



APPENDIX A

BENT CREEK HOMEOWNERS ASSOCIATION

Lawn and Yard Care Policy

Adopted by the Board of Directors August 2019

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Lawn and Yard Care Policy

In order to help preserve the appearance, respectability and value of the financial investment of the homes in our neighborhood, the Bent Creek Homeowners' Association (the "Association") has developed a set of minimum standards regarding lawn and yard maintenance and landscaping of homes. The intent of the policy is to provide a uniform and consistent measurement for when the Association may be required to address inadequate maintenance or upkeep of lots within the Bent Creek community.

Each Owner and/or Renter is responsible for the normal upkeep of their yards. This includes watering, weeding mowing, pest control, routine pruning and cutting of shrubs/trees and other flora to maintain a well-kept appearance and prevent any overgrowth onto pathways and common areas. Failure to correct the following issues after written notification is considered to be a breach of the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") (Article VIII Section 6). If an Owner fails to maintain the front yard and fails to cure the defect after notice from the Association or its agents, then the Association or its agents may engage a commercial landscaping company to perform any required maintenance and may separately assess such maintenance as a charge against the Lot.

The full CC&Rs of the Bent Creek community can be found on our website: <http://www.bentcreekhao.org> under the Info section.

Definitions and Guidelines

Growing Season

The period of year or season during which grass, shrubs, trees, flowers, etc., grow best. The growing season is typically March through October.

Non-Growing Season

The period between the first frost of winter and the last damaging frost of winter. The non-growing season is typically November through February.

Lawn

The area planted with grass which is maintained at an even height. A significant portion of front yard must be lawn. The rest of the front yard can be made of up flower beds and other approved lawn decorations.

Yard

The space or grounds surrounding or surrounded by a building. This means the physical area on a Lot, including, but not limited to, the foundation plantings, all grass areas, planting beds, trees, flowers and the driveway area.

Moss

A tiny green flowerless plant that reproduces by spores and grows in tufts, sods, or mats on moist ground, tree trunks, and rocks in your yard. If left uncontrolled, it will choke out your lawn and leave large bare areas in need of replanting.

Common Areas

As defined in the CC&Rs and shown on the Bent Creek recorded plats in the Williamson County Register of Deeds. All Lot owners are owners of the Common Area.

All other terms shall be as defined in the CC&Rs as applicable.

Lawn and Grass Care:

During the Growing Season it is recommended that the following actions be taken to ensure the Lawn/Yard is properly maintained:

1. Lawns must be mowed on a regular basis; lawn height not to exceed six (6) inches.
2. No part of the Lawn shall run onto paved surfaces such as sidewalks, curbs and Common Areas.
3. Lawns must be watered on a regular basis sufficient to maintain health and green color. This is weather and temperature dependent. Lawns typically need several inches of water a week to stay healthy and green.
4. Plants and shrubbery should be watered to maintain a healthy appearance.
5. Control and removal of weeds in Lawn, gardens, flower beds, sidewalks and driveways.
6. Lawn debris, including Lawn clippings should not be left along the curb, sidewalk, street, or Common Areas. Tree and shrub trimmings must be removed from view from the front Yard after the maintenance is performed until trash pick-up day.
7. Regular fertilizing is recommended but not enforced.
8. Moss is not an acceptable substitution for lawn. Moss control is recommended to be performed annually or as needed. Once moss is established it will choke out the Lawn. Lawn areas that have poor drainage or less sunlight will be more susceptible to moss than well drained areas with good sunlight.
9. Remove any and all dead plants, shrubs and trees in a timely manner.
10. If a household is on vacation for more than a week, please make arrangements to have your Yard attended while you are away. Absence does not relieve you of your obligation.

During the Non-Growing Season, it is recommended the following actions be taken to winterize the Lawn/Yard and maintain some level of Lawn/Yard care through the fall and winter months.

