



Homeowner's Association, Inc.

August 26, 2015

TO: WMEHOA Board

FR: Barry Solomon, Architectural Committee Chair

RE: Common Area's Landscape Report

Mike Eastlund, Board President, requested a report from that the Architectural Control Committee (ACC) on options to improve the appearance of the property adjacent to Orchard Heights Road and evaluate root damage issues reported by Kurt Honore, the landscaper charged with maintenance of the common areas along Doak's Ferry Road.

Area Adjacent to Orchard Heights Road

As most are aware, weeds and trash along Orchard Heights Road adjacent to West Meadows has been the source of numerous complaints. According to city officials, there may be a question of easement along Orchard Heights Road for common area landscaping as indicated in the original and revised CC&R's. Karna Gustafson, Board Attorney, researched the question of easement and reported an easement is recorded by virtue of the recording of the restated CC&R document. A letter has been sent to the developer requesting transfer of the easements to the homeowner's association. Without an easement allowing access to an area, responsibility for maintenance of any property in a city right-of-way (that area from a property line to a roadway or street) is delegated by city ordinance to the adjacent property owners. At this time, our CC&R's and Board policy require homeowners to maintain their lots, but does not define city right-of-way as a homeowner's responsibility to maintain. Without a change in Board policy, we are not able to require maintenance of the city right-of-way adjacent to any lot in the subdivision. It was noted by city officials that the HOA can enter into an agreement to make common area improvements in the city right-of-way along Orchard Heights Road.

Possible Options for Board Consideration at this time:

- Leave the situation as is and let the city enforce their maintenance requirements.
- Change the definition of the word “lot” in the landscape policy to include adjacent city right-of-way. That would allow the Board to legally enforce maintenance in all parking strips and right-of-way areas.
- Once the Board acquires an easement, the HOA could move forward with a clean-up and improvement plan. As a note, any plan other than just weed eradication would require a landscape plan with electric and water utilities and an agreement with the city.

ACC Recommendation

Change Board policy to allow HOA enforcement of landscape maintenance requirements in city right-of-way and determine if option #3 is possible.

- Action Items
 - Change definition of lot in landscape policy
 - Identify an improvement plan acceptable to the community

Area Adjacent to Doak’s Ferry Road

Common area landscape issues identified along Doak’s Ferry Road include the following:

- Lawn browning caused by tree roots depriving lawn of water
- Grass installed with improper soil bed preparation resulting in poor lawn health and appearance
- Roots from maple trees damaging sprinkler pipes and valves
- Roots from maple trees traversing under the wall in multiple locations
- Cracks occurring in the wall adjacent to trees planted along the wall. It is probable the wall is being dislodged by the tree roots and will eventually need major repair or replacement
- Radical pruning of maple trees by the power company resulting in appearance degradation and possible fatal damage

Pictures of issues and damage in common area along Doak’s Ferry Road are shown in appendix “A”.

We met with city officials whose GIS mapping programs show the trees in the common area along Doak's Ferry Road are mostly planted in an easement area with only a few identified as street trees owned by the city. They also assured us we would have no problem replacing trees with trees more compatible for the area. Board attorney, Karna Gustafson, is in the process of sending a letter to the developer requesting transfer of the easements to the homeowner's association.

Possible Options for Board Consideration at this time:

1. Leave things as they exist, which will result in poor appearance and the need for constant repair of the irrigation and lighting systems and eventual major repair of the wall. This option has the least immediate expense, but will result in poor appearance and could result in the most significant long-term expense with the eventual possible destruction of the wall.
2. Attempt to remove roots growing under the wall by manual labor and install some form of root barrier. This option may be more expensive than total replacement of current trees since removal of roots next to the wall will require significantly greater labor costs and may require extensive repairs of the irrigation and lighting systems. Resulting root damage may result in tree mortality and instability. This option would not improve the appearance of the lawns or prevent trees from growing into the power lines.
3. Remove and replace maple trees with trees more appropriate for the location, remove surface roots in planting areas and redesign the area to include more drought tolerant plants and shrubs reducing areas with grass and increasing areas with bark. This option would probably give the best outcome with the lowest overall cost since it would not require the extensive manual labor of option #2 or the probable replacement of the wall as in option #1. In options #2 and #3, the cost of irrigation and lighting system repairs will be about the same. Option #3 would provide the best appearance and the lowest long-term cost for maintenance and irrigation.

As in the past, necessary repairs to the common area can be funded using money from the reserve fund, whereas new installations along Orchard Heights Road would require a different budget source.

