

Palisair Home Owners Association

A NON-PROFIT CORPORATION

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The association itself is a "Tract Committee" under the Declaration of Restrictions covering Tracts 15944, 15948 and 19890, and operates as such through its Board of directors and its Officers

TREE MAINTENANCE PARAMETERS

For

Deborah K. Streiber
1000 Las Lomas Ave

And

Leigh Silverton
1020 Las Lomas Ave

August 21, 2014

After numerous communications with both parties the following parameters have been determined by the Palisair Home Owners Association to be followed by the above parties at 1000 Los Lomas Ave and 1020 Los Lomas Ave. In developing these Parameters the Tree Committee took into consideration the concerns and verbal agreements both parties made on separate consults with PHOA Tree Committee members Francine Kirkpatrick and Vi Walquist. This evaluation was followed by a site visit to both properties by the PHOA Board of Directors on August 2, 2014.

The following restrictions and parameters are imposed on trimming:

1. Two property line trees:

- Ms. Silverton has agreed at her expense to maintain the height of the two trees on the shared property line (Site line standing in Silverton yard to show a height of trees following pruning to be just below the Streiber roofline to give room for growth between pruning). Ms. Streiber will be responsible for all clean up that falls in her yard.
- Pruning will be accomplished from Ms. Silverton's residence by means of long pole trimmers. It will not be necessary for Silverton gardeners to enter the Streiber property to accomplish trimming. The tree pruning should not involve branches more than 1 inch in diameter.
- Pruning is to be done between October and March. PHOA arborist has advised that trees not be pruned during the growing season as tree growth is accelerated to beyond pre-pruned height when pruning takes place during the growth period
- Given the proximity of the Streiber home and the disruption to the outdoor living space caused by tree trimming directly over her patio it is imperative that the two trees on the property line should not be pruned more than 2 times a year. Next pruning should not take place before October.

- Advanced notice of pruning shall be by postal service letter sent to Ms. Streiber and to arrive two weeks prior to planned pruning. The notice shall include the date and time of the pruning.
- Ms. Streiber's gardener will be present to supervise the pruning and to clean up. Due to his schedule no pruning can take place on Tuesdays or Fridays.

2. Streiber Trees on either side of banana tree near 1000 Las Lomas Driveway:

- Ms Streiber shall be responsible for all pruning of her trees near the driveway excluding the banana tree. (Note: there are at least two trees in this grouping that Ms Streiber states are on the Reed property. She will prune Mr Reed's Silver Oak but will not prune his Acacia as it is too hard to get to.)
- Ms Streiber's initial pruning took place June 30, 2014. Next pruning will take place during or before March 2015 with future pruning to be done annually between October and March.
- Reasonable height of the pruned trees has been determined by the Tree Committee. A photo that indicates maximum tree height along the 1000 Las Lomas driveway accompanies this set of Parameters.

3. Single tree closest to Ms Silverton's master bath.

- When evaluating the totality of the ocean and city views from the 1020 Las Lomas Ave property, and in keeping with the PHOA CC&Rs, this view obstruction of the city lights is not considered an "unreasonable" view obstruction.

Each party will sign and date a copy of this set of parameters as acknowledgement of receipt and return to the PHOA at the above address.

print owner name and address

signature

date