

**Bromley Park Homeowners Association  
Dead Trees and Lot Maintenance Issues  
June 11, 2007**

The Board of Directors has received many inquiries concerning the trees that were installed on lots by the Developer... particularly on the strip of ground between the sidewalks and the street gutters (warranties are expired).

The Board of Directors looks to the Association documents... the Declaration of Covenants, Conditions and Restrictions as well as the Association Bylaws for guidance on matters concerning the expenditure of Association funds.

The Declaration, page 16 Article 6, Section 6.13 and 6.14 seems to speak to the issue of maintenance of Side Strips and of Tree Removal as follows:

**6.13 Maintenance of Side Strips “Owners of Lots shall be responsible for the maintenance of parkways or public rights-of-way located between the Owner’s Lot line and the edge of adjacent street pavement.”**

And

**6.14 Tree Removal ...“Each Lot Owner is responsible for maintaining and preserving all large trees on the Owner’s Lot, including welling trees, if necessary.”**

The Board has concluded that the Association Documents fix the responsibility for removal and/or replacement of the trees between the sidewalk and the street, upon each individual homeowner just as it places the responsibility for maintaining the grass in front of each home upon the individual homeowner. We are a homeowner’s association and not a condominium with common ground all around our homes.

The Association must adhere to the Association Documents in order to defend decisions when individuals make issues. When the Board spends Association funds, it is actually requiring each member to equally share in the expenditure through the assessment mechanism. The Association should not spend its member’s funds on items that are the responsibility and which benefit only one or a small group of homeowners but rather on items that are the responsibility of the Association and on items that all homeowners reasonably will be expected to derive benefit.

The Board encourages everyone to be responsible. If a tree is dead on your property or the property that you are individually responsible for, then you should take the individual initiative to remove the dead tree. If you wish to replace the tree, then it is up to you to do so. Remember that the Architectural Control Committee is charged with the responsibility to enforce architectural control to assure that any changes are consistent with Community sensibilities and is appropriate for our Community. If you intend to replace a dead tree, please complete a Modification Request Form, available on the Website.