

As friends and neighbors of the Provenance Villas, we want to encourage each other's right to creative expression while at the same time ensuring that landscape modifications do not infringe on other people's physical spaces or views, do not add expense to our shared cost of maintenance, and do not alter the overall look and feel of our community.

With that in mind, the Board of Directors has adopted the following procedures to guide individual changes to the landscape.

Provenance Landscape Guidelines

Enacted by the Board of Directors May 20, 2020

All requests for landscaping changes must first be submitted in writing on a Landscape Request Form to the Association's management company. Until further notice, submissions must be made to Charles Haas at Mperial Asset Management, LLC, who will then forward these requests to the Chairman of the Landscape Committee. The Landscape Committee will then do its best to consider the requests expeditiously, with the goal of taking no longer than twenty-one (21) days to respond in writing. No submissions will be deemed approved unless and until specifically approved in writing by the Landscape Committee and/or the Board of Directors. The Landscape Committee has the authority to approve any requests deemed minor, which will typically include adding ground cover, flowers, small shrubs and/or small flowering bushes to existing landscape beds around the house, and supplemental plantings around decks and air conditioning units. Requests for major changes, such as adding, moving or removing any trees, hedges, and/or larger bushes or flowering bushes, will require approval first from the Landscape Committee and then from the Board of Directors. As a general rule, any new plants or alterations must require no special maintenance and must be compatible with the existing landscape. To help facilitate this, a list of acceptable trees, bushes, ground cover, etc., follows below. This list is subject to change, and using items from the list does not guarantee approval by the Landscape Committee or the Board of Directors.

Please note that homeowner(s) bear the sole and total cost of implementing landscape changes that are approved.

Once a request for a change receives preliminary approval, the Landscape Committee will contact the current landscape maintenance company to evaluate the proposal. The current landscape maintenance company (the “Company”), has already assured the Landscape Committee that additional plantings within existing landscape beds and/or a limited number of additional trees or bushes throughout the neighborhood WILL NOT increase the Association’s current landscape costs - provided the Company provides all maintenance related to the new plantings and does not have to work around unique homeowner maintenance requirements.

In addition, whether the request is for a minor or major change, the Company will review all landscape changes the Landscape Committee and/or Board of Directors intends to approve to ensure they will not cause future problems in terms of overgrowth or property damage.

If a request for a landscape change is rejected, the homeowner will have the opportunity to ask the Landscape Committee or the Board of Directors to reconsider the decision and/or submit a new plan that addresses the reasons for disapproval of the original submission.

Once a landscape change is approved, the Landscape Committee and/or Board of Directors has the right to request a copy of the contractor’s business license and insurance information if a third party other than the Company is engaged to implement the change. If applicable, the homeowner must, at their own expense, obtain any/all necessary permits and permissions to comply with state, county, or city building codes or other requirements to implement the landscape change. Furthermore, it is the homeowner’s responsibility to contact the Joint Utility Location for Excavators (JULIE) to ensure the new landscaping won’t damage buried infrastructure. In addition, the homeowner will

- be responsible at their own expense for repairing any damage done to any Provenance property as a result of the change;
- ensure any debris, tree stump(s), etc. resulting from the implementation is removed;
- assume responsibility for any tree, bush, etc. that dies within eighteen (18) months of its planting or transplanting and replace or remove the dead item (including the stump) at their own expense.

All Provenance Villas Homeowners will be notified in writing of any major changes being considered by the Board of Directors, and will then have an opportunity to either appear before the Board at the next scheduled Board meeting or submit a written letter to the Board of Directors expressing their opinions or concerns, provided such written concerns are received prior to the date the Board

of Directors is scheduled to discuss the requested change. The Board of Directors will consider all timely input before it votes on a requested major change.

Landscaping Surrounding Decks and Air Conditioning Units

Due to variations in the sizes of our decks and the placement of our air conditioning units, some homeowners may want to supplement the landscaping surrounding these structures with additional plantings and/or small bushes or shrubs at their own expense. Typically, this will be considered a minor request and approval will be granted as long as the requested additions are selected from the Landscape Committee's approved list of items and are reasonably consistent in size with the existing landscaping. If extensive changes are requested, the Landscape Committee reserves the right to recategorize the request as a major change that requires approval from the Board of Directors.

Ground Cover and Flowers

The addition of ground cover (selected from the approved list of ground cover options) or annual or perennial flowers to supplement the already existing front, side, and back landscape beds is considered a minor change and will typically require only Landscape Committee approval. All changes shall be at the homeowner's expense.

Pre-Approved Changes

Flowering Pots, Hanging Pots and Lawn Ornamentation

Reasonable movable flower/plant pots, hanging flower pots, and lawn ornaments that do not impede landscape maintenance will be left up to the discretion of each individual homeowner without the need for any prior Landscape Committee approval. If any these items becomes objectionable to a neighbor for any reason, the Board of Directors will intervene with what it believes is an equitable resolution and the homeowner agrees to abide by the Board of Directors' decision.

Ground Level Lighting

Without the need for any prior Landscape Committee approval, homeowners may install, at their own expense, low level solar/battery lighting along walkways. Lighting should consist of a black frame, not to exceed 16” in height when installed, and should emit a steady white light illumination. The Board of Directors reserves the right to require removal of any lighting that is determined to be detrimental to the safety of the community or that does not conform to these guidelines.

Exterior Holiday Decorations

Homeowners are welcome to tastefully celebrate any holiday with appropriate exterior home decoration. Homeowners are asked to remove such decorations within three weeks of the last day of the holiday or holiday season, weather permitting. Should the decorations not be removed in a timely fashion, the Board will issue two written reminders, spaced approximately two weeks apart. If the decorations still are not removed, the Board, at its discretion, may have the decorations removed at the homeowner’s expense,

Notwithstanding anything else contained herein, the Board of Directors can at any time assert its authority over landscape and exterior related issues, and the Board retains the right to establish and change guidelines and to intervene if/when/as necessary regarding specific landscape and exterior decisions. Decisions made by the Board of Directors with regard to landscaping, lighting exterior aesthetics are final.

Every change to the landscape, even minor ones, requires a “Landscape Request Form” submitted to the Association’s management company. The only exceptions are movable and hanging flowers pots, outdoor ornamentation, solar lighting and holiday decorations as provided in the guidelines adopted by the Board.

APPROVED LANDSCAPING LIST

TREES

Marmo Maple

Catalpa

Autumn Gold Ginkgo

Skyline Honeylocust
Katsura Tree
American Linder

Kentucky Coffeetree
Black Hills Spruce
Swamp White Oak

London Plane Tree
Morton Elm
Burr Oak

ORNAMENTAL TREES

Black Alder
Crabapple Prairiefire
Quaking Aspen
American Hombeam
Japanese Tree Lilac

Serviceberry
Crabapple Red Jewel
River Birch
Comelian Cherry
Dogwood

River Birch
Crabapple Snowdrift
Allegheny Serviceberry
Autumn Brilliance
Serviceberry

SHRUBS

Hess Cotoneaster
Little Henry Sweetspire
Froebell's Spirea
First Snow Spirea
Sonic Boom Pink Weigela
Staghorn Sumac
Judd Vibumum
Old Gold Juniper
Grefsheim Spirea
Allegheny Viburnum

Hedge Cotoneaster
Grow Low Sumac
Gold Flame Spirea
Dwarf Korean Lilac
Tardiva Hydrangea
Tiger Eyes Sumac
Allegheny Vibumum
Taunton Yew
Tardiva Hydrangea

Annabelle Hydrangea
Alpine Currant
Compact Viburnum
Wine and Roses Weigela
Dwarf Ninebark
Autumn Jazz Vibumum
Hardy Boxwood
Burning Bush
Judd Viburnum

PERENNIALS

Lady's Mantle
Bloody Cranesbill
Yellow Stonecrop
Red Sentinel Astilbe
Yellow Daylily
Purple Coral Bells
Dwarf Russian Sage
Turtlehead
Rocket Ligularia
Shenandoah Switch Grass

Sweet Woodruff
English Ivy
Summer Beauty Onion
Calamint
Red Purple Daylily
Fountain Grass
May Night Salvia
Elegans Hosta
Brit Marie Ligularia
Karl Foerster Feather
Reed Grass

Bigroot Cranesbill
Green Carpet Spurge
Deutschland Astilbe
Zagreb Coreopsis
Red Daylily
Silvery Sunproof Lilyturf
Neon Stonecrop
Guacamole Hosta
Walker's Low Catming

If the desired planting does not appear on the list above, the homeowner must obtain special approval from both the Landscape Committee and the Board of Directors.