

Street Tree & Right-of-Way Maintenance Guidelines
Brighton at Mill Creek Homeowner's Association Board Resolution
Approved: January 8, 2016

WHEREAS, the board of directors of Brighton at Mill Creek Homeowners Association is empowered to govern the affairs of the homeowners' association pursuant to ARTICLE II, Section 8 and Section 8.15 of the Declaration of Covenants, Conditions and Restrictions.

WHEREAS, there is a need to provide clear guidelines for the maintenance responsibilities of street trees located within the public right-of-ways to ensure conformance within the Association and within the City of Mill Creek.

WHEREAS, the guidelines bring neighborhood-wide conformance with the Mill Creek Municipal Code, Chapter 12.060, Duty to maintain landscaping in public right-of-way.

WHEREAS, it is the intent that this policy shall apply to all homeowners within Brighton at Mill Creek Homeowners Association and this resolution shall remain in effect until otherwise rescinded, modified or amended by a majority of the board of directors.

NOW, THEREFORE, BE IT RESOLVED THAT the following policy on public right-of-way and street tree maintenance is hereby adopted by the board of directors:

All public right-of-ways, typically the area between the curb or pavement edge and back of sidewalk, shall be maintained by the abutting property owner and shall be:

- A. Kept free of litter, debris, intrusive vegetation, weeds and obstructions.**
- B. Maintained in a clean, neat, orderly fashion.**
- C. Maintained so that all trees, plants, shrubs and vegetation are continually trimmed and do not intrude into or overhand any portion of (1) sidewalk to a height of seven feet above the sidewalk surface, and (2) the road to a height of 14 feet above the road surface.**
- D. Maintained so that trees, plants, shrubs and vegetation are continually trimmed and (1) do not obstruct or obscure any traffic control device, and (2) do not intrude into a three-foot radius around any fire hydrant above a height of six inches from the ground surface.**

Brighton at Mill Creek Homeowners Association accepts responsibility for:

- A. Removal and replacement of street trees with authorization from the City of Mill Creek in order to maintain the number of street trees as required by the City design review board and plat approved landscape plans.**

B. Shall assist homeowners with periodic disease control applications and trimming but does not commit to continual care as required by City Municipal Code.

Approved:

President: Original Signature on File
James Feinberg

Secretary: Original Signature on File
Richard Haataja

Date: January 8, 2016