

KEN-CARYL RANCH METROPOLITAN DISTRICT
7676 SOUTH CONTINENTAL DIVIDE ROAD
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WHEREAS, the Ken-Caryl Ranch Metropolitan District (KCRMD) has adopted the resolution establishing a set of 1991 goals and objectives as a guide for recreation programs and park maintenance operations -- included among them is the "Tree City USA" designation; and

WHEREAS, the establishment of a Tree Board and tree guidelines is required in order to make application for the designation.

NOW THEREFORE, Be it RESOLVED by the Ken-Caryl Ranch Metropolitan District Board of Directors as follows:

Section 1. Definitions

STREET TREES: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on public rights-of-way on either side of arterial streets, boulevards, avenues, or ways within the Districts.

PARK TREES: "Park Trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in District parks or other areas owned by the District, or to which the public has free access as a park.

Section 2. Creation and Establishment of a Tree Board.

There is hereby created and established a Ken-Caryl Ranch Metropolitan District Tree Board (the "Tree Board") which shall consist of three members, who shall be appointed by the District's Board of Directors.

Section 3. Term of Office

The term of the three persons of the Tree Board shall be three years except that the term of one of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for three years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

Section 4. Compensation

Members of the Tree Board shall serve without compensation.

Section 5. Duties and Responsibilities

It shall be the responsibility of the Tree Board to study, investigate, counsel and develop and/or update annually a plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other District areas, the "Tree Plan." Such plan will be presented annually to the District and upon its acceptance and approval shall constitute the official comprehensive tree plan for the Ken-Caryl Ranch Metropolitan District, Colorado. The Tree Board, when requested

by the District, shall consider, investigate, make findings, report, and recommend upon any special matter or question.

Section 6. Operation

The Tree Board shall choose its own officers, make its bylaws for the conduct of its meetings and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

Section 7. Street Tree Species to be Planted

The attached Exhibit A constitutes the official Street Tree species for Ken-Caryl Ranch Metropolitan District. No species other than those included in this list may be planted as Street Trees. The Tree Board shall, in the tree plan, make recommendations for any changes in Exhibit A.

Section 8. Public Tree Care

The District shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all arterial roadways and District grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The Tree Board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest.

Section 9. Tree Topping

No person shall top any Street Tree or Park Tree. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempt at the determination of the Tree Board.

Section 10. Pruning, Corner Clearance

The owner of any tree overhanging any street or right-of-way within the District shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (8') above the surface of the street or sidewalk. The owners shall also remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public.

Section 11. Removal of Stumps

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 12. Interference

No person shall delay or interfere with the District, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any Street Trees or Park Trees.

Section 13. Review by District

The District shall review the conduct, acts and decisions of the Tree Board. Any person may appeal from any ruling or order of the Tree Board to the District Board of Directors who may hear the matter and make final decision.

Adopted this 11th day of December, 1990 by the Board of Directors of the Ken-Caryl Ranch Metropolitan District.

Attest:
David Ferguson
Secretary

Lexie K. Berg
President

(SEAL)