverse situations and to maintain the aesthetic value of Summerfield, the Committee shall review the removal of any large trees or shrub. (Landscape Change Request forms are available at the Summerfield office.)

2.06 Plan Submittal Procedure: New landscaping plans for living units shall be submitted in duplicate to the Committee for approval. Plans for significant alteration to the existing landscaping shall also be submitted. The plans shall include consideration of the impact on sidewalks, streets, adjacent neighbors, and golf course, if applicable.

New installations or alterations of any drain tile system shall be submitted to the Committee for prior approval. All new sprinkler systems must have a back flow device plumbed according to the City of Tigard regulations.

Plans, if required by the previous paragraph, shall include a site plan with a scale of 1 inch equaling ten (10) feet to scale showing property lines, structures, planting areas and location, and description of plantings, including species.

2.07 Minimum Landscaping Requirements: Lots with living units – all front and rear yard areas shall be planted with any of the following: ground cover, conifer trees, deciduous trees, shrub or lawn. All other yard areas shall, at a minimum, be covered with bark mulch or similar material.

Mounding of planting beds and lawn areas will be permitted if graded so as to blend with adjacent property and/or landscaping. Special care shall be taken to insure proper surface drainage to eliminate water pockets, so as not to adversely impact the owners of neighboring property.

Extensive areas of sparsely planted shrub beds covered with bark dust or similar materials are not permitted. Extensive cover of rocks, pebbles, and sand is not permitted.

Owners shall provide a copy of this Manual to their landscape designer, architect and/or contractor prior to implementation of the work to facilitate and insure compliance.

Any damage caused to the common property of golf course by the installation of landscaping or sprinkler system on a lot by an owner or a contractor engaged by an owner shall be the sole responsibility of the owner.

All lots shall be landscaped in compliance with these requirements within ninety (90) days (weather permitting) after approval of a landscape plan.

This section will not apply to seasonal holiday decorations, which are to be promptly removed after the holiday.

If an owner is found in violation of the requirements of this Manual, an owner shall have thirty (30) days to correct the violation.

3. CLEANLINESS STANDARDS

Unless expressly permitted in writing by the Board, the owner, the owner's contractor or any other person associated with the construction or alteration of a living unit may not disturb the surface of the common property or golf course during construction, or use any portion of the common property or golf course for storage or other activities relating to construction. Roadways and adjoining lots shall be kept clean and free of debris, and roadways free of dirt and mud arising from construction or landscaping activities on a lot or area.

4. REVISIONS

The Board of Directors of Summerfield Civic Association may from time to time amend, modify or revise provisions of this Manual, including the procedures for submission to an approval of the Committee outlined herein; provided, however, that no such amendment, modification, or revision shall be binding upon the owners until notice of the same has been provided to the owners by the Board. No such amendment, modification, or revision shall affect structures or landscaping changes approved prior to enactment of such amendment, modification, or revision.

5. SUBORDINATION

Where conflicts or discrepancies arise between this Manual and any part of the Declaration, the latter shall prevail.

6. ENFORCEMENT PROCEDURES

Debris from construction or landscaping activities shall be promptly removed. Any other violations, as outlined in this Manual, shall be corrected immediately. Remedies permitted by the Declaration and the law will be pursued by the Summerfield Civic Association to correct any violations. The cost of the clean up or any other necessary corrective measures incurred by the Association shall be payable by the owner upon demand. If an owner fails to pay any such demand, a lien may be placed on such owner's property to secure payment.

If a violation occurs, follow the Summerfield Civic Association's Procedure for Processing Standards Violations.

