

652577

REEL 788 FB 744

FEE 11  
REEL 788 FROM 744-747  
AUDITOR MASON COUNTY  
ALLAN T. BROTCHE

RETURN ADDRESS

Timberlake Community Club Inc.  
Post Office Box 38  
Shelton Washington 98584

1997 SEP -4 P 1:14

REQUEST OF:

DOCUMENT TITLE

Timberlake Community Club Inc. Tree Cutting Regulation 97-01

REFERENCE NUMBER(s) OF RELATED DOCUMENTS

GRANTOR

Timberlake Community Club Inc.

Grantee

Public-residents of the Timberlake community

LEGAL DESCRIPTION

Timberlake Division 1-13

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER(s)

Division 1----22018-50-00001 thru 22018 50 09162  
Division 2----22017-50-00001 thru 22017-50-00908  
Division 3----22018-51-00001 thru 22018-51-00902  
Division 4----22018-52-00001 thru 22018-52-00061  
Division 5----22018-53-00001 thru 22018-53-00903  
Division 6----22018-54-00001 thru 22018-54-00088  
Division 7----22017-50-00001 thru 22017-50-00104  
Division 8----22007-51-00001 thru 22007-51-90933  
Division 9----22017-51-00001 thru 22017-51-00169  
Division 10----22017-52-00001 thru 22017-52-00088  
Division 11----22017-53-00001 thru 22017-53-00900  
Division 12----22018-55-00001 thru 22018-55-00018  
Division 13----22008-50-00001 thru 22008-50-00900

---

# Timberlake Community Club Inc.

## TREE CUTTING

May 17, 1997

### REGULATION 97-01

**This regulation supersedes and cancels Resolution 93-02**

1. The Board of Trustees, Timberlake Community Club, Inc., finds the following to be true:
  - A. The first, and in many ways, most important restriction within the Covenants, Conditions, and Restrictions (CC & R's) for all thirteen of the Timberlake divisions limits the use of lots within the development to residential purposes. The intent of the establishment of the Timberlake development was to establish a residential community in a timbered setting that is subject to certain controls by the Board of Trustees to help maintain this overall character for the development.
  - B. Each of the owners of a lot(s) within Timberlake is by virtue of lot ownership, a member of Timberlake Community Club. Timberlake Community Club, Inc. is governed by its organizational documents, including the CC & R's, Articles of Incorporation and By-Laws. The By-Laws assign the responsibility to the Board of Trustees to establish rules and take measures to protect the essential character of the development.
  - C. In the recent past, due in large part to a dramatic increase in residential construction and/or rising prices for timber, many Timberlake lots have been essentially clear-cut. On many of these lots, residential construction was begun immediately. On many of the other lots, there is no sign of plans for future construction.
  - D. Cutting trees is obviously often, if not always, a part of the process of residential construction. Cutting trees incidental to residential construction, when otherwise in keeping with controlling rules and regulations, and the character of the development, is not contrary to the rules and regulations and general purposes of the development.

E. However cutting trees to sell the timber without a direct connection to residential construction, is contrary to the general purposes of the development. Clear-cut lots that are placed on the market for sales, or are merely subject to non-specific plans to build at a future date detract from the intended character of the development and are directly contrary to the limitation of the use of lots to residential purposes as contained within the CC & R's.

F. The Board of Trustees does not want to unduly interfere with the uses to which members put their lots. However, the scope and immediacy of this problem require the board to take action to protect the future of the Timberlake development.

2. Based on these findings, the Board of Trustees resolves as follows:

A. After a residence has been established, written notification to the Timberlake office, will be required to cut from one (1) to three (3) evergreen trees. A permit will be required to cut four (4) or more evergreen trees in a calendar year on a lot. Trees under six (6) inches in diameter, when measured at a point three (3) feet above the ground, do not require a permit. The cutting of evergreen trees, that are dangerous, diseased, or for other legitimate purposes will be allowed, although a permit must be applied for and approved by the Board of Trustees. Deciduous trees may be cut at the owners discretion without following the permit process, a courtesy call should be placed to the office advising of the cutting.

B. Applications for permission to cut trees shall be on a form to be provided by the Board. Approval shall be evidenced on the application itself. Conditions may be imposed and must be respected.

Denials, or the imposition of conditions, may be appealed to the full Board of Trustees. An appeal to the Board will be acted upon within thirty-five (35) days. The Board shall hear and decide appeals in a fair manner, and base its decision on the principles set forth herein.

C. The Architectural committee and the Board of Trustees shall base all decisions upon their duty to maintain the purpose and character of Timberlake as a timbered, residential community.

The original permit for residence, septic system, drain fields and driveways shall include permit to cut trees for those areas on the lot only. Decisions to approve or deny applications shall balance the right of a lot owner to use the lot for approved purposes as a residence, with the right and duty of the

Board to protect the timbered residential character and purpose of the development. Specifically, the Board resolves that the clear-cutting of lots within the Timberlake development, without a specific, honest and legitimate intent to build a residence within a reasonable period of time, is contrary to the purpose and character of this development. The right of a lot owner to take advantage of high prices for timber with the general intent to build a residence at a future date, is limited by the general rights of the Timberlake Community Club members and the Board of Trustees as their representatives to preserve the purposes and character of the community.

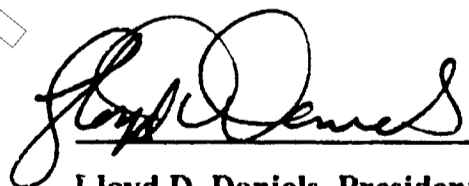
#### **D. PENALTIES**

Violations of this regulation, or any part thereof, including failure to secure approval for tree cutting, and failure to comply with conditions, among others, will be subject to a fine of up to \$250.00 for the first tree cut and \$250.00 for each additional tree cut or other measures satisfactory to, and at the discretion of the Board may be addressed. If such fines or negotiations by the Timberlake Board are not successful, Law suits for injunctive relief will be pursued.

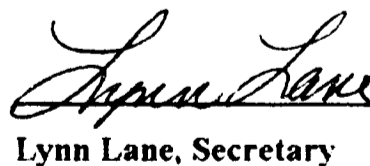
#### **E. APPEALS**

Any person aggrieved by the order of the Timberlake Board of Trustees may request in writing within thirty (30) days of the notice of action(s) an appeal hearing before the Board of Trustees. The request shall cite the notice appealed and shall contain a brief statement of the reasons for seeking the appeal hearing.

**THIS REGULATION was enacted by the Timberlake Community Club, Inc. Board of Trustees, pursuant to the By-Laws and other lawful authorities, on the 17th day of May, 1997 and will be submitted for ratification to the membership on the second Sunday of August, 1997 at the Annual Membership meeting.**

  
Lloyd D. Daniels, President

Date : 8-11-97

  
Lynn Lane, Secretary

Date: 8-11-97

**Ratified by Membership Annual Meeting Date: 8-11-97**