

4.21 Prohibited Tree/Plant Material (Declaration Article 8)

The following specific plants are prohibited in the Community. Any prohibited tree previously planted or naturally germinated must be removed by the Property Owner or Neighborhood Association responsible for removal. New approved tree should be planted if required. Check with the Property Manager if permit application is required.

Prohibited trees include:

- Norfolk Pine and all pine tree variations
- Ear Leaf Acacia
- Downey Rose Myrtle
- Elephant Ear Tree
- Senegal Date Palm
- Australian Pine
- Bamboo
- Brazilian Pepper
- Punk Tree
- Fruit Bearing Trees (Fruit and vegetable plants are only permitted within the lanai enclosures)

The planting of new Royal Palms and Washingtonian Palms is prohibited.

4.22 Recommended Landscape Materials (Declaration Article 8)

The POA has adopted the Florida Friendly Landscaping Guidelines which promotes the use of native and Florida adapted (xeriscape) plant materials and is encouraged because of their adaptability to our geographic area and inherently provide lower maintenance landscapes. The following is a list of recommended plant materials that may be used for the landscaping of your Lot in the Community. Each of these listed plants include adaptability notations indicating whether the plant is a native plant or a xeriscape plant. Several of the plants share both of these characteristics.

- "N" - Indicates native Florida plants
"X" - Indicates xeriscape plants; plants which survive on natural rainfall with little supplemental irrigation.

TREES

<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>ADAPTABILITY</u>
American Holly	<i>ilex opaca</i>	N, X
Bottle Brush	<i>Callistemon rigidus</i>	X
Crape Myrtle	<i>Lagerstroemia indica</i>	X
Golden Shower	<i>Cassia fistula</i>	X
Hong Kong Orchid	<i>Bauhinia blakeana</i>	X
Japanese Blueberry	<i>Elaeocarpus decipiens</i>	X
Jatropha	<i>Jatropha integerrima</i>	N
Laurel Oak	<i>Quercus laurifolia</i>	N
Ligustrum	<i>Ligustrum japonicum</i>	X
Live Oak	<i>Quercus virginiana</i>	N
Loblolly Bay	<i>Gordonia lasianthus</i>	N
Little Gem Magnolia	<i>Dwarf Magnolia grandiflora</i>	N, X
Nellie Stevens Holly	<i>ilex x 'Nellie R. Stevens'</i>	N
Southern Magnolia	<i>Magnolia grandiflora</i>	N, X
Sweetbay Magnolia	<i>Magnolia virginiana</i>	N
Trumpet Tree	<i>Tabebuia sp</i>	X
Wax Myrtle	<i>Myrica cerifera</i>	N, X
Weeping Bottle Brush	<i>Callistemon viminalis</i>	X
White Geiger	<i>Cordia boissieri</i>	X
Oleander Standards	<i>Nerium oleander "STD"</i>	X

APPROVED HARDWOOD TREE REPLACEMENT

<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>ADAPTABILITY</u>
American Elm	<i>Ulmus Americana</i>	X
American Holly	<i>ilex opaca</i>	N, X
Green/Silver Buttonwood	<i>Conocarpus Erectus</i>	N, X
East Palatka Holly	<i>ilex x attenuate</i>	N, X
Nellie Stevens Holly	<i>ilex x 'Nellie R. Stevens'</i>	N
Powder Puff	<i>Calliandra Haematocephala</i>	X
Red Maple	<i>Acer Rubrum</i>	N
Shady Lady/Black Olive	<i>Bucida Buceras</i>	X
Southern Magnolia	<i>Magnolia grandiflora</i>	N, X
Southern Red Cedar	<i>Juniperus Silicicola</i>	N, X
Sweetbay Magnolia	<i>Magnolia virginiana</i>	N
Yaupon Holly	<i>ilex vomiteria</i>	N, X

PALMS

<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>ADAPTABILITY</u>
Areca Palm	<i>Chrysalidocarpus lutescens</i>	X
Cabbage Palm	<i>Sabal palmetto</i>	N, X
Canary Island Date Palm	<i>Phoenix canariensis</i>	X
Christmas Palm	<i>Adonidia merrillii</i>	X
Needle Palm	<i>Rhapidophyllum hystrix</i>	N, X
Paurotis Palm	<i>Acoelorrhaphe wrightii</i>	N, X
Pindo Palm	<i>Butia capitata</i>	X
Pygmy Date Palm	<i>Phoenix roebelenii</i>	X
Foxtail Palm	<i>Wodyetia bifurcate</i>	X
Chinese Fan Palm	<i>Livistonia chinensis</i>	X
Queen Palm	<i>Syagrus romanzoffiana</i>	X
Bismarck Palm	<i>Bismarckia nobilis</i>	X
Sylvester Date Palm	<i>Phoenix Sylvestris</i>	X

