**South Fork East CDD Easement Encroachment Policy**

Due to residents creating obstructions on South Fork East Community Development District (CDD) easements[[1]](#footnote-1) over the past years it has become necessary for the CDD to create a policy protecting the CDD easements from obstacles that hinder maintenance or access (which may result in an inability to maintain CDD infrastructure or an increase in the cost of operations). No encroachments on CDD property are permitted.

Please note that the CDD generally does not permit encroachments upon its easements but will consider such requests on a case-by-case basis. Obstacles currently in place may require removal or may require the signing of an easement encroachment agreement if the CDD believes its access and maintenance rights are not currently impeded but may need your cooperation in the future. The easement encroachment agreement would be recorded in the public records so that in the event you sell your home such agreement would show up in the title work and automatically run with the land; thereby eliminating potential issues or concerns from title companies or lenders.

In the event you are interested in performing work in a CDD easement or you have an unauthorized obstacle or encroachment currently, you will need to submit your proposal (the same document you submit to an HOA would be acceptable) to the CDD Manager. The proposal will have to be reviewed by the CDD staff and then scheduled for the next available meeting agenda. You are responsible for allowing the proper amount of time for Board consideration of the proposal. If approved by the Board and if an easement encroachment agreement is required, you will be responsible for reimbursing the CDD for any costs for the CDD Engineer and CDD Attorney to review the proposal and prepare such agreement. These costs can range anywhere from $250-$1,000 and an estimate can be provided.

Please note that except for the Board of Supervisors of the CDD, no one person, company, or agency may give permission to obstruct CDD easements or otherwise encroach upon such an easement. This includes HOAs, none of which have authority to waive the CDD’s rights under such easements.

***Adopted by the Board of Supervisors of the CDD on April 22, 2021***

1. Easements are simply a right to use a portion of your property for the designated purpose. Such easements are usually granted on the subdivision plat recorded in the public records of Hillsborough County. If your property is subject to a CDD easement, it should also be shown on your property survey. [↑](#footnote-ref-1)