

SEAL BEACH MUTUAL NUMBER FOUR

Physical Property – Resident Regulations

Flower Gardens, Vegetables, Trees, and Shrubs Use

This Article outlines the shared responsibilities of the Mutual and its Shareholders. The Landscape Committee and Building Directors are entrusted with the management of landscaping including the responsibility for inspections and enforcement of this Garden Rule.

If all Shareholders follow the policy as outlined below, the landscape areas will display what most Shareholders would consider an appealing appearance of the Mutual, a benefit for all as an attractive place to live and an enhancement of property values in the event of resale.

All Flower Gardens beyond the drip line are in the common area owned by the Mutual shareholders; therefore, the use of this common area for Flower Gardens is subject to change at the discretion of Mutual Four's Board of Directors.

Over the Mutual's lifetime, the sizes of the Flower Gardens have varied. While it is impossible to have total consistency in the sizes of the gardens, the following guidelines can be helpful in decision making.

FLOWER GARDEN SIZES

1. Guidelines for approved Flower Garden sizes vary depending on the unit location, sidewalk location, safety, and aesthetics. Flower Garden measurements are from the face of the building.
2. At the time of resale or transfer of the share of stock, the shareholder (seller) may be required to re-align the Flower Garden area with the remaining gardens in the building. The guideline for a Flower Garden size is site specific.
3. Shareholders in units A, F, G and L, after Board consultation, may be allowed a Flower Garden at the end of their unit, depending on the area available. Planting cannot encumber entry to the attic or access to the meter panel. These Flower Gardens shall be site specific.
4. The Board may allow, on a case-by-case basis, a Flower Garden at the side of a laundry room to be site specific.
5. Any exceptions to these guidelines shall be brought to the Board, in writing, and will be reviewed on a case-by-case basis.
6. Shareholders may select plants of their choice from the list of approved plants (see list on page 5). Trees or other plants with root growth that are invasive and have the potential to damage the Mutual's structures, walls and walkways are prohibited. Vines are not permitted to climb on any structure or light poles. If a trellis is used, it must be freestanding

SEAL BEACH MUTUAL NUMBER FOUR**Physical Property – Resident Regulations****Flower Gardens, Vegetables, Trees, and Shrubs Use**

and be kept 12" below the eaves. All planting must be trimmed back 6" from the building. Removal of any offending growth will be done by the Mutual at the shareholder's expense if shareholder does not maintain these standards. All grounded and potted plants shall be trimmed 12 inches below gutter line.

7. Watering, fertilization, and plant pest control within the Flower Gardens are the responsibility of the shareholder.
8. Flower Gardens are cultivated by the Mutual's gardening service UNLESS the shareholder wants to perform this task. If shareholders want to maintain their own garden(s), they must insert red flags in the Flower Garden. Inserting a red flag does not mean the Gardeners will not trim out of compliance growth; the red flag indicates the Shareholder will weed their own Flower Garden. Gardeners are instructed to remove weeds, including baby tears, wild mint, and plants of the spiderwort family, all of which can spread into the lawn or neighboring garden. Roses are trimmed in December/January by the Mutual's gardeners in all gardens except red-flagged gardens.
9. Potted plants may not inhibit the 36" entry requirement, nor are they permitted on the entrance walk, on top of pad mount transformers, hung from or placed on pad mount enclosures (per Policy 7492), or on telephone vaults..
10. Free-standing, aesthetically pleasing objects, as determined by the Landscape Committee, are permitted in the Flower Garden. The Board may require any objects be removed from the Flower Garden.
11. Sprinklers within the shareholder's Flower Garden must be installed by the Mutual's gardeners at the shareholder's expense. Maintenance of sprinklers within Flower Garden areas will be at the shareholder's expense.
12. Prohibited Uses of Flower Gardens Front and side gardens may not be used as storage areas. Items such as garden soil, empty pots, garden tools, potting tables, cabinets, scaffolding, shelving, bikes, kayaks and/or surf boards are prohibited in front and side flower gardens and may not block Unit windows. Patio Furniture is NOT allowed in the Flower Garden.
13. Overgrown Flower Gardens. If a Flower Garden is deemed to be an eyesore by the Landscape Committee and provides hiding places for spiders, rodents, and wildlife, the Shareholder will be asked, in writing, to clean it out. If the Shareholder does not clean out the "overgrown" Flower Garden and/or overabundance of potted plants or in-ground plants, then the Mutual will do it. The Shareholder will not be reimbursed for any plants, pottery, containers, or non-authorized "items" in the flower bed. Plants must be cut back

SEAL BEACH MUTUAL NUMBER FOUR**Physical Property – Resident Regulations****Flower Gardens, Vegetables, Trees, and Shrubs Use**

so as not to extend over the garden line, in all cases. Removal of any offending growth will be done by the Mutual at the Shareholder's expense.

14. Temporary Nursery containers are not allowed to be displayed; all plants in a pot will need to be in a decorative pot with a concrete paver under it. Pots that have saucers under it will not be allowed due to water attracting wildlife and mosquitoes. Potted plants on patio walls must be a minimum four (4) feet from sidewalk. No more than 8 potted plants are allowed in the Flower Garden. No more than 8 additional potted plants are allowed on the patio and porch combined. Therefore, 24 total potted plants are allowed outside the shareholder's unit. Refer to the patio and porch definitions in policy 04-7415-01.

