

Property Lines and Trees

Trees often grow limbs and roots across property boundaries. Sometimes the limbs of your tree impact your neighbor's space and its use. The impact may be positive and provide desired shade to a sunny spot, or negative and interfere with the growth of a neighbor's tree or garden and its proper development.

The first step to correct a nuisance tree that interferes with the use of your property is to contact the owner, your neighbor. Ask them to look at the impact across the boundary, and consider how to correct the problem while maintaining the health and function of their tree. You can prune the overhanging branches at the property line at your own expense, if you don't harm or kill the tree, but you can't trespass to "fix" the problem.

A dead tree can also become a hazard as the limbs drop and roots rot and it can fall onto a neighbor's fence or structure. If the potential problem of trunk decay, excessive structural lean or disease is brought to the attention of the tree owner, and documented with photo and by letter, subsequent failure and impact is not a natural occurrence but a predictable or probable result.

Communication and respect for your neighbor's property use can solve a problem and avoid bad feelings or a dispute. Foresight in your tree planting setback from boundaries can also provide years for your tree to grow without unduly forcing your tree choice on your neighbor.

The 2004 summer issue of the Shade Tree Advocate newsletter, produced by the MN Shade Tree Advisory Committee, has a helpful article that summarizes the legal aspects of property lines and trees entitled [Boundary Trees and the Law](#). This article provides a solid summary of options to address concerns with boundary line trees. If you have questions about cross boundary tree issues, have a look at this article, talk with your neighbor and work toward an agreeable remedy.

If you have additional tree health or technical questions you may call or email City Planner Chris Anderson at 763-433-9817 or canderson@cityoframseymn.gov.