

## TRAIL'S TREE POLICY

1. Under Florida Insurance, Florida has been declared an "Act of God State" without negligence imposed. Therefore, the Association is not and shall not be liable for removal cost of any tree(s) that have fallen on personal property from Trail's common grounds or other owners property, unless there is negligence on the part of the Trail's Homeowners Association. If the association fails to remove an obviously dead tree the clean up from the downed tree due to wind damage is the responsibility of the association. If, a dead tree falls onto your property from a neighboring properties, those two parties will have to address the problem.
2. If a windstorm, hurricane or tropical depression causes a tree(s) to fall onto your unit/home the association, at the request of the unit owner, will advise as to what tree companies we use. It will be the homeowners responsibility to contact either of these companies or they may contact one of their choice. Before a homeowner contracts for tree removal they should request copies of their insurance policies to make sure that they are properly insured for liability and workers compensation. It is the unit owners responsibility to verify these documents.
3. The Association is only responsible for the removal of trees that fall from the common property to the common property. The association will also be responsible for the removal of downed trees that fall from private property into the Trail's common property. The Trail's will remove any portion from the private property line into common property. The remainder of the tree will be the owners responsibility.
4. If, an owner requests the removal of a live tree that is leaning in the direction of a residence and the tree is on common ground the association will make every effort to request a tree removal permit from the City of Ormond Beach. If the city denies the association's request for said removal it would be beyond the associations control. (The association receives many requests to remove trees that are leaning towards residence) The association is bound to follow the city ordinance.
5. If, a unit owner desires to have a live tree removed they must apply to the City of Ormond Beach for the proper permit.