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**VERDANTE AT WESTLAND ESTATES
PROPERTY OWNERS ASSOCIATION**

**Board Resolution
Maximum Tree Height**

WHEREAS, the Verdante at Westland Estates Property Owners Association (the "Association") is governed by the Declaration of Covenants, Conditions and Restrictions for Verdante at Westland Estates, recorded at recording number 97-0717178, records of Maricopa County, Arizona, and all amendments thereto (the "Declaration");

WHEREAS, trees are defined as Improvements in Section 1.19 of the Declaration and Section 3.1.2 of the Declaration states: "No Improvement which would be Visible From Neighboring Property shall be constructed or installed on any Lot without the prior written approval of the Architectural Committee"; and

WHEREAS, the Board of Directors of the Association is empowered by Section 1.22 of the Declaration to determine the standard of maintenance of Improvements and by Section 5.3 of the Declaration to adopt rules and regulations regarding "(b) minimum standards for the maintenance of the Lots"; and

WHEREAS, Section 5.10 of the Declaration provides that the architectural guidelines, standards, and procedures adopted by the Architectural Committee may include provisions regarding "(d) landscaping design, content and conformance with the character of the Property and permitted and prohibited plants"; and

WHEREAS, the community is within an Environmentally Sensitive Land district and subject to the City of Scottsdale Environmentally Sensitive Land Ordinances (ESLO); and

WHEREAS, Section 6.1070, subsection G.1.i. of the ESLO states: "non-indigenous plants that have the potential of exceeding twenty (20) feet in height are prohibited"; and

WHEREAS, the Association goal is to have all community trees on Lots and Common Areas maintained in a uniform, consistent manner no higher than twenty feet (20') to minimize disruption of view corridors.

NOW, THEREFORE, the Association hereby resolves as follows and makes the following part of the Association's rules and regulations:

1. All trees on a Lot not in the Natural Area of Open Space (NAOS), both indigenous and non-indigenous, whether planted or naturally-growing, must be maintained at a height not to exceed twenty feet (20') as measured from ground level of house, finished floor elevation. Furthermore, in no instance are trees to extend above highest point of roofline. Notwithstanding the foregoing, the Board may grant variances of these height restrictions in extenuating circumstances.
2. So long as the Lot complies with all Declaration restrictions and City of Scottsdale ordinances regarding the Natural Area of Open Space (NAOS) on the Lot, there are no restrictions on the height of trees located on Lots in the NAOS.
3. The Association will continue to maintain trees on Common Area and along the streets at a height not to exceed twenty feet (20') as measured from ground level.
4. All trees planted or installed within the Lot must have the prior written approval from the Association's Architectural Committee (via use of "Construction Improvement Request") and must be from City of Scottsdale approved plant/tree list per ESLO Guidelines.

CERTIFICATION

The President of the Association hereby certifies that this Resolution was adopted by the Board of Directors at a Board meeting held on AUGUST 29, 2018.

VERDANTE AT WESTLAND ESTATES
PROPERTY OWNERS ASSOCIATION

Name LYNN A. CARLSON

Signature [Handwritten Signature]

Its: President

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 14 day of January, 2019, before me personally appeared Lynn A. Carlson, whose identity was proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document, and who acknowledged that he/she signed this document for the purpose stated.

Notary Seal:



[Handwritten Signature]
Notary Public