

**Chelaque Estates Homeowners' Association
Procedure for Removal of Trees
Outside the Building Application Process**

I. General

- A. The Declarations of Covenants, Conditions and Restrictions for Chelaque Estates – Article X, Section 4, makes the following specific statement regarding Tree Removal:

▶ *No trees with a diameter of eight (8) or more inches may be cut without prior approval of the Architectural Committee. A violation of this Section shall result in the Owner incurring a fine of \$200.00 per tree payable immediately to the Association. In the event of nonpayment, such fine may be added to the lien for Assessments provided in Article IV hereof.*

- B. When a Chelaque Estates Owner has a need to remove trees – of a diameter of eight (8) or more inches – from their lot that is not in conjunction with the completion of a building application, the procedures noted below are required and MUST be followed. Approval from the Architectural Chair is required prior to removal.

- C. The Declarations of Covenants, Conditions and Restrictions for Chelaque Estates also make the following specific statements regarding Land Use, Waste and Unsightliness:

▶ *At no time shall any Lot be stripped of its topsoil, trees or allowed to go to waste or waste away by being neglected, excavated or having refuse or trash thrown, or dropped, or dumped upon it.*

▶ *The covenants in this Article X are necessary and desirable to maintain fair and adequate property values, prevent nuisances and maintain an attractive area for residential purposes.*

- D. If a Chelaque Estates Owner becomes in violation of the above mentioned Covenants regarding Land Use, Waste or Unsightliness due to an inordinate amount of dead, downed trees or stumps, the Architectural Committee will contact the lot owner and take steps to bring the lot into compliance with the Chelaque Estates Declarations of Covenants, Conditions and Restrictions.

- E. NO TREES, regardless of size, can be removed in any common area without explicit written approval from the Chelaque Board of Directors.

II. Tree Removal Approval

- A. Owner must use the Tree Removal Request Form to contact the Architectural Chair for a meeting of the Committee to discuss specific trees they wish to have removed. Complete Tree Removal Form, next page, or download another from the website. (Tree Removal Arc 12a)

- B. Architectural Committee member(s) will meet/review with owner requesting tree removal – on lot if required – for approval/disapproval of Tree Removal Form. Approval/Disapproval will be made within 30 days of receipt of Tree Removal Form by Architectural Committee.

- C. Once Tree Removal is approved by Architectural Committee, copy of signed form will be forwarded to owner for file. If Tree Removal is not approved, Architectural Chair will convey to owner why request was not approved and convey modifications that need to be made, if any. Owner can resubmit request at any time.

- D. Record of Tree Removal requests will be maintained in file by Architectural Chair [Exhibit Arc/12b].

Exhibit Arc/12a

**Tree Removal
Outside the Building Application Process**

Name:

Lot Number:

Number, Condition and Reason for Tree Removal:

Signed by Owner:

Date:

Below this line is to be filled out by the Architectural Chair.

Approved

Not Approved

Explanation if Not Approved:

Signed by Architectural Com:

Date:

Email Completed Form to architectural@chelaque.org