

HARBOR HEIGHTS

CONDOMINIUM ASSOCIATION

POLICY RESOLUTION 00-3

LANDSCAPING

(Limited Common Areas)

WHEREAS, Article, II Section (h), Paragraph (6) of the By Laws grant the Board, "Officers of the Association", specifically conferred upon by the Act, the Declaration, and the By Laws and all other powers and duties necessary for the administration of the affairs of the Condominium Association; and,

WHEREAS, the Board of Directors has the power to amend and adopt as outlined in the By Laws to manage the affairs and control of the common areas of the Association; and,

WHEREAS, the Board deems it necessary to regulate and control the maintenance and upkeep of the limited common area of the association it has established the following:

LAWNS

1. All landscaped area as designated on the site plan as filed with the City of Nashua Building Department will be seeded and kept as grass areas unless specifically designated as other by the Board of Directors in writing.
2. During the season from May through October, all lawns will be maintained as not to allow the grass to exceed 4 inches in height. Lawns will be watered to insure good health. This will be the responsibility of the unit owner.
3. All front areas of the units will be kept as lawns and maintained with seeding as required to maintain an adequate "lawn".
4. Unit owners failing to adhere to this policy are subject to compulsory action of the Board and will be reasonable for the cost to bring into compliance.

SHRUBBERY

1. Landscape shrubbery is permitted around the foundation of the buildings. The shrubbery must be planted as not to interfere with the general maintenance of the structure.
2. All existing shrubbery must be kept trimmed as needed so as not to cover window or doorway access.
3. Any additional shrubbery planting must have the approval of the Board in order in insure non-infringement on neighbors and over planting.

4. Planting trees is permitted, but also requires Board approval to determine location and type with reference to structures and maintenance issues.
5. Hedges as barriers are permitted. Front yard hedges must follow guidelines of the fence policy (i.e. no higher than 4 ft). Must be trimmed neatly as with shrubbery and must be uniform per each building.'

FLOWERS

1. Flowers both annuals and perennials are permitted and encouraged to enhance the property appearance. Flower plantings must be in good taste and maintained with some semblance of neatness with out being over bearing.
2. Vegetable gardens are permitted in the rear of limited common areas of the unit. The Garden must be keep neat and not allowed to over grow the area.

MAINTENANCE OF LANDSCAPE AREAS

1. The seasonal maintenance of grass clippings must be removed in a reasonable time frame and not stored on the property. Compost areas must be restricted to insure health and sanitation conditions.
2. Leaves in the autumn should be removed in a timely manner so as not to allow an accumulation on the landscape areas that would be kept over the winter season.
3. During the winter season the use of salt is prohibited on the driveways and walkways due to the damage and pollution's to the landscaping. The removal of snow from the driveways and sidewalks are the responsibility of the unit owners. Snow removal must be completed in a timely manner as to insure the safety of pedestrians
4. Spring maintenance is important to insure the appearance of the community. All unit owners shall rake and remove all excess leaves and debris left from the winter months.
5. Unit owners are responsible for the liability of all maintenance to the landscaped areas of their limited common space. This responsibility can not be transferred or designated to a tenant or sub contractor.
6. Any unit owner using power equipment in the commons areas (lawn mowers) must carry a liability homeowner's policy and hold the Association harmless.

7. The use of chemicals by a unit owner for the treatment of insects, weeds, scrubs and lawn care etc. on a landscaped area must be applied in accordance with the manufactures instruction taking all necessary precautions as prescribed by the manufacture. Only approved over the counter consumer grade materials can be applied by the unit owner for their intended purpose. All other application must be applied by a licensed provider in accordance with all local and state regulations. All treated areas must be properly demarcated and posted. The unit owner will be responsible for notifying an officer of the Association of the treatment prior to its application.
8. Unit owners may hire contractors to do maintenance work on the landscaping, however they must be insured and provide the Association with proof of insurance before work can be started.

PROHIBITED USE OF THE LIMITED COMMON AREAS

1. Motor vehicles are prohibited from being parked or stored on the designated landscaped areas. Parking is only permitted in the driveways or approved designated areas. Motor vehicle parked in the driveway must be free from leaking materials. Cost to repairs damage to driveways will be assessed to the unit owner.
2. The storage of construction equipment or materials not designated as household is prohibited in the limited common areas.
3. The construction or placement of monument ornaments recreation equipment of any kind, antennas, satellite receivers and the Board of Director in writing must approve any other structures not covered by special policy resolution.
4. Consent given for acceptance to this Resolution is automatically revoked should a unit owner lose there *good standing* in the community.

Duly adopted by the Board of Directors at its annual meeting May 3, 2000

Attested:

Secretary of Harbor Heights
Condominium Association