

PLANT THE PEAK APPLICATION

Town of Apex, North Carolina



This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

For more information on Plant the Peak or for assistance in completing this application, please contact the Apex Planning Department at 919-249-3426. To apply online, please go to the Town of Apex Tree Citizen Advisory Panel (Tree CAP) website at <https://www.apexnc.org/1081/Tree-CAP>.

The Town of Apex is a designated Tree City USA community. Plant the Peak is a program designed to provide professional installation of select trees on residential single family properties within Apex's corporate limits at no cost to the owner or tenant of the property, thereby increasing the Town's overall tree canopy. The program provides 100% of the cost of one (1) tree purchase and installation, per property. Tree container size will be between 15 gallon and 30 gallon. The Planning Staff has been granted authority to administer Plant the Peak by the Apex Town Council. The Town Council allocates the funding for Plant the Peak through the yearly budgeting process. Plant the Peak Applications (hereinafter "Application" or "Applications") will be accepted starting September 1st of each year and complete Applications will be processed on a first-come, first-served basis. Deadline for Applications will be November 1st of each year. After the Application is approved, trees will be installed between approximately November 15th and February 15th by the contractor hired by the Town of Apex. The contractor will coordinate with the property owner to schedule the planting date. The contractor will have underground utilities marked by contacting North Carolina 811 (<https://nc811.org/>). Locating irrigation lines and waterlines past the water meter are not included in the 811 service.

1. Application requirements:

- a. Completed Application form signed by the applicant and a letter of approval from property owner, if needed.
- b. Photo(s) of the proposed planting location showing the current condition.
- c. Selection of proposed tree from the species list on this Application.
- d. Trees shall be planted at least 5' away from underground utilities and at least 10' away from existing structures.

2. Eligibility Criteria:

- a. If the tenant is proposing the tree planting, the tenant must provide a signed letter of approval from the property owner with the Application.
- b. Homeowner's association approval, if required, must be granted and provided with the Application. The Town is not responsible for any penalty or fine issued by a Homeowner's Association as a result of Applicant's failure to obtain necessary approvals.
- c. Plant the Peak Applications will be reviewed for completeness, appropriateness of planting location, and appropriateness of species of tree proposed for that location. The Town, in its sole discretion, may reject any Application if the Town determines the property would not be well suited for the requested planting.
- d. Plant the Peak locations must be within Apex's corporate limits and must comply with all state and local regulations, including staying out of easements and/or gaining appropriate encroachment agreements from the Town of Apex.

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Hard Copy Submittal Requirements: (Submit to Planning Department)

- One (1) copy of Plant the Peak Application
- Photo(s) of the proposed planting location
- Property owner approval letter, if needed
- Evidence of HOA approval, if needed

Applicant Information:

Applicant: _____
Address: _____
City: _____ State: _____ ZIP: _____
Phone: _____ Email: _____

Owner Information:

Owner: _____
Address: _____
City: _____ State: _____ ZIP: _____
Phone: _____ Email: _____
Owner approval letter attached: Yes No N/A

Location Information (location of tree planting):

Address: _____
Description of planting location: _____

Tree Selection:

White Oak Southern Magnolia Blackgum Eastern Redbud White Fringetree

Homeowner's Association Approval:

Homeowner's association approval attached: Yes No N/A

Right of Entry, Waiver and Hold Harmless

By signing this Application the undersigned hereby grant(s) and give(s) freely and without coercion, the right of access and entry to the Town of Apex, its employees, agents, and contractors to enter the property identified below for the purpose of planting a tree as described in this Application. This Right of Entry does not convey to the Town or its contractors any title or ownership interest in the property and does not grant permission to the Town or its contractors to enter any buildings or structures.

To the extent permitted by law, the undersigned agree(s) and warrant(s) to hold harmless the Town of Apex, its elected officials, employees, and contractors, against any and all claims, demands, suits or losses, including all costs connected

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therewith, for any damages which may be asserted or claimed against the Town of Apex, its elected officials, employees, and contractors by reason of personal injury, including bodily injury or death and/or property damage arising from the activities described in this Application and discharges and waives any action, either equitable or legal, that arises from the activities described in this Application on the undersigned's property, except in the case of gross negligence or willful misconduct by the Town or its contractor.

The undersigned acknowledge(s) and agree(s) that the submission of this Application does not create an obligation upon the Town to perform any specific act, nor does it guarantee selection of the Applicant as a recipient of any specific planting.

The undersigned warrant(s) and guarantee(s) that the undersigned shall not remove, uproot, sell, or intentionally damage the tree once planted. In the event the undersigned does remove the tree after installation, undersigned agrees to reimburse the Town the cost of the tree and installation. Undersigned acknowledges and agrees that the Town has no obligation or duty to maintain or care for any plantings once installed.

Owner/Applicant Signatures

I have carefully read this Application and specifically the Right of Entry, Waiver and Hold Harmless language and fully understand its contents and I authorize my participation and agreement by my signature below. I understand the limits and requirements of this program and if approved, agree to **allow a third party landscape contractor onto my property to** complete the project as described in this Application.

Applicant Name: _____
(Print)

Applicant Name: _____
(Print)

Applicant Address: _____

PIN# _____

Applicant Phone Number: _____

Applicant Signature

Date

Applicant Signature

Date

Staff Approval

Date

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Conditions of Approval: