

IMPORTANT NOTICE

SUBJECT: Tuscan Reserve HOA Board Update—Ash Tree Project

DATE: October 5th, 2023

TO: Tuscan Reserve Neighbors

This important communication serves as a follow-up to my post last June regarding our tentative plan to address the ash trees along our Tuscan Reserve streets.

As noted in my June post, the Board has established a Tree Committee to develop a recommended plan to consider that would address the deteriorating situation with ash trees in our neighborhood. Based on the Committee's work, First Service Residential was interviewed to develop a "Request for Proposal" (RFP) that would be sent to service providers that are qualified for ash tree removal and replacement. At this time, the RFP details have not been finalized, but the Committee has recommended that the scope of this first phase focus on approximately 39 trees that have shown significant deterioration and thus have been dropped from the neighborhood ash borer treatment program. After considering the Tree Committee's recommendation, the Board has approved having First Service Residential move forward with the RFP process to get estimates of costs and timing for this initial phase.

One important item to point out is that the Board solicited an independent legal review and opinion to confirm the HOA's responsibility regarding our street trees. Based on review of the language in our governing documents, it was the legal opinion that maintenance of trees installed along the streets within our subdivision is the HOA's responsibility. This opinion was solicited to clarify any confusion about HOA vs. homeowner responsibilities. This opinion was received after my prior post which stated that the adjacent homeowner was ultimately responsible.

We will be holding a Special Meeting for Tuscan Reserve homeowners later in October to provide more details about the first phase of this project, and will share more thoughts on timing, costs, and how this project will be financed at that time. Please look for a communication about this special meeting over the next couple weeks.

On behalf of the Tuscan Reserve Board of Directors, and the Tree Committee
Dave Ackerman, HOA President