

For Class 2 & 3 Permits only, provide a detailed written description of the proposed work in the space below including the desired starting and ending dates. Attach additional sheets, if needed. Include a plat map indicating the common property involved and the boundaries of the proposed work. Provide sketches, construction drawings, and any details that will help the CPF&WMC better understand your request. The plat map should be inscribed with a 150' radius radiating in all directions from the perimeter of the common property on which the work is proposed.

PERMIT FOR CHANGES ON COMMON PROPERTY

NOTIFICATIONS REQUIRED BY APPLICANT

It shall be the responsibility of the applicant to notify all owners of property within one hundred fifty (150) feet radiating in all directions from the perimeter of the common property under consideration. This notification shall include the complete contents of the application and shall be sent with delivery confirmation from the Post Office, or by electronic tracking confirmation (USPS, UPS or FEDEX), securing the identified property owner's signature on the permit application. The applicant shall provide proof of delivery to the Permitting & Inspections Department prior to any hearing on the application. The date and time of the hearing of the application may be obtained by calling the P&I Department at 501-922-5562. Please allow up to 14 days after submission of application for approval.

LIST OF PROPERTY OWNERS RECEIVING NOTICES

Name _____ Lot _____ Block _____ Subdivision _____

Mailing Address _____

I have reviewed and understand the proposed work and have no objection. Signature _____

Name _____ Lot _____ Block _____ Subdivision _____

Mailing Address _____

I have reviewed and understand the proposed work and have no objection. Signature _____

Name _____ Lot _____ Block _____ Subdivision _____

Mailing Address _____

I have reviewed and understand the proposed work and have no objection.

Signature _____ Date _____

PERMIT FOR CHANGES ON COMMON PROPERTY DISCLAIMER

The granting of a permit under the procedure set out herein shall in no way convey to the permit holder any legal interest in, over, or to the common property. No warranty or representation made should be implied by any individual owner that the action of the HSVPOA in the issuance of permits, inspections and approval of changes, construction or otherwise is intended as a tacit approval of the quality, safety, desirability or suitability of such changes, design, or construction.

An approved permit does not indicate any responsibility of the HSVPOA for future maintenance of said improvements and the permit holder is totally responsible for the changes, repairs, and maintenance of said improvements. The HSVPOA has the right to disturb said improvements in its rightful use of the common property for any use it deems appropriate.

The permit holder recognizes the risks inherent with tree removal activities and agrees to defend, hold harmless and indemnify HSVPOA, its directors, officers, employees and representatives against all claims, actions, proceedings, damages, costs and liabilities, including bodily injury to property owners and others and damage to property owned by property owners or others, arising from or connected with the permit holder's activities with respect to tree removal or other alteration activity on common property or as authorized in this permit.

Applicant's Signature

Date

COMMON PROPERTY, FOREST & WILDLIFE MANAGEMENT COMMITTEE ACTION

Recommendation of Director of Golf (if golf course lot involved); Director of Public Services or Lakes Superintendent (if lake lot, utility is involved)

_____ Approve _____ Disapprove

_____ Approve _____ Disapprove.

_____/_____/_____/_____
Lake Superintendent/Golf Course Superintendent (Date)

_____/_____/_____/_____
Department Director's Signature (Date)

THIS PERMIT APPLICATION FOR CHANGES ON COMMON PROPERTY IS HEREBY:

Approved, Modified, Rejected

Date of Meeting / Minutes

CPF&WMC Signature

Date

Conditions/Stipulations: _____

APPLICATION REQUIREMENTS FOR A CLASS 1 PERMIT
PERMIT GOOD FOR 30 DAYS AFTER ISSUED

Class 1: Activities include: general cleanup; removal of weeds, vines, excess leaves, debris, and shrubs; pruning and cutting of seedlings and saplings; cutting of large trees that are hazardous, unhealthy, diseased, or dead trees on common property including cul de sacs islands without the approval of the CPF&WMC. Dogwoods, Redbud, Serviceberry, or other flowering trees may not be cut on common property. No man-made materials can be placed onto the common property. No Permit Fee. Permit expires 30 days after being issued.