15. Trees within Flower Gardens. By definition, trees are woody, perennial plants that have one central stem, can grow to a considerable height, and normally have a distinct head. Shrubs are woody, perennial plants that have a number of stems usually produced from near the soil line of the plant. Due to the potential for damage to the buildings, walls and plumbing, no trees or shrubs with aggressive root systems are allowed in the Flower Garden. All trees or shrubs with aggressive root systems will be removed from Flower Gardens at shareholders' expense after written notification of fifteen-day removal cycle. However, if an existing tree or shrub poses no danger to Mutual property, an exemption for a tree or shrub planted in a flower garden may be approved by the board upon written request by the shareholder. No individual Mutual Director or Mutual Officer can approve an exemption on their own. Also, dwarf citrus trees may be planted in wooden boxes or decorative pots, placed on top of a concrete block that will not allow the tree to take root and located in the Flower Garden. All dwarf citrus trees, Shrubs, Plants and Flowers must be kept twelve (12) inches below the eaves and at least six (6) inches from the building not extending past the Flower Garden boarder. Shareholders failing to adhere to these rules will be responsible for the cost of commercial pruning. Any exception to these rules must be approved by the board. These exemptions are null and void once the unit changes ownership, and the trees or shrubs in question will be removed and cost for removal will be billed to seller through escrow.

VEGETABLES IN FLOWER GARDEN

1. Small quantities of vegetables may be grown in Flower Gardens in a pot with a concrete block under the pot, but the Flower Garden cannot be planted entirely with vegetables.
2. All vegetables must be grown in a half-inch metal mesh rodent resistant enclosure minimum height of two feet. Ripe produce must be removed in a timely manner to deter rodents.

SEAL BEACH MUTUAL NUMBER FOUR**Physical Property – Resident Regulations****Flower Gardens, Vegetables, Trees, and Shrubs Use****TURF AREAS**

1. Turf areas are all the grounds located outside of each apartment beyond the drip line and Flower Gardens. Turf areas are common area. These areas are owned by the Mutual and are the exclusive responsibility of the Mutual. Shareholders are not permitted to install, remove, or relocate plants or any other landscaping in the turf areas, including areas around light poles. Shareholders are not permitted to install, remove, relocate, or adjust sprinklers in turf areas. A director has the authority to have any plants, flowers, shrubs or trees removed from the turf areas that are not approved by the Mutual Board.
2. Artificial turf will not be allowed in and around fresh turf areas. Any artificial turf already in place will become the sole responsibility of the shareholder to maintain and replace as needed. At the time of resale or transfer of the share of stock, the shareholder (seller) may be required to remove the artificial turf.
3. Tree issues will be addressed by the Landscape Committee. Under certain circumstances, trees that are removed may not be replaced. As a general policy, however, if a tree is removed it must be replaced somewhere within the mutual. If removal was requested by a shareholder and approved by the board, shareholder will pay for cost of removal, purchase and planting of a new tree. The tree becomes the property of the Mutual and will be maintained by the Mutual at the Mutual's expense.
4. If a shareholder wants a tree planted in an area where no tree was previously planted, approval must be obtained from the Board. The tree shall be planted by the Mutual landscaper and all costs of tree and planting shall be at the shareholder's expense. The tree becomes the property of the Mutual and will be maintained by the Mutual at the Mutual's expense.
5. The Mutual's "common areas" can be used for temporary reasons e.g. construction activity and moving with director approval.
6. Scallop borders, or bordering materials in other shapes, shall not be placed around the base of trees nor shall scallops be positioned in any way that obstructs turf maintenance, such as lawn mowing, leaf and weed removal, or vacuuming of cut grass. Shareholders may not place potted plants or decorative objects at the base of trees as this will restrict the volume of water said tree receives from the sprinklers.
7. Water Restrictions: During drought conditions, landscape and garden watering by shareholders is allowed only on **Tuesdays, Thursdays, and Saturdays from April 1**

SEAL BEACH MUTUAL NUMBER FOUR**Physical Property – Resident Regulations****Flower Gardens, Vegetables, Trees, and Shrubs Use**

through September 30. From October 1 through March 31, when the temperature is cooler and there is more natural rainfall, watering is allowed on Tuesdays and Saturdays only. Shareholder hoses must be equipped with auto shut-off nozzles. Shareholders are NOT allowed to hose down hardscape areas such as patios, porches, sidewalks, streets, and concrete areas.

PLANT GUIDELINES

The selection of plants allowed for the gardening areas is not limited to the plants listed here.

Bushes and shrubs that do well:

Heavenly bamboo, hibiscus, holly family, hydrangea, indian hawthorn, juniper shrubs, lily of the Nile, mirror plant, star jasmine, and bottle palm tree.

Smaller flowering plants that do well:

Azalea, camellia, dahlia, daisy, fuchsia, gardenia, mums, and roses.

Perennial flowers that do well in our climate and soil (young plants need protection from rabbits):

geraniums, impatiens, marigolds, vincas, and wax begonias

Note: The plants listed above seem to be ignored (at this time) by rabbits, but that could change (Pansies and Lobelias are favorites of Rabbits).

Plants that, by their nature, cause problems and are not allowed:

Asparagus Fern, baby tears, bird of paradise, all fruit trees except citrus, ficus trees, ivy, spiderwort family, wild mint, selected palm trees based upon location, and firestick plant also known as milk bush and pencil bush and officially known as euphorbia tirucolli.

All citrus trees must be of the dwarf variety and are allowed in the garden area in self-contained wooden boxes with a concrete block underneath. Any exception of the above must be approved by the Board. No individual mutual director or mutual officer can approve on their own.

No new bottle brush trees are allowed in Mutual Four. Existing trees are grandfathered in and will not be removed unless diseased or dead, as diagnosed by the Landscape Company and approved by the Landscape Committee.

SEAL BEACH MUTUAL NUMBER FOUR**Physical Property – Resident Regulations****Flower Gardens, Vegetables, Trees, and Shrubs Use**

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