

MEADOW VIEW AT TWIN CREEKS COMMUNITY DEVELOPMENT DISTRICT

*c/o Governmental Management Services
475 West Town Place, Suite 114
St. Augustine, Florida 32092*

MEMORANDUM

From: District Staff

To: District Board of Supervisors

Re: Fence Installation & Easements Policy

This memorandum sets forth a policy that would address certain residents' requests to place fences within District easements located on resident lots. As you know, the District owns and operates the stormwater system serving the lands within the District. As part of that system, the District holds certain platted easement rights along certain lots that allow the District, among other things, to access lakes, pipes, and other stormwater improvements. The drainage and access easements are required to be in place by state and local authorities that have provided approvals for the operation of the stormwater system, and are necessary for the operation of the system. Related, the District has an obligation under the District's bond covenants to properly maintain the system and its other improvements.

That said, and to accommodate the residents' requests, the following policy is intended to balance both the desires of residents to locate fences within District easements, and the need for the District to properly comply with applicable law and ensure that the District's improvements are properly maintained:

1. Any resident seeking a variance to install a fence within a District easement located on a resident lot would make such request to the District's manager, and manager of the Beacon Lakes Community Association, Inc. ("Association"), at the addresses below, and provide the following items:
 - a. A completed application form.
 - b. Information regarding the fence installation (e.g., type of fence, location, contractor information, etc.).
 - c. A fee of \$250.00 (subject to adjustment by the Association from time-to-time) ("Application Fee") to cover the cost of the Association's review of the application on the District's behalf as well as any fence inspection, and a non-refundable fee of \$600.00 ("Maintenance Fee") to cover the cost of moving the fence in the future, if necessary for the operation of the District's improvements (as determined by the District) or otherwise requested by a regulatory entity. The Maintenance Fee does NOT cover any re-installation of any removed fence, and the homeowner would be responsible for any such re-installation. NOTE: No Application Fee for a previously installed fence will be required for any resident who has already paid an Application Fee for that previously installed fence. Further, no Maintenance Fee will be required for any resident who has an existing, previously installed

fence and who on a one-time basis desires to move the fence at his expense onto a District easement.

- d. A fully executed *License Agreement for Fence Installation*, in recordable form.

The addresses for the District and the Association are as follows:

Governmental Management Services
475 West Town Place, Suite 114
St. Augustine, Florida 32092

Beacon Lake Community Association, Inc.
414 Old Hard Road, Suite 502
Fleming Island, Florida 32003

- 2. The Association, on behalf of and in consultation with the District, would cause the application to be reviewed to ensure that installation of the fence would not adversely affect the functioning and/or maintenance of the District's improvements. Applications will be reviewed on a first-come, first-served basis, and, recognizing that there are only so many access points to individual lakes, may be denied for later applications due to a lack of adequate access (among other reasons).
- 3. If approved, the District, or the Association acting on behalf of and in consultation with the District, would record the *License Agreement for Fence Installation*; would deposit the Maintenance Fee into a District fund set aside for future use in the event that fences later need to be moved or other maintenance is required for District improvements; would notify the resident of the approval; and would conduct a final inspection of the fence upon installation to ensure that the fence is installed on the correct easement area and without harm of any kind to the stormwater system or other applicable District improvements.

Effective Date: December 17, 2020