The following is a list of items that are required or information that should be of help to you in obtaining your permit.

1. Completed permit application (See page 1)
2. Return Receipt Notification Certificates or signatures of all property owners within 150' of the common property described in the application (see page 2).
3. All permitted areas are subject to a visit by the CPF&WMC / Public Services staff before, during, and after the completion of the work.
4. Dogwood, Redbud, Serviceberry, or other flowering trees may not be cut on common property.
5. Protect undergrowth, natural vegetation, fallen leaves, fallen trees and rocks. This undergrowth is a natural protective layer of the forest floor that prevents erosion of the soil and the ultimate destruction of desired native plants, wildflowers, and trees.
6. Before cutting large trees that are hazardous, unhealthy, diseased, or dead:
 - a. All trees to be cut must be clearly flagged for review by the CPF&WMC and adjacent property owners.
 - b. The applicant is to notify the P&I Department (922-5562) 24 hours in advance of tree cutting.
 - c. Unless the tree has a free fall area, the tree must be taken down in sections so that surrounding trees will not be damaged when the tree falls. The remaining tree trunk may not exceed 12" in height. The applicant is responsible for not infringing on other lots when cutting down a tree.
 - d. If required by the CPF&WMC, all branches and debris are to be removed from common property. Trimmed tree trunks may be left on the common property only with CPF&WMC approval.
7. Work on common property abutting lakes and/or golf courses also requires the approval of the Lakes Superintendent and/or Golf Department.
8. The selective cutting of trees on common property behind a homeowner's lot is restricted to an area that is within the property owner's straight or extended lot lines out into the common property. This protects an adjacent property owner's view behind his lot on the common property.

APPLICATION REQUIREMENTS FOR A CLASS 2 PERMIT
PERMIT GOOD FOR 30 DAYS AFTER ISSUED

Class 2: Activities include: general cleanup; removal of vines and shrubs, excess leaves, and debris; pruning and cutting of seedlings and sapling trees; cutting of large trees that are hazardous, unhealthy, diseased, or dead and selective cutting and/or pruning of healthy trees upon approval by CPF&WMC. This allows for improved sight window view without clear cutting. Permit Fee \$50. Permit expires 30 days after being issued.

The following is a list of items that are required or information that should be of help to you in obtaining your permit.

1. Complete permit application (3-4 Pages).
2. Check in the amount of \$50.00 made out to the HSVPOA. This permit fee is non-refundable for all approved Class 2 permits. If your Class 2 permit is not approved, \$20.00 will be refunded.
3. Return Receipt Notification Certificates or signatures of all property owners within 150' of the common property described in the application (see page 2).
4. All permitted areas are subject to a visit by the CPF&WMC / Public Services representative before, during, and after the completion of the work.
5. Dogwood, Redbud, Serviceberry, or other flowering trees may not be cut on common property.
6. Protect undergrowth, vegetation, fallen leaves and trees, and rocks that provide a natural protective layer to the forest floor. Cleanup down to the bare forest floor is not permitted. This undergrowth is a natural protective layer of the forest floor that prevents erosion of the soil and the ultimate destruction of desired native plants, wildflowers, and trees.
7. Before cutting or pruning large healthy trees:
 - a. All trees to be cut must be clearly flagged for review by the CPF&WMC and adjacent property owners.
 - b. The applicant is to notify the P&I Department (922-5562) 24 hours in advance of tree cutting.
 - c. Unless the tree has a free fall area, the tree must be taken down in sections so that surrounding trees will not be damaged when the tree falls. The remaining tree trunk may not exceed 12" in height. The applicant is responsible for not infringing on other lots when cutting down a tree.
 - d. The applicant is responsible for not infringing on other lots when pruning or cutting trees.
 - e. If required by the CPF&WMC, all branches and debris are to be removed from common property. Trimmed tree trunks may be left on the common property only with CPF&WMC approval.
8. Work on common property abutting lakes and/or golf courses also requires the approval of the Lakes Superintendent and/or Golf Department.
9. The selective cutting of trees on common property behind a homeowner's lot is restricted to an area that is within the property owner's straight or extended lot lines out into the common property. This protects an adjacent property owner's view behind his lot on the common property.

