



CITY OF WALTHAM

Tree Setback Planting Program Agreement and Release

I/We _____, as owners of the real property located at

_____, hereby give permission to the Tree Warden of the City of Waltham, or his designee, and the contractor named below and the employee or agents of said contractor, to enter upon my property for the purpose of planting a tree in accordance with the provisions of Massachusetts General Laws, Chapter 87.

In consideration of the City's agreement to plant and provide the tree at no cost to me, I hereby further agree to be responsible for the maintenance of the tree, including but not limited to, a. regular watering of the tree; b. pruning the tree if necessary, c. spraying the tree, as necessary, d. fertilizing the tree as needed, and e. to assume all costs for the maintenance of the tree. I further agree not to cut down said tree without the prior written approval of the Tree Warden in accordance with Massachusetts law.

If the tree dies within one year of planting due to no fault of my care as listed above, as determined by the Tree Warden, the City shall assume the cost of removing the tree. The owner shall give due notice to the Tree Warden no more than 60 days after the one year anniversary of the planting if the owner believes the tree has died. I further agree to be responsible for any liability to third parties for any damage caused by said tree.

I further agree to hold harmless the City of Waltham, its agent, employees, servant and said Tree Warden, or his designee, for any property damage or bodily injury arising out of or during the planting process of said tree. Nothing herein shall be construed to limit otherwise interfere with the powers granted to the Tree Warden of the City of Waltham pursuant to Massachusetts General Laws, Chapter 87.

****SPECIAL NOTE:** Tree selected is only reserved for off street planting within a pre-located area of your yard no less than 10ft. In from the City's sidewalk. The tree will not be planted in any other location.

Signed as my free act and deed the _____ day of _____, 20

Property owner _____ Phone _____ e-mail _____

Official use only: Date Tree Planted _____ Type of Tree _____

Street Address: _____

Contractor doing Planting or city _____

Return form to:

Consolidated Public Works Department
165 Lexington Street
Waltham, MA 02452
Attn: Kevin Thompson, City Arborist
781-314-3850

Property Diagram (please complete)
Located at: _____ Street



Indicate the footprint of your house, any power/water lines (_____), the proposed location for the new tree and other trees, plants and fences between your house and the street, Approximate distances in feet would also be helpful.

