



**GREEN
SPACES
ALLIANCE**
OF SOUTH TEXAS

Dear homeowner,

The Bexar Land Trust, dba. Green Spaces Alliance of South Texas, is the current holder and monitoring land trust for the Hornbeak Preserve conservation easement of which you live adjacent. Green Spaces Alliance is tasked under the provisions of that easement to insure that the “Property will be retained forever predominantly in its natural, scenic, and open space condition: to protect native plants, animals, or plant communities”.

In the past there have been some concerns by neighbors, the owners of the conservation easement, and Green Spaces Alliance. These concerns have been about tree cutting and dumping within the preserve. The property easement states: “No Cutting. There shall be no removal, harvesting, destruction or cutting of trees, shrubs or plants...”.

The following letter is to clarify some of the rules and regulations on the preserve and what you as a homeowner are asked to do to help maintain this property as a sanctuary for us and native wildlife.

Also included in this letter is information about proper tree trimming, the oak wilt disease, and a list of suggested tree trimming vendors in San Antonio.

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Rules and Regulations:

No hunting

No cutting of vegetation

No dumping or littering

No driving

The Hornbeak family is happy for you to enjoy nature in the preserve, but they ask that you respect the land.

What you can do:

You are legally allowed to trim any branches hanging from the Hornbeak preserve over your fence and property, but the work should be undertaken with attention to your obligations, and the effect of your actions on the tree. Property owners have the right to trim branches or roots that overhang the property line, but it is advisable to notify the Hornbeaks and give them the opportunity to do the work. You can trim the tree branches up to the property line, but you can't trespass on the preserve without permission to be trimming. We ask that you take proper trimming techniques into consideration. Information on proper pruning is included. If you trim an oak tree, you must paint the wounds to help prevent the spread of oak wilt.

The Hornbeaks, as the owner of the tree, have a legal responsibility to prevent it from causing harm to the adjacent property. That may include cutting back branches or roots, if they have the potential to cause injury or damage, or it's proven to have harmed the adjacent property. If a tree, or tree limb, falls and damages property, the tree owner may be liable for damages if it can be proven that the tree failed due to neglect of the tree's maintenance. Please inform the Hornbeaks and/or Green Spaces Alliance if you have concerns about the neglect of a problem tree so that the issue can be assessed before any major damage is done. These responsibilities are reciprocal, of course, for any trees on your property that overhang or invade the Preserve.

ACGA



AMERICAN
COMMUNITY
GARDENING
ASSOCIATION

Bexar Land Trust, Inc. DBA Green Spaces Alliance of South Texas is a 501(c)(3) Corporation
P.O. Box 6250, San Antonio, TX 78209
210.222.8430 • www.greensatx.org

Our mission is to sustain the natural environment and enhance urban spaces through land conservation, community engagement, and education.





What you cannot do:

You are restricted from cutting any trees on the Hornbeak Preserve at the trunk. Safety, liability and improper methods are the main reasons for this. If you think a tree is a nuisance and needs addressed, contact the Hornbeaks and Green Spaces Alliance to resolve the concern. We will ask you to fill out a request form, including photos, and we will assess the request. If the request is accepted, and the trees of concern can be cut, you will need to hire a licensed tree care professional at your expense (unless the trees are viewed as a hazard. In that case, they will be dealt with at the Hornbeak's expense). We have provided a list of preferred tree care providers. Green Spaces Alliance has staff that is also qualified to remove trees. We may be able to offer services at a fraction of the price of a licensed arborist. Upon request, we can offer a bid. If these measures are not taken, Green Spaces Alliance may, as a last resort, be forced to take legal action.

Consideration for removal is species specific. In general, we will not allow oak trees to be cut, unless they are identified as a hazard. The species which will be considered for removal is the Ashe juniper (mountain cedar), but that is limited to tree trunks that are 6" or smaller at chest height.

Thank you very much for your support in keeping the Hornbeak Preserve a true pocket of nature. This land benefits not only the wildlife, but the residents of the neighborhood as well. We appreciate your compliance to our requests and your help looking after the land.

Requests for management can be sent directly to the Land Conservation & Stewardship Manager at Green Spaces Alliance of South Texas. His contact information is below. The Hornbeak family can also be reached at jhbeak@icloud.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler M. Sanderson", with a long horizontal flourish extending to the right.

Tyler M. Sanderson

Land Conservation & Stewardship Manager
210.222.8430 x305
tyler@greensatx.org

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