APPLICATION REQUIREMENTS FOR A CLASS 3 PERMIT
PERMIT GOOD FOR 30 DAYS AFTER ISSUED

Class 3: Shaping under and around boat docks and lakefront property line. Clean up along shoreline of weeds and leaves. Permit fee \$75.00. Permit expires 30 days after being issued.

The following is a list of items that are required or information that should be of help to you in obtaining your permit.

1. Completed permit application (See page 1)
2. Written plan describing the area to be shaped, depth of water at normal pool level before work, and depth of water at normal pool level after work is complete.
3. Plot plan indicating area to be shaped.
4. Plan for disposing of excavated material, if any.
5. Notification of both adjacent property owners, (see page 2 of these documents for the notification requirements).
6. Approval and signature of Lakes Superintendent
7. Approval and signature of Director of Public Services

Hot Spring Village Property Owners Association

Common Property, Forest & Wildlife Management Committee

Maintenance Permit to Maintain Common Property

Date: _____ (Good for 30 days from date of issuance)

Property Owner: _____ Lot _____ Block _____ Sub _____
(Property Owner)

Date Submitted: _____ **Permit Number:** _____

Homeowners who have had an approved Class 1 or 2 Permit or Maintenance Permit within the preceding 12 months to work on adjacent common property to theirs and have completed the work satisfactorily with no violations, may apply for a Maintenance Permit. This permit is issued by the CPF&WMC and P & I Department to the original owner and is good for 30 days from the date of issuance. This permit must be renewed each time that the homeowner wishes to keep the common property in an improved state under the following conditions:

1. Adjacent common property **MUST NOT** look like an extension of one's own yard.
2. The property owner's lot line must be clearly delineated by a rock line, hedges or bushes along his lot line separating his lot from the common property.
3. Absolutely no tree cutting or pruning of branches of any kind to be allowed on common property under this certificate. (Homeowners may reapply for a Class 1 or 2 Permit to cut additional trees or prune existing trees).
4. The only items allowed under this maintenance permit are the following.
 - a. Cutting and removing vines.
 - b. Cutting of new growth sprouts coming from tree stumps previously cut.
 - c. Weed whacking of grasses. Do not cut wildflowers growing.
 - d. Applying ¼ inch wire mesh around trees and bushes near lakes to protect them from beavers.
 - e. Raking or blowing and removal of excess dead leaves. (Do not throw or blow leaves into the lakes)
 - f. Ground cover, grass and leaves must be maintained to minimize soil erosion.
 - g. If fencing is being considered on your property, submit a permit request to the ACC Committee.
 - h. This common property may be inspected from time to time for compliance.

REMINDER: Common Property is just that, Common Property and is available for the use and enjoyment of all HSV Property Owners under Article I, Section I, c., of the HSV Declaration.

Any violation of the above conditions will void this Maintenance Permit and no further work will be allowed on this common property.

COMMON PROPERTY PROCEDURE

Section 1. PURPOSE

The common property of Hot Springs Village (HSV), as defined in the Declaration, Article I, Section I(c) and Articles VI, VII and VIII, including, but not limited to, green belt areas, roadways, road rights-of-way, lakes, drive-ways, golf courses, and all other amenities and facilities, are available for the use and enjoyment of all members of the Property Owners' Association (POA). No use or enjoyment of such common property may be made by any member which would be detrimental to the usage and enjoyment of the membership as a whole.

