

March 23, 2021

## **GVP Policy: Leaf Removal, Ditch Maintenance, Mowing, and Culverts within the POA Road Easements**

The Grandview Peaks Property Owners Association (POA) is granted a roadway easement that is measured from the center of the road to 25 feet on either side of the centerline, or as shown on the Plat or recorded deed. Although in most cases this is private property, the easement allows the POA to maintain the roads and the grounds within the easement area.

- POA Leaf removal
  - Leaves and grass clippings will be blown from the roadway by its contract for Landscaping services when mowing occurs.
  - Leaves and grass clippings will not be routinely removed from POA-maintained property elsewhere along the easement.
- Ditch Maintenance
  - POA maintenance of ditches
    - Ditches within the POA easement are largely maintained by cutting grass, which will be performed by the POA Landscaping contractor.
    - Erosion control within the ditches will be evaluated by the POA based on maintaining the design integrity of the easement. When erosion or damage is discovered and those issues are caused by an act of nature, the POA will perform maintenance, as required, at its cost and as a courtesy will notify the property owner that a corrective action will be taken to ensure the integrity of the ditches.
  - Property Owner maintenance of ditches
    - Should a property owner alter the developer's initial installation and should that alteration affect the designed flow and/or causes deterioration of the ditch or its adjacent roadway, the owner will be required to repair damage and maintain the intended flow of water through the ditch area.
    - If a property owner has altered in any way the flow within the ditch on their property and that change negatively affects adjacent properties, the property owner that caused the issue will be responsible for corrective action.
    - If actions sufficient to correct the issue are not undertaken by the property owner, they will be petitioned by the POA to address the necessary repairs in a timely manner.
    - Any ditch that extends beyond the roadway easement through an owner's property must be maintained by the property owner past the easement to ensure the continuing integrity of water flow exiting the roadway ditch/easement.

## **Mowing within the easement**

- POA mowing
  - Mowing in the easement area will be performed by the POA Landscape contractor as described in their contract. Any fallen trees or debris that inhibit mowing shall be removed by the corresponding property owner(s). The property owner(s) will be notified by the POA or Landscape committee if a corrective action is required. If the corrective action is not addressed by the property owner within 30 days, the property owner may be charged by the POA for the actual remediation costs.
- Property Owner mowing
  - Should a property owner prefer to cut the area within the roadside easement themselves, they must notify the GVP Property Manager as soon as possible, or place a sign requesting that an area not be mowed by the POA's landscape contractor. Once a property owner makes such a request, that change will become their responsibility for the remainder of the cutting season and remain in effect yearly until the POA and its Landscaping contractor are otherwise notified.
  - Any property owner who opts to self-maintain the mowed area of the roadside easement will be held to the same standard as the POA Landscape contractor in the maintenance and appearance of their property. Such changes include, but are not limited to, landscaping, hardscaping or planting special grass. If the property owner fails to maintain the roadway easement, the property owner will be notified by the POA or Landscape committee that corrective action is required. If the corrective action is not addressed by the property owner within 30 days, the property owner may be charged by the POA for the remediation costs.

## **Keeping culverts clear and properly functioning**

- Property owners' driveway culverts
  - Placement and maintenance of driveway culverts used for access to a property owner's land are the responsibility of the property owner.
  - Property owner culverts are to be maintained and kept clear to allow the unimpeded flow of water. Should inadequate maintenance or alterations to the designed flow result in the deterioration of the POA-maintained ditch or roadway, a notice will be issued to the property owner for correction within 30 days; otherwise the property owner may be charged for the repair costs incurred by the POA to remedy the situation.
- Culverts that run under the roadway
  - All culverts that run under GVP maintained roadways will be maintained and kept clear by the POA utilizing its Landscape Contractor.