SHRUBS AND MEDIUM SIZED PLANTS

<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>ADAPTABILITY</u>
African Bush Daisy	<i>Gamolepis chrysanthemoides</i>	X
Anise	<i>illicium floridanum</i>	N, X
Azalea	<i>Rhododendron species</i>	Varies
Bird of Paradise	<i>Strelitzia reginae</i>	X
Bougainvillea	<i>Bougainvillea sp.</i>	X
Burford Holly	<i>ilex cornuta "Burfordii"</i>	X
Buttonwood	<i>Conocarpus erecta</i>	N, X
Clusia Dwarf	<i>Clusia rosea 'Nana'</i>	X
Coontie	<i>Zamia Pumila</i>	N, X
Croton	<i>Codiaeum variegatum</i>	X
Dwarf Firebush	<i>Hamelia Patens 'Compacta'</i>	N
Dwarf Indian Hawthorne	<i>Raphiolepis indica</i>	X
Firecracker plant	<i>Russelia equisetiformis</i>	X
Hibiscus	<i>Hibiscus rosa-sinensis</i>	N
Indian Hawthorn	<i>Raphiolepis indica</i>	X
Ixora	<i>Ixora coccinea</i>	X
Juniper	<i>Juniperos chinensis</i>	X
King's Mantle	<i>Thunbergia erecta</i>	X
Lion's Ear	<i>Leonotis leonurus</i>	X
Liriope Majestic Big Blue	<i>Liripoe muscari</i>	X
Loropetalum	<i>Loropetalum chinese var 'Daruma'</i>	X
Loropetalum Crimson Fire	<i>Loropetalum chinese var rubrum 'Ruby'</i>	X
Oleander	<i>Nerium oleander</i>	X
Orange Jessamine	<i>Murraya paniculata</i>	X
Pampas Grass	<i>Cortaderia selloana</i>	X
Pittosporum	<i>Pittosporum tobira</i>	X
Podocarpus	<i>Podocarpus macrophyllus</i>	X
Porterweed	<i>Stachytarpheta jamaicensis</i>	Varies
Plumbago	<i>Plumbago auriculata</i>	X
Princess Flower	<i>Tibouchina urvilleana</i>	X
Rain of Gold Thryallis	<i>Galphimia glauca</i>	X
Rosemary	<i>Rosmarinus officinalis</i>	X
Ruddy Rose	<i>Ruspolia hypocrateriformis</i>	Varies
Sadankwa Viburnum	<i>Viburnum suspensum</i>	Varies
Texas Sage	<i>Leucophyllum frutescens</i>	X
Turk's Cap Hibiscus	<i>Malvaviscus penduliflorus</i>	N
Walter's Viburnum	<i>Viburnum obovatum</i>	N

VINES, GRASSES AND GROUND COVERS

<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>ADAPTABILITY</u>
African Iris	<i>Dietes vegeta</i>	Varies
Algerian Ivy	<i>Redera canariesis</i>	X
Amaryllis Lily	<i>Amaryllis sp.</i>	X
Blanket Flower	<i>Gaillardia pulchella</i>	N
Bromeliad	<i>varies</i>	Varies
Cardboard Plant	<i>Zamia furfuracea</i>	X
Coontie	<i>Zamia pumila</i>	N, X
Creeping Fig	<i>Ficus pumila</i>	X
Crown of Thorns	<i>Euphorbia milii</i>	X
Daylily	<i>Hemerocallis sp.</i>	X
Dwarf Oyster Plant	<i>Tradescantia spathacea 'Dwarf'</i>	X
English Ivy	<i>Hedera helix</i>	Varies
Fuchsia Skullcap	<i>Scutellaria suffrutescens</i>	Varies
Liriope	<i>Liriope muscari</i>	X
Milkwood	<i>Asclepias curassavica</i>	Varies
Mondo Grass	<i>Ophiopogon japonicus</i>	X
Muhly Grass	<i>Muhlenbergia capillaris</i>	N, X
Parson's Juniper	<i>Juniperus chinensis "Parsonii"</i>	X
Periwinkle	<i>Vinca major</i>	X
Pentas	<i>Penta sp.</i>	X
Salvia	<i>Salvia sp.</i>	N, X
Shore Juniper	<i>Juniperus conferta</i>	X
St. Augustine Grass	<i>Stenotaphrum secundatu</i>	X
Tampa Vervain	<i>Glandularia tampensis</i>	N
Trailing Lantana	<i>Lantana montevidensis</i>	X
Variegated Flax Lily	<i>Dianella tasmanica 'Variegata'</i>	Varies
Whirling Butterflies	<i>Gaura lindheimeri</i>	X
Zoysia grass	<i>Emerald cultivar Zoysia japonica</i>	X

4.23 Trees and Tree Removal/Replacement (Declaration Article 6.35)

All existing trees on the Lots within the Community must be retained, except prohibited species, which must be removed and replaced with approved species. Besides prohibited trees, no trees shall be removed except for diseased or dead trees and trees needing to be removed to promote the growth of other landscaping or for safety reasons.

