

HOPEWELL Twp.
BLOCK: 78
LOTS: 7.52, 9.40 & 9.41

RESOLUTION 2013-07

WELLINGTON MANOR HOMEOWNERS ASSOCIATION, INC

PRUNING AND HAZARDOUS TREE ABATEMENT IN THE CONSERVATION EASEMENT

REGISTER # 2013046892
D.B. # 1184 PG 1184 - 1186 (3 PGS)
RECORDED 08/16/2013 09:47:10 AM
PAUL J. SULLIVAN, DEPUTY COUNTY CLERK
MERCER COUNTY, NEW JERSEY

WHEREAS, Wellington Manor Homeowners Association, Inc. (WMHOA) is a New Jersey Corporation duly organized and existing under the laws of the State of New Jersey and;

WHEREAS, the Board desires that the Corporation shall act in full accordance with the rulings and regulations of the Association Documents and Government mandates and;

WHEREAS, the Board desires that the Corporation shall act in full accordance with all rulings and regulations of the signed Conservation Easement (CE) dated March 8, 2011 and adopted by the Board and filed with the County Clerk as Resolution 2011-06 on March 13, 2012 and;

WHEREAS, The Conservation Easement States in item (K.) *"Excluded from these restrictions are the minimum measures necessary to protect people or lawfully existing structures from harm or damage due to dead or dying trees and overhanging limbs."*

NOW, Therefore the Board hereby adopts the following resolution by and on behalf of the Wellington Manor Homeowners Association, Inc.;

RESOLVED:

When a tree is determined to be unsafe by an experienced arborist, and in accordance with the Conservation Easement, such tree shall be pruned or dropped to maintain a safe environment in accordance with the following provisions:

Pruning/Selective Cutting

- Overhanging limbs on homeowner property from a tree in the CE (including all supporting branch structure to the tree trunk) may be cut from the tree, and removed from the WMHOA site in their entirety.
- This work shall be done to prevent storm damage and/or disruption of activities and use of homeowner property.

Hazardous Tree Abatement (General)

- In general practice, it is preferable to leave the entire tree in place as it is felled, as would be the case in nature., however it is also permissible for the tree to be cut into smaller sections to ensure that it is laying solidly on the ground and not disturbing other viable trees and/or vegetation. This will facilitate decay and the creation of new environments for insects, birds, and wildlife.
- Shall always be completed in the least disruptive manner
- The tree (including trunk) can be taken down and dropped in place or relocated elsewhere in the Conservation Easement
- Relocation of the entire tree shall be "by hand" including hand carrying the small pieces into the CE.
- However, in no case shall any tree work disturb existing stream beds, swales, and/or block or change natural drainage; disturb existing soil and/or vegetation, or alter the existing hydrology of the area.

45
34
2930

REGISTER # 2013046892
D.B. # 1184 PG 1184 - 1186 (3 PGS)
RECORDED 08/16/2013 09:47:10 AM
PAUL J. SULLIVAN, DEPUTY COUNTY CLERK
MERCER COUNTY, NEW JERSEY

Hazardous Tree Abatement (First 35 feet of CE)

- Shall always be completed in the least disruptive manner
- Existing trees located within the first 35 feet of the CE shall be carefully felled with sectionalized sections of the trunk relocated to a location beyond the 35 foot line that is free of potential damage to the existing wooded area, vegetation, or disruption to existing drainage patterns (as noted above)
 - Sectionalized felling may be completed by one of the following methods:
 1. Manually with rope with tree climbers, work done shall require:
 - The tree must be cut into smaller sections to ensure that it is laying solidly on the ground and not disturbing other viable trees or vegetation. This will facilitate decay and the creation of new environments for insects birds and wildlife
 - Relocation of the entire tree (all sections) from the drop area, “by hand” further into the CE beyond the 35 foot line.
 - However, in no case shall any tree work disturb existing stream beds, swales, and/or block or change natural drainage; disturb existing soil and/or vegetation, or alter the existing hydrology of the area.
 2. Professional tree removal with the use of a vehicle with a hydraulic boom that extends 100 feet or more, the following conditions must be complied with:
 - Install “protection of the turf” for the boom vehicle to travel on in-between homes to access CE.
 - Restore any damage that may be created by the dismantling of the tree, crane vehicle tracks, et al. on private property or in the CE.
 - The tree will be cut in portions which can be “craned” over the wooded area, or areas with vegetation without damage to existing vegetation in the CE
 - Sectionalize cutting will ensure that it is laying solidly on the ground and not disturbing other viable trees or vegetation. This will facilitate decay and the creation of new environments for insects birds and wildlife
 - The trunk will be cut as low to the ground as feasible; stump will NOT be ground down.
 - This confirms that: NO trees may be removed from CE, only cut and placed deeper into the CE area
 - In no case shall any tree work disturb existing stream beds, swales, and/or block or change natural drainage; disturb existing soil and/or vegetation, or alter the existing hydrology of the area.
 3. No Mechanical equipment of any kind is permitted in the CE