It is the intent of this procedure to regulate landscaping, construction and encroachments on the common property of Hot Springs Village and to establish a procedure for the securing of a permit prior to the commencement of any work on common property.

Section 2. PROHIBITIONS, IN GENERAL

- A. Without an approved permit from the HSVPOA, no tree cutting, landscaping, pruning, construction or encroachment on common property shall be allowed or tolerated.
- B. Neither the HSVPOA nor any of its committees, staff or other designated representatives shall grant or recommend the granting of an easement or any other legal interest in, on, or across common property.
- C. Only HSVPOA members and guests shall have any rights for the usage of common property.
- D. Any permit granted by the procedure shall only authorize the usage and work specified in the permit approval letter and shall be subject to any terms and conditions stated therein.
- E. The granting of a permit under the procedure shall in no way convey or grant to the permit holder any legal interest in, over or to the common property.
- F. No fences, buildings, driveways, walkways or other structures shall be allowed on common property.
- G. No boat docks or fishing piers shall be allowed on common property except those built and maintained by the HSVPOA for the common use and enjoyment of all property owners.
- H. Common property that adjoins HSV Lakes will have a 10' buffer zone from the lake edge onto common property and is to be left in a totally natural state. No work of any kind will be permitted in this area or buffer zone. This follows Arkansas's Department of Environmental Quality Standards.

- I. In very low-lying areas and drainage basins that are only 1' to 2' above normal lake pool level, the buffer zone will be extended back 25' from the lake's edge.
- J. Disposal of commercial/large scale dumping of lawn materials is prohibited on common property.
- K. Disposal of building materials or other trash on common property is prohibited.
- L. Creating roads or paths on common property is prohibited.

Section 3. PERMITTING PROCEDURE

A. THE APPLICATION

Any member of HSVPOA shall have the right to apply for a permit to perform work, construction or encroach on common property. Such application shall be on a form provided by the HSVPOA, together with any and all other relevant information (drawings, plats, pictures, petitions, etc.) necessary to identify the applicant, the location of the common property, the work or project to be performed, and any approvals of the requested work by other HSVPOA departments.

Any application shall be submitted to the Permitting and Inspections Department (P & I) together with the application fee as established by the HSVPOA Board of Directors. The P & I Department will forward the application to the CPF&WMC for action and recommendation.

Any application for work on common property bordering any HSV golf course or golf course property not maintained by the golf department shall be accompanied by a recommendation of approval by the Golf Course Superintendent and the signature of the Director of Golf.

Any application for work on common property bordering any HSV lake shall be accompanied by a recommendation of approval by the Lake Manager and the signature of the Director of Public Services.

Any application for work on common property affecting utilities, utility easements, roadways, drainage, or vegetative control shall be accompanied by a recommendation of approval by the Director of Public Services.

B. NOTIFICATIONS REQUIRED BY APPLICANT

Refer to Page 2 of the Permit application for the requirements.

C. HEARING ON APPLICATION

All applications shall be presented to, heard by and acted on by the CPF&WMC at its next most convenient date after such filing. The applicant shall have the right to present his/her/its project and be accompanied at the hearing by a legal representative or any other professional or lay supporters.

At the conclusion of the hearing the CPF&WMC shall take the action represented by a majority of the Committee, and such action shall be reduced to writing with a statement of reasons therefore and delivered to the applicant. The vote will take place without the applicant's presence. Any decision will be an approval, approval with modifications, or rejection of the application.

D. APPEAL PROCESS

The CPF&WMC shall act as the avenue for appeals of any permit denied by Permitting and Inspections staff; decisions by the Common Property, Forest & Wildlife Management Committee shall be final.

Section 4. VIOLATION OF COMMON PROPERTY PROCEDURE

The Committee shall review violations and shall make recommendations to the staff for enforcement.

Section 5. GUIDELINES FOR PERMITTED LANDSCAPING, CONSTRUCTION AND ENCROACHMENT ON COMMON PROPERTY

A. PERMITS

CPF&WMC Permits are not required for HSVPOA work on any common property or for work authorized by the HSVPOA on golf courses.

