

**LAKESHORE RANCH COMMUNITY DEVELOPMENT DISTRICT
COMMON AREA ENCROACHMENT POLICY**

The Lakeshore Ranch Community Development District (the “**District**”) has adopted the following policies for landowners wishing to obtain an encroachment agreement (the “**Agreement**”) in order to construct an encroachment on District property.

1. No encroachments are allowed on District property without prior written authorization from the District.
2. In order to begin the encroachment review process, a landowner must schedule a pre-application meeting by calling the District Manager at _____. At the pre-application meeting, the District Manager will review with the landowner the proposed location of the encroachment and the procedures that must be followed in order to have their request considered by the Board of Supervisors of the District (the “**Board**”). The District Manager will not approve or deny any requests at the pre-application meeting.
3. If a landowner desires to have an encroachment considered by the Board after the pre-application meeting, a landowner must submit the following information in writing to the District Manager for consideration by the Board:
 - a. A copy of the design review documents that were submitted to the applicable homeowners’ association, a description of the proposed encroachment, their physical address, their contact information, the subsequent approval letter from the applicable homeowners’ association for the design of the encroachment, and the approval letters from any government agencies with jurisdiction over the property.
 - b. Proof of property ownership (i.e. a copy of landowner’s deed).
 - c. An 8.5 by 11 inch copy of the plat showing the landowner’s property and the District’s property.
 - d. An 8.5 by 11 inch copy of the plans or drawings for the proposed encroachment.
 - e. A non-refundable check for \$____ made payable to the Lakeshore Ranch Community Development District for the District’s professional review and recording fees. If the District’s actual costs exceed the amount paid to the District, the landowner will be notified that they must pay the excess costs to the District prior to the District’s approval of the Agreement.
4. The District Manager will forward the request to the District Engineer and District Counsel for their review and recommendations.

5. District staff shall recommend the approval or denial of the request.
6. The Board shall review the recommendations of District staff at a meeting of the Board. After its review of the staff recommendations, the Board, in its sole discretion, shall approve or deny the landowner's request.
7. Upon Board approval of an encroachment, the Agreement must be signed by the landowner and the District. The landowner may not commence the construction of the encroachment until the Agreement has been fully executed by the landowner and the District.
8. The landowner must comply with all applicable homeowners' association, local, state, and Federal permits, rules, and regulations during the term of the Agreement.
9. The landowner is responsible for paying any fees or fines pursuant to any local, state, or Federal rules or regulations resulting from the encroachment.
10. If the Board approves the Agreement, the District will record the Agreement in the public records of Pasco County, Florida.
11. At any time after the approval of the Agreement, the District may terminate the Agreement without cause with thirty (30) days written notice to the landowner's mailing address on file with the Property Appraiser's Office. If the District terminates the Agreement, the District may file a notice of termination of the Agreement in the public records of the county. Notwithstanding the foregoing, the District reserves the right to immediately remove any encroachment because of an emergency situation. In the event of an emergency removal, the District is not responsible for any costs associated with the repair or replacement of the encroachment and any such costs shall be the sole responsibility of the landowner.
12. If the Agreement is terminated, the landowner must remove the encroachment at the landowner's expense within sixty (60) days. If the landowner does not remove the encroachment within sixty (60) days, the District may remove the encroachment at the landowner's expense.
13. All landowners with existing encroachments that were identified by the District Manager as of the adoption date of this policy must apply for approval to keep such encroachment within three (3) months from the date that this policy was adopted. The Agreement must be approved within six (6) months from the adoption date of this policy or the District may immediately remove the encroachment at the landowner's expense. The District reserves the right, in its sole discretion, to extend the review period.
14. All other unauthorized encroachments that are discovered after the adoption date of this policy must be removed within thirty (30) days after the date that the landowner receives notice that they are required to remove the unauthorized encroachment. If the landowner

does not remove the unauthorized encroachment within thirty (30) days after receiving notice to remove the unauthorized encroachment, the District, in its sole discretion, may immediately remove the unauthorized encroachment at the landowner's expense or the District may allow the landowner to apply for an Agreement in accordance with the procedures outlined in this policy.

Policy Adoption Date: _____

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