



WISTERIA PARK

WISTERIA PARK HOMEOWNERS ASSOCIATION, INC.

c/o Sunstate Association Management Group, Inc.

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Subject: Front Yard Canopy Tree Removal - Clean Slate Letter

Dear Wisteria Park Homeowners:

The Association has noticed that many trees have disappeared from the front yards of our beautiful neighborhood. We also realize that many of the trees were removed by homeowners (past and present) due to storm damage, disease, and their problematic roots that interfered with driveways and/or utility lines.

According to our governing documents, front yard canopy / shade trees are required and if a tree is removed it must be replaced. Over the past several years, front yard trees have been removed and not replaced.

The Board has conferred with Legal Counsel and has been advised that it is not practical or cost-effective to pursue the removal of the various front yard shade tree violations that have occurred in the past. The Board concurs with that opinion.

Florida law does allow the Association enforcement on an ongoing basis against all new front yard shade tree violations AFTER a notice such as this letter is transmitted to all homeowners.

This, therefore, is a "Clean Slate" letter to the Homeowners.

The Association does realize that certain situations may require the removal of shade trees. To receive permission to remove a shade tree from the front yard, it is mandatory to follow the requirement of the state rule, which states that shade trees may be removed "... if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property. (House Bill 1159 (F.S. 163.045))

Once a property owner receives the required authorization, it must be submitted to the Wisteria Park Architectural Review Committee (ARC) for review and approval. The tree must then be replaced by an approved shade tree. The list of approved shade trees (aka canopy trees) is listed on the Manatee County site:

https://www.mymanatee.org/departments/building_development_services/environmental_review/tree_removal_authorization_permits/residential_tree_removal.

Please be advised that any violation of our Declaration of Covenants, Conditions, and Restrictions

for Wisteria Park that occurs and comes to the attention of the Association after the date of this letter will result in all necessary enforcement action by the Association.

Pursuant to 9.09 of our Declaration of Covenants, Conditions, and Restrictions for Wisteria Park.

9.09. Mandatory Tree Planting and Maintenance. The Owner of each Lot shall be responsible for the planting and maintenance of replacement trees on such Lot as required by Manatee County pursuant to final site plan approval for Wisteria Park. Such approval requires that each Lot Owner plant an average of one ten-foot (10' canopy tree for every fifty (50) linear feet, or substantial fraction thereof, of right-of-way, with the additional requirement that (i) trees shall be planted within the first twenty (20) feet of the front yard, but not within a public or private utilities easement, and not closer together than twenty-five (25) feet unless a decorative grouping or alternative method is chosen and approved by Manatee County; (ii) trees must meet applicable requirements of Sections 715.3.4 and 715.4B of the Manatee County Land Development Code.; (iii) existing native trees should be used to fulfill the requirements of this paragraph whenever they meet the spacing and size requirements hereof, and no certificate of occupancy will be issued for any home to be constructed on a Lot until the conditions of this paragraph have been satisfied. ARC approval, as required by this Article 9 shall be withheld until such time as the Plans and Submissions presented for each Lot comply with the replacement tree planting obligations provided for herein. Upon such initial planting, each Lot Owner shall be responsible for maintenance of the replacement trees and such trees may not be removed without appropriate permits and authorizations provided by Manatee County, Florida. If a tree planted in compliance with the requirements of this paragraph dies or is removed, the Owner of the Lot is responsible to replace the tree within thirty (30) days thereafter. If an Owner has failed to comply with the requirements of this Section 9.09, then after notice and compliance with the procedural requirements of Section 7.04, the Association may take such action as is necessary to achieve compliance. All costs of the Association in so doing shall be assessed to the Owner and his Lot as a Special Assessment. Until so collected, such costs shall be treated as a Common Expense.

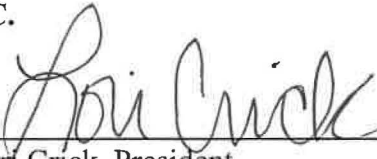
The Association, the Board of Directors, and your neighbors appreciate your cooperation and support in the Association's efforts to enforce the Declaration of Covenants, Conditions, and Restrictions.

Thank you for doing your part.

Regards,

**WISTERIA PARK HOMEOWNERS ASSOCIATION,
INC.**

By:


Lori Crick, President

(Corporate Seal)