

TREE REMOVAL POLICY

This policy addresses responsibility for removal of trees within Sun Country Estates Community that are on privately owned parcels, community land, and easements commonly owned by the Sun Country Estates Community.

The typical reasons for tree removal fall into several categories: safety, access to property, proximity to structures, view, and general aesthetics. Tree removal is addressed in the community bylaws stating that a property owner must seek approval from the SCMA Board to remove any tree larger than 8" diameter. Over the last 35 years many trees have reached maturity; some have been afflicted with disease, died, or been damaged by environmental stressors. Questions have been raised regarding the payment of costs for the removal of trees that are deemed to have died or weakened by disease and may present a hazard to property and /or power lines if they fall. The following addresses the SCMA Policy around the issue of removal of such trees and payment of incurred costs for the removal.

TREE REMOVAL

- 1.** We are a private community and each member of the community has ownership of common properties and designated road easements within that community. The following statements are considered to be true.
 - A. Each property parcel extends to the center of the road right of way.
 - B. Each property has a 30 foot easement from the center of the roadway in order to provide access to properties and accommodation for water, electric, and communication infrastructure.
 - C. SCMA (Sun Country Maintenance Association), via the serving Board, has complete authority over any activity within that right of way.
- 2.** The Board can, for any reason, remove any tree in the road right of way or on SCMA common parcels and SCMA will assume the costs incurred.
- 3.** Any Sun Country parcel owner can request approval from the Board for the removal of a tree within their/any road right of way, Sun Country common properties, or on their private property under the following rules:
 - A. The request must be submitted in writing to the sitting SCMA board.
 - B. The reason for the removal must be stated clearly.
 - C. If the reason for removal is for safety or threat to property or infrastructure, evidence, either by common sense observation or statements by a source that has some expertise, should be provided.
 - D. After consideration, the Board will make a final decision. If the decision is for removal of a tree that is within the 30 foot road easement or on common properties that may present a threat, then the SCMA will assume costs of removal.
 - E. Property owners assume the cost for the removal of trees that are beyond the 30-foot easement on their private property that poses a threat to property, infrastructure, or permission has been granted by the SCMA Board for any reason.

Even though SCMA claims complete authority over the road right of way and other Sun Country common parcels, it does not claim that SCMA has exclusive ownership of the right of way. SCMA is not responsible or liable for any damage to private properties caused by trees within the road right of way or other common Sun Country parcels.

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SCMA