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SUSAN BOAT, J.P.O.

August 15, 2015

Sent via email and regular mail

Silver Creek Homeowners Association
Board of Directors
c/o Don Campbell
JC Higgins & Associates
P O Box 731029
Puyallup, WA 98373-0030

Re: Request for Tree Trimming

Dear Board of Directors:

The purpose of this letter is to respond to a request by the Board of Directors to express my opinion as to the request by certain property owners within the plat known as the "Rim", also referred to as Grey Hawk, to tree trimming with respect to trees that lie within a community park which is situated on a hillside between their neighborhood and the neighborhood below it which is also part of the Silver Creek community.

The Board of Directors, under the terms of the Declaration, have the responsibility as well as the control with respect to all the common areas, and this community park referred to above is referred to as a community park, so therefore is a common area as defined in the Declaration. This means that the Board of Directors has the final and ultimate decision as to what can or cannot be done within the common areas and it is their responsibility to maintain and keep those common areas in a condition which is for the benefit of all property owners within the Silver Creek community.

It is my understanding that in the past there has been some limited permission given by the Board for tree trimming. However whatever the Board has done in the past with regard to this permission can be revoked or modified by the present Board and certainly does not constitute an obligation on the present Board to take the same action or give the same permission.

I have reviewed the documentation concerning this prior permission and it is clear that whatever the Board was doing at this time was permissive only and although there are some "guidelines", these guidelines are always subject to change and review by the Board of Directors from time to time, just the same as the Rules and Regulations are.

The Declaration talks about a Native Growth Protection Area and specifically section 7.6 and 7.7 deal with that, however in reviewing the plat map I do not believe that this community park is defined as a Native Growth Protection Area. Therefore those provisions do not apply. However it should be pointed out that on the plat map they are definitely referred to as a hazardous slide area so therefore that condition must be taken into account with respect to any decision the Board makes as it relates to the trimming of trees within the community park area.

In making a decision with regard to any tree trimming, since the Board represents all owners within the Silver Creek community, they must take into consideration the balance of the needs and benefits with respect to the Grey Hawk "Rim" owners as well as the owners who live below the bluff as to their thoughts with regard to the tree trimming and their concerns. This also must be then reviewed by Pierce County who has the ultimate decision as to what can or cannot be done as it relates to tree trimming within the community park area.

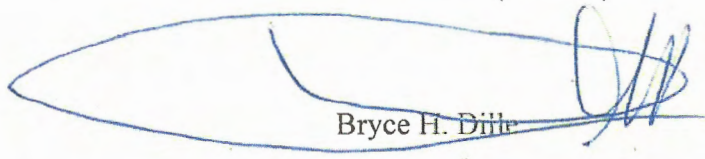
Therefore it is my opinion that the Board has the ultimate decision with regard to any tree trimming in a common area, which decision is not appealable. In light of the circumstances, with regard to the area in which the trees are located, the fact that the Board has to take into account the benefit and welfare of all members of the Association, the Board would be well within its discretion in denying any request to remove or trim any trees in the common area.

The decision, then, would be final and conclusive binding all property owners within the Silver Creek community.

If you have any questions or concerns, please advise. I remain...

Very truly yours,

CAMPBELL, DILLE, BARNETT & SMITH, P.L.L.C.



Bryce H. Dille

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