

GRASSY RUN HOMEOWNERS' ASSOCIATION

OPERATING RULE 17-10

TREE CUTTING RULE PROCEDURES AND INTERPRETATIONS

WHEREAS, Article V, Section 1(f) of the GRHA C&Rs ("the Rule") reads as follows:

"No trees larger than 6" in diameter shall be removed from any of the properties herein described without the approval of the architectural committee.";

AND WHEREAS, Article VIII of the GRHA Bylaws reads as follows:

"The Board of Directors shall serve as the Architectural Committee.";

AND WHEREAS, GRHA Operating Rule 17-03, ¶5, specifies as a sanctionable offense "[t]he cutting down of any tree larger than 6" in diameter without the express consent of an authorized member of the Board of Directors";

AND WHEREAS, there appears to have been uncertainty and confusion among the GRHA members and residents as to the procedures to be followed in connection with the Rule, and as to the Rule's meaning, particularly in connection with the cutting of trees that are believed or asserted to be dead;

AND WHEREAS, that uncertainty and confusion has led to the cutting of trees within Grassy Run without the consent or permission of the Board as required by the Rule;

AND WHEREAS, the purpose and intent of the Rule is to preserve Grassy Run, a community of five-acre parcels, as a semi-forest of trees rather than turning it into just another commercial real estate development where all the trees are cut down in the interest of having large lawns or open spaces, or so that homes can be built cheek-to-jaw.

AND WHEREAS, while the existence of dead trees does not contribute to the preservation of Grassy Run as such a semi-forest, enforcement of the Rule would meet with significant and substantial problems of proof that such trees were in fact dead, if they were cut and removed without the knowledge and consent of the Board as the enforcement agency;

NOW THEREFORE, the Board does hereby adopt and memorialize the following interpretations of the Rule:

1. Article V, Section 1(f) of the GRHA C&Rs applies to all trees larger than 6" in diameter, whether living or dead, and not just to live trees. See also Operating Rule 17-03, ¶5.
2. The approval referenced in the Rule may be obtained by contacting one or more members of the Board, having that or those Board members physically inspect the tree or trees that are intended to be cut down before the cutting, and having that or those Board members orally grant approval for such cutting and removal of the subject tree or trees.
3. The member or members of the Board granting such oral approval shall, at the next upcoming meeting of the Board, advise the whole Board of the fact that such approval was given, specifying the date such approval was given and the location of the tree or trees authorized to be cut down and removed.

ADOPTED BY THE BOARD OF DIRECTORS OF THE GRASSY RUN HOMEOWNERS' ASSOCIATION at a regular meeting of the Board held on the 24th day of October, 2017, by the following vote of the Board:

AYES: 3 NOES: 0 ABSTENTIONS: ABSENTS OR VACANCIES: 2



Jack Martin, President



Vivian Abplanalp, Secretary