Brush Removal

- It is generally preferable to create habitat for insects and wildlife by leaving some brush in the CE, excess branches and brush and/or debris piles may be removed from the CE and WMHOA site to maintain the integrity of the existing vegetation and other conditions.

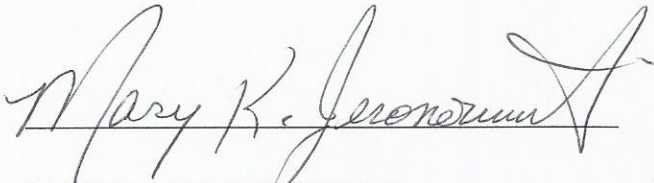
Contractor Scope of Work

- This Resolution shall be attached to each contractors Scope of Work when working in the CE.

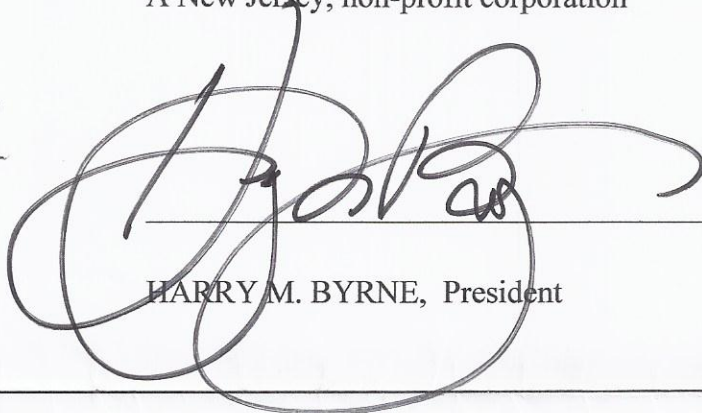
IN WITNESS WHEREOF, The Wellington Manor Homeowners' Association, Inc. has caused these presents to be signed and attested by its proper offices this 15th day of July, 2013

ATTEST:

Wellington Manor Homeowners' Association, Inc.
A New Jersey, non-profit corporation



MARY K. JERONOWITZ, Secretary



HARRY M. BYRNE, President

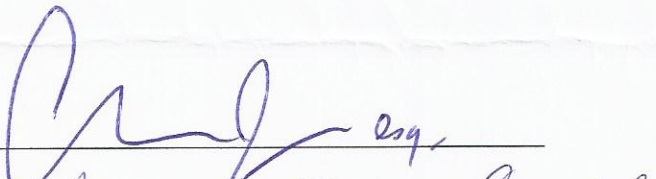
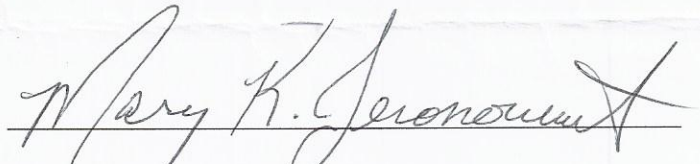
STATE OF NEW JERSEY :

: ss

COUNTY OF MERCER :

BE IT REMEMBERED, that on the 15th day of July, 2013, before me, the subscriber, a notary public of the State of New Jersey, personally appeared MARY K. JERONOWITZ, who being by duly sworn on her oath, disposes and makes proof to my satisfaction that she is the Secretary of the Association named in the written Instrument and HARRY M. BYRNE, is the President of said Association; the execution, as well as the make of this instrument, has been duly authorized by a proper resolution of said Association; that the deponent well knows the corporate seal of said Association; and that the seal affixed to said Instrument signed and delivered by said President and Secretary and for the voluntary act and deed of said Association, in presence of deponent, who thereupon subscribed her name to as attesting witness.

Sworn and subscribed to before me on the date above


Assistant General Counsel
Chris Lowe
MARY K. JERONOWITZ

RECORD AND RETURN TO:

Michael Fedun, Esquire
SINGER & FEDUN, L.L.C.
Attorneys at Law
P.O. Box 134
Belle Mead, New Jersey 08502