B. COMMON PROPERTY PERMITS - CLASS 1 & 2.

No work will be allowed on common property areas of HSV without an approved permit.

Class 1 Permits - Refer to Page 4 of the permit application for the requirements.

Class 2 Permits - Refer to Page 5 of the permit application for the requirements.

The placing of materials or foreign matter in the area will not be permitted unless such is found necessary for the preservation of the common property area and is of benefit to the area.

C. DAMAGED TREE PROCEDURES

1.) LEANING, UNHEALTHY OR DISEASED TREES -

If a tree appears to be a threat to members' property, the member must file a complaint on-line at <https://www.explorethevillage.com/services/public-services> or by calling Public Services at 501-922-5524. The Public Services Department will determine if the tree is on common property. If it finds the tree needs removal, they will have Public Services cut the tree down, leaving the tree trunk on common property. If the tree is too large for Public Services personnel, they

will mark the tree with paint at stump level and at eye level and contract with tree contractor to remove it.

If Public Services determines the tree is NOT a threat, the member may submit an application for a Class 2 permit to the Permitting & Inspections Department and CPF&WMC. Upon approval, the member may have the tree cut and removed at the member's expense.

2.) TREE DAMAGE RELATED TO WEATHER OR ACT OF GOD –

Trees that fall from common property onto private property and may or may not result in property damage - member is responsible for tree removal and subsequent damage. Member may contact their homeowner's insurance for repairs and or removal.

Common Property – Public Services will remove storm damaged trees to open up street right of way.

The POA is not obligated to remove the tree portion that is located on common property, but the member may submit an application for a Class 1 Permit to the CPF&WMC to remove it at members' expense.

For purposes of this section, common property is defined as any POA owned property.

D. SEA WALLS and RIPRAPPING ON COMMON PROPERTY

Class 3 Permits - Refer to Page 6 of the permit application for requirements.

E. LAKEFRONT SHAPING

The applicant must obtain a permit from the ACC with input from the Lake Management before shaping along the landowner's lakefront property line.

F. CUL-DE-SACS

All work within the center islands of any cul-de-sac must have an approved CPF&WMC permit. Refer to Permit application for details.

G. ROADS AND ROAD RIGHTS-OF-WAY

Generally, no alterations of the road right-of-way or placing of any obstruction on the right-of-way will be permitted. Any modifications or landscaping to the right of ways needs to be approved by the Public Works Department.

No permit is required for general maintenance by a resident along the road right of way of any street within Hot Springs Village. General maintenance includes the removal of weeds, vines, seedlings, saplings, or dead trees, only. Residents

are encouraged to keep the streets in front of their homes clear of any debris and leaves in support of POA efforts.

H MAINTENANCE PERMIT TO MAINTAIN COMMON PROPERTY

Refer to Page 7 of the permit application for requirements for obtaining a Maintenance Permit

Section 6. RESTITUTIONS & FINES

- A. Fines for cutting trees without a permit or dumping of commercial building/landscaping materials on common property shall be as outlined in the fee schedule approved by the POA Board of Directors.
- B. Paths and roads constructed on common property will be restored to natural conditions to include planting of trees. Costs associated with reconstruction will be at the expense of the property owner/violator.

Section 7. REVISION OF ALL PROCEDURES IN CONFLICT WITH THIS PROCEDURE

Upon the adoption of these CPF&WMC procedures dated 7-19-2023, all previous CPF&WMC procedures of HSVPOA are null and void.

Adopted 3-27-96 BOD, Amended 5-28-97, 10-22-97, 6-24-98, 9-23-98, 11-15-00, 2-21-01, 8-15-02, 7-20-05, 9-12-05, 5-7-2007, 10-17-2007, 5-5-08, 9-2-09, 3-1-2010, 4-1-2013, 2-26-2020, 7-6-2020 and 7-19-2023.