ACC Recommendation

The Board adopts option #3 above which would require the following:

1. Secure transfer of easement title to HOA
2. Identify a landscape architect to develop plans
3. Solicit community input to identify an appropriate plan
4. Seek plan approval from the city
5. Determine cost estimates for desired work
6. Identify funding options
7. Identify contractor/s to perform the work

Action Items

The Board passes the following motions:

- The Board approves funding to secure a landscape architect to develop a plan.
- That the ACC move forward with the first five steps of the ACC recommendations for the common property on Doak's Ferry Road and report back to Board.
- That the treasurer be directed to not expend funds budgeted for weed control bark in common areas.

APPENDIX "A"

The picture to the right shows the "V" shaped crop at the top of the trees growing into the power lines.



The following pictures show roots growing into the irrigation and lighting systems, under the wall and into grass area depriving the grass of water and damaging lighting and sprinkler systems.



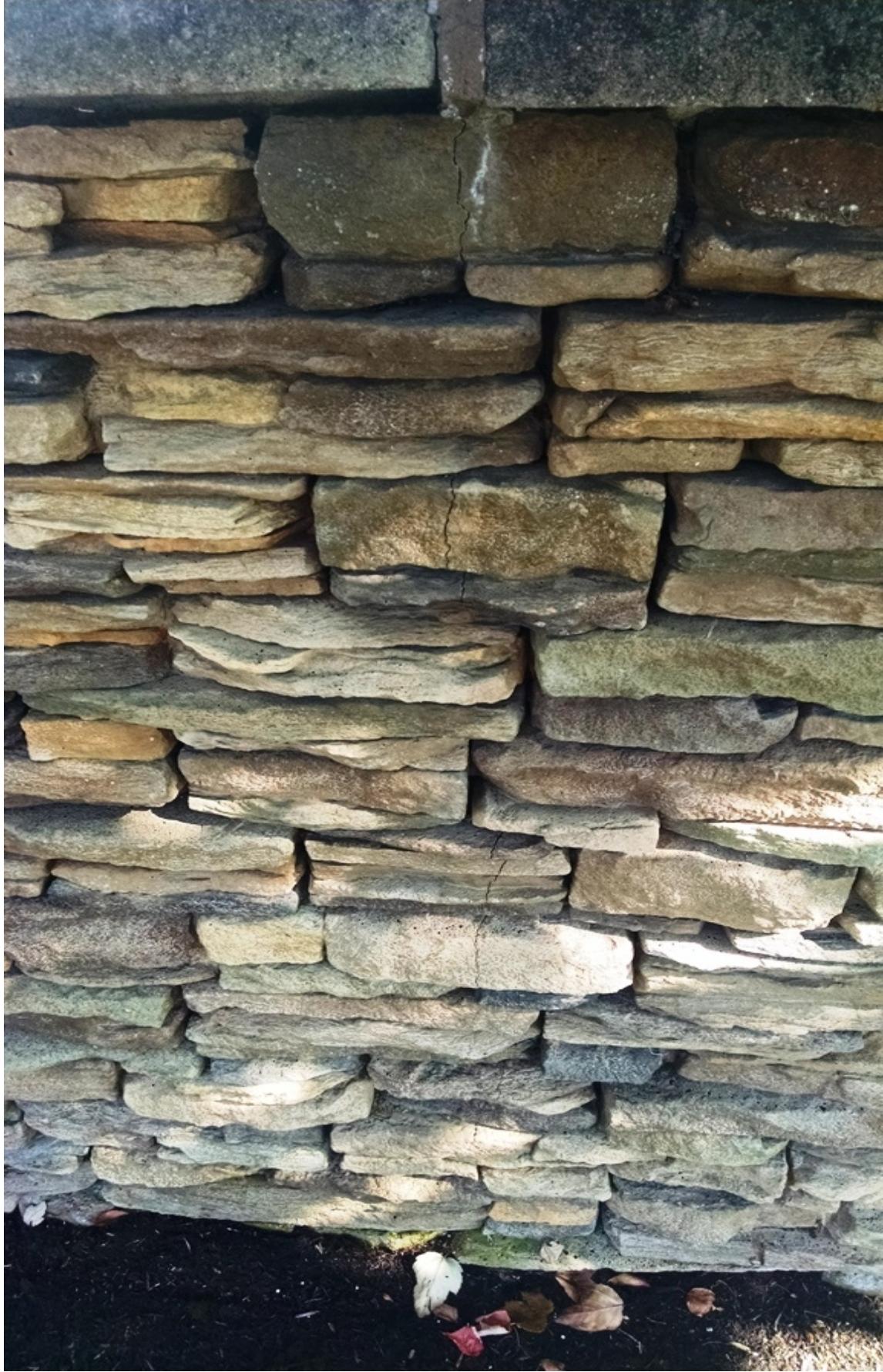


The following pictures show cracks in the wall that are mainly evident in areas adjacent to trees growing next to the wall. It is a routine practice, which does not appear to have occurred, to install root barriers to prevent damage to permanent structures such as the wall.





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