

# MILL CREEK CONDOMINIUM ASSOCIATION

## CLARIFICATION OF LANDSCAPE RESOLUTION ENACTED NOVEMBER 17, 2004, AND AMENDED MARCH 31, 2005

The Board clarifies the Landscape Resolution enacted November 17, 2004, and amended March 31, 2005, as follows:

The Mill Creek Condominium Association governing documents authorize only the Board on behalf of the Association to plant, to remove, and to maintain the vegetation on the common elements, whether general or limited. The Landscape Resolution does not in any way alter the fact that only the Board can plant vegetation in the common elements, whether general or limited, or in any other way alter, modify, add to, subtract from, or change the appearance of the common elements except as specifically provided for in the Landscape Resolution or unless the Board authorizes in writing a unit owner to do so. All plants in the common elements, whether general or limited (excluding those in containers), are the property of the Association.

The Landscape Resolution provides limited exceptions to the above and allows unit owners to plant “accent” plants that are consistent with the general landscaping in Mill Creek, but these exceptions apply only to planting vegetation on those common elements pertinent to the particular unit (in other words, the side yard, the front yard, and the back yard that are dedicated to the sole use of the unit owner or tenant). The Board has the discretion to determine whether any planting violates the Landscape Resolution and may remove any such plants at the expense of the unit owner after written notice to the unit owner.

The Landscape Resolution does not include an exception for unit owners to plant vegetable gardens.

DATED this 21st day of October, 2010.

/s/ Gregory T. Nelson  
President

Gregory T. Nelson  
Printed Name

/s/ Sandra J. Dixon  
Secretary

Sandra J. Dixon  
Printed Name