1. End of season flowerbed and Lawn/Yard maintenance should include pulling or spraying for weeds and a final mow of the Lawn. It is recommended that you lower the lawn mower blade to reduce disease and moss problems.
2. Rake and pick up leaves that have fallen or blown onto your property. Fallen leaves can smother the Lawn and plants if left on the ground and transmit diseases and pests to a Lawn or flower bed.
3. Winterize your Lawns (recommended but not enforced). Winterization should include adding fertilizer to the Lawn in the fall to feed the roots through the winter. Add mulch to the flower beds to protect the roots over the winter. Remove leaves and debris from rain gutters to prevent water backups during the rainy season, and put garden hoses away for winter, wrap or cover outdoor spigots, and winterize your lawn sprinkler system to prevent broken pipes due to freeze.

Yard Care:

The addition of any trees, shrubs, plantings, or other landscaping bordering the street side of the Lot and/or a Common Area must be approved in writing by the Architectural Control Committee prior to planting. Lot owners must maintain landscaping across the entire front of the home. No additional trees, shrubs, or other plantings may be placed on any Lot's yard area bordering on the subdivision streets and Common Areas until a supplementary landscape plan has been approved by the Architectural Control Committee in writing. However, replacement of trees, shrubs, or other plantings with like-kind plantings is allowed without approval from the Architectural Control Committee.

Gardens are allowed in the backyard/rear of each Lot, as long as they are not visible from the street.

Shrub Care:

Shrubs shall be pruned and maintained in a manner consistent with the neighborhood.

1. Dead shrubs shall be removed and replaced of similar nature and scale.
2. Mature shrubs need to be pruned to a consistent level and shall not overly obscure (1/3 to 1/2) of the front windows or doors of the home.

Tree Care:

Trees shall be pruned and maintained in a manner consistent with the neighborhood.

1. All Lot owners must maintain at least (1) tree in their front Yard at least two (2) inches in diameter, which must be maintained regularly. Dead trees shall be removed and replaced of similar nature and scale. Please check with the Town of Nolensville for the approved species.
2. Mature trees need to be pruned as needed to be safe and presentable.
 - a. Branches overhanging the sidewalks should be pruned back or up to allow pedestrian traffic to pass safely. Nolensville Municipal Code Title 16 titled *Streets and Sidewalks* provides guidance on some minimal maintenance that must be done to those street trees:
 - i. **16-102. Trees projecting over streets, etc., regulated.** *It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project out over any street, alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet. (Ord. #98-24, Dec. 1998)*
 - ii. **16-103. Trees, etc., obstructing view at intersections prohibited.** *It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, shrub, sign, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (Ord. #98-24, Dec. 1998)*
 - iii. **16-113. Violations and penalty.** *Violations of this chapter shall subject the offender to a penalty of up to one hundred dollars (\$100) for each offence. (Ord. #98-24, Dec. 1998)*
 - b. The Association will send a written notice to the Lot owner and/or occupant if a street tree needs to be trimmed or replaced. If the Lot owner or occupant does not take action, then the

Association will proceed to replace or trim the street tree. The cost of that effort will be billed back to the Lot owner, along with a service charge and all other fees, including attorneys' fees and expenses, incurred by the Association. Failure to pay the charge shall result in further collections efforts as set forth in the CC&Rs, including a lien on the Lot.

Identification of Violations

At the direction of the Association's Board of Directors, a periodic inspection of the community will be performed in order to identify deficiencies in grass, tree, bush and/or shrubbery maintenance. Lot owners with identified maintenance problems will be notified of the problem in writing. The Association shall request corrective action to be accomplished within a stipulated time frame depending upon the severity of the violation.

Procedures and Charges for Violations

The Association shall, after notice is given to the Lot owner involved and such action has not been taken by the Lot owner to correct the deficiency, authorize a third party to mow the Lawn, clean up the Yard, and/or trim or prune the trees, bushes, or shrubbery. The cost to mow a typical Lawn to address noncompliance will be at least \$75.00. However, all costs incurred by the Association shall be charged to the Lot.