Removing any existing tree(s) must be approved by the ACC and such removal will require a suitable replacement of the removed trees. Removal of a prohibited tree will require replacement with an approved species.

Removal of diseased or insect infested trees and palms that pose a contagion threat to surrounding landscape and neighboring areas must be removed by the Homeowner within 10 days of it being identified and when directed by the Property Manager. Incurable and untreatable palm diseases like Ganoderma and Fusarium Wilt pose a threat of spreading contagion to surrounding landscape. The Property Manager will coordinate with Homeowners for immediate action.

The Community front yard street-scape currently includes Oak, Magnolia, Holly (as well as other approved hardwoods), Foxtail Palms and/or Sabal Palms, making trees key elements of the landscape throughout the Community. As a result, the POA is committed to maintaining the quality and quantity of mature trees in the Community, in particular, the street-scape or street view.

The desired tree count is to include at least one hardwood tree (8 feet minimum overall height, 10 feet is recommended) and at least two palm trees (8 feet minimum clear trunk, 10 feet is recommended) **in the front of each** single Lot in the Community. If no mature street-scape trees are installed on the Lot, the ACC may request such trees to be installed.

Homeowners in the Community have a responsibility to meet City of Venice (City) and Sarasota County (County) tree ordinance regulations. If a building permit or a landscaping permit is required by the City or the County, the Homeowner is responsible for obtaining the necessary permits. Approval must be granted by the City to remove hardwood trees within seven (7) years from the initial Certificate of Occupancy (CO). CO dates can be found by visiting the Sarasota County Property Appraiser's website and is required for each ACC application involving a tree removal request. If proof of a Tree Permit approval from the County is not provided to the ACC for trees that fall in this category or an official statement from the County saying that a permit is not required, the ACC cannot provide approval for the removal of these trees and will, therefore, deny the application. Sabal Palms are protected and can only be removed if dead or diseased and must be replaced in kind.

Landscape plans submitted for a Homeowners Lot must show existing trees and indicate whether the trees will be preserved, relocated or removed. If requesting removal, the landscape plans must show which appropriate replacement tree will be installed and indicate the location of each tree.

If any palm tree is removed from a Homeowners Lot, it must be replaced with a permissible approved Florida Grade 1 replacement palm tree and meet the criteria listed in **Items A & B** set forth below.

If any hardwood tree is removed from one's Property, it must be replaced with a permissible approved Florida Grade 1 replacement hardwood tree and meet the criteria listed in **Item C** set forth below.

Any tree planting/removal/replacement requires that utilities be marked out by calling 811 prior to the work being performed as this is a stipulation of all ACC approvals.

Item A - Removal of Washingtonian Palms and other Mature Palm Trees

With the exception of protected Sabal Palms, other palm trees may be removed from a Lot with ACC approval and be replaced with an approved palm tree. Replacement trees for mature Washingtonian Palms or for other mature palm trees are to have no less than 8 feet clear trunk, 10 feet is recommended clear trunk unless approved otherwise by the ACC. The following are recommended replacements for mature palm trees: Foxtail Palm, Queen Palm, Sabal/Cabbage Palm, Sylvester Date Palm, Bismarck Palm, etc. Other palms are allowed to be installed with ACC approval. Please see the list of permissible replacements for palm trees as provided in Section 4.22 "Recommended Landscape Materials." Please see Section 4.24 "Trees: Clarification on Clear Trunk (CT) vs. Overall Height (OH)" for clarification on the size and clear trunk requirement.

Item B - Removal of Small Palm Trees

Removal of Small Palm Trees such as Areca Palms, Paurotis Palms, Pygmy Date Palms, Chinese Fan Palms and any other palms under 10 feet in height requires an ACC submittal. If a Homeowner removes one small palm tree, it must be replaced with an approved palm tree of at least the same height. Please see the list of permissible replacements for small palm trees as provided in Section 4.22 "Recommended Landscape Materials." Please also see Section 4.24 "Trees: Clarification on Clear Trunk (CT) vs. Overall Height (OH)" for clarification on size requirement.

