

WINTERFIELD HOMEOWNERS ASSOCIATION

RESOLUTION 2021-12-02: COMMON AREA TREE MAINTENANCE

The undersigned (the “Board”), constituting all of the directors of the Board of Directors of Winterfield Homeowners Association (the “Association”), acting in accordance with the Bylaws of the Association (the “Bylaws”) do hereby unanimously consent to the adoption of the following resolutions and to the taking of the actions described therein effective for all purposes as of December 2, 2021 (the “Effective Date”).

WHEREAS, Paragraph 7, Section C of the Declaration of Restrictions for Winterfield states the primary purpose of the “Association and its dues shall be to maintain the Common Areas”;

AND WHEREAS, Article VII, Section 2, Subparagraph G of the Winterfield By Laws states it shall be the duty of the Board of Directors to cause the Common Area to be maintained;

AND WHEREAS, there is within the boundaries of the Winterfield common areas some land designated as wetland areas as regulated by the Virginia Department of Environmental Quality;

AND WHEREAS, the Board deems it to be in the best interest of the Association to clarify the procedures to be followed in maintaining trees located in the Common Areas;

AND WHEREAS, it is the intent that this policy be applicable to the maintenance of trees located in the Common Areas until such time as this resolution is rescinded, modified, or amended by a majority of the Board of Directors;

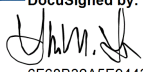
NOW THEREFORE BE IT HEREBY RESOLVED that the Board adopts the following resolution clarifying Maintenance of the Trees in the Common Areas in WHOA;

1. Homeowners must contact a member of the Board of Directors or the Community Association Manager if they believe a tree located on the common area adjacent to their property poses a potential hazard to their property. No cutting down of trees located on the Association’s property is to be undertaken without the express permission of the WHOA Board of Directors. (Board members may be contacted through the WHOA website, WinterfieldHOA.org.)
2. If a tree belonging to the Association needs to be cut down because it is found to be potentially endangering homeowner property or a person during the course of normal use of the designated common area trails or bridges, it will be the responsibility of the Association to correct.
3. In accordance with the VA Department of Environmental Quality’s regulations, any tree located in the specified wetlands area of the Association’s common area deemed to be

dead, dying or hazardous will be taken down without the use of heavy equipment. The stump and roots will be left intact.

4. When a tree is cut down and felled on to a natural wooded area, the tree may be left “whole” as a natural fallen tree.
5. The authorized association representative will determine whether trees will be replaced based on the reason for removal and other criteria. Miss Utility must mark the location prior to digging to mark for underground utilities per Virginia law.
6. The Winterfield Board of Directors shall be the sole judge as to the appropriate maintenance of trees in the Common Areas.

This Resolution 2021-12-02 was adopted by unanimous vote by the Board of Directors on December 2, 2021.

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Signed: Terry Letendre, WHOA President

Date