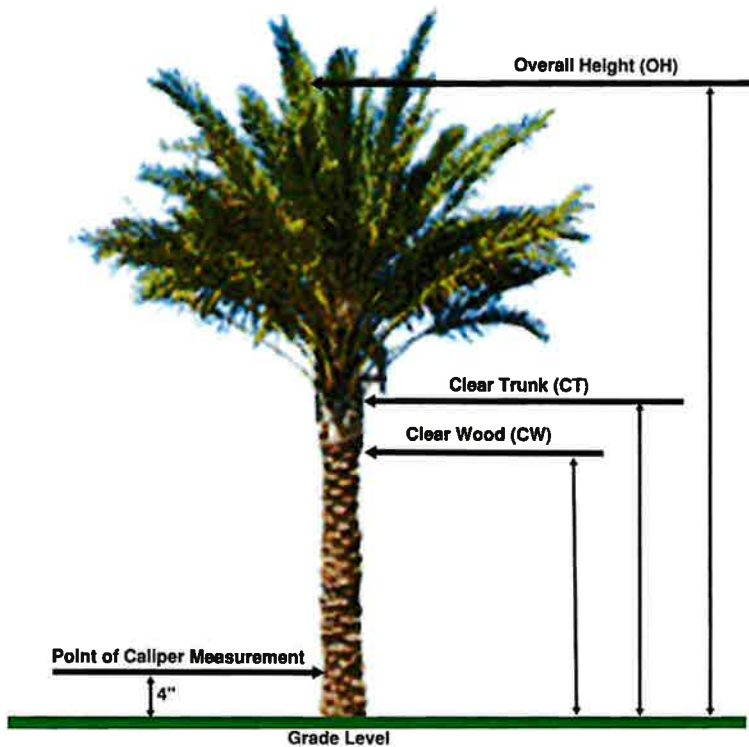
Item C - Removal of Oak Trees and other Mature Hardwood Trees

A mature hardwood tree (i.e. hardwood tree over 6 feet in overall height) may be removed from a Lot with ACC approval. If removed, the hardwood tree must be replaced with one of the approved listed hardwood trees in Section 4.22 "Recommended Landscape Materials." All replacement trees must be a minimum of no less than 8 feet in overall height, 10 feet is recommended, at least three-inch caliper, and a minimum of Florida Grade 1 quality. One (1) hardwood tree of some variety must remain in the front yard on each Lot at all times in line with Tree Permits issued according to City and County tree ordinances and regulations.

4.24 Trees: Clarification on Clear Trunk (CT) vs. Overall Height (OH)

ACC rules dictate the height requirements of replacement trees to provide a consistent and mature look to the plantings in the Community, and to ensure the survivability of the transplanted tree(s). In most cases, any replacement tree must have an **Overall Height (OH)** requirement of no less than 8 feet (10 feet is recommended). Regarding Foxtail Palms, Cabbage Palms or Sabal Palms, the minimum requirement is no less than 8 feet **Clear Trunk (CT)** (10 feet is recommended).

This diagram illustrates how the ACC interprets these measurements:



4.25 Repainting (Declaration Articles 6.40 and 8.1)

If a Homeowner intends to repaint the Home any color scheme, including its original colors, an application must be submitted to the ACC. The application must include the color sheet or formulas provided by Sherwin Williams, Benjamin Moore, or other evidence that shows the original colors of the Home when it was built and painted by the builder. Satin finish is the required standard.

Garage doors must be solid, windowless panels, painted the body color of the Home. Any decorative trim, ornamentation, vents, screens or openings on garage doors are prohibited.

All stucco trim (corbels, door and window bands, column ribbons and the like) must be painted the solid trim color. Checker-boarding corbels and trim is strictly prohibited.

If a Homeowner wishes to change the color of paint on the exterior of a Home, the Homeowner must use a complete color scheme created by the POA.

The Homeowner may not choose the color scheme of a Home immediately to the right or immediately to the left of his/her Home, nor that of the Home directly across the street. "Before" photos must be submitted as part of the process. For stucco walls inside the enclosed and caged area of the lanai, the color of the walls may be painted a solid color of the Homeowner's choice with ACC approval.

Any change in the colors of your doors, window trim, or Home during repaint is subject to ACC approval.

Color swatches and/or paint formulas are to be submitted with the ACC request for approval, as well as the address of the Home of which the color or colors have been approved. Confirming colors, including testing by a paint expert, is the responsibility of the Homeowner /Contractor.

The Home/roof/driveway/sidewalk and curb must be cleaned prior to painting. Refer to the ACC Application for details.