

**RESOLUTION 2018-04**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MONTECITO COMMUNITY DEVELOPMENT DISTRICT APPROVING THE PROCESS FOR HOMEOWNER'S ASSOCIATION ARCHITECTURAL REVIEW BOARD APPROVAL FOR LANDOWNERS' IMPROVEMENTS; PROVIDING FOR A PROCESSING FEE FOR THE COSTS INCURRED BY THE DISTRICT; AUTHORIZING THE DISTRICT MANAGER TO APPROVE AND EXECUTE TEMPORARY ACCESS EASEMENT AGREEMENTS WITH LANDOWNERS PURSUANT TO THE PROCESS APPROVAL; AND PROVIDING FOR EFFECTIVE DATE.**

**WHEREAS**, the Montecito Community Development District (the "District") is a local unit of special purpose government created and existing under Chapter 190, Florida Statutes; and

**WHEREAS**, the landowners are required to apply and receive approval from the Montecito Homeowner's Association Architectural Review Board ("ARB") prior to work proceeding on the landowner's property; and

**WHEREAS**, the District receives requests for approval of temporary access to District property from the landowners within the District for landowners' improvements of property; and

**WHEREAS**, the District desires to set forth a procedure for the receipt, review and determination of the request by landowners on an expedited basis; and

**WHEREAS**, the District incurs costs of approximately \$300 for the review, research, preparation and execution of the requested temporary access easement agreements; and

**WHEREAS**, the District Board of Supervisors determined at its meeting of February 26, 2018 that it is in the best interest District and its landowners that the District Manager review and approve temporary access easement agreements on behalf of the District pursuant to a specific procedure.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MONTECITO COMMUNITY DEVELOPMENT DISTRICT:**

**Section 1.** The foregoing recitals clauses are true and correct and are hereby

incorporated into this Resolution by reference.

**Section 2.** The District hereby approves the following procedure for the request from landowners for temporary access on the District property by landowners:

- a. Landowner provide the District Manager with the written approval from the ARB for the improvements;
- b. Landowner provide the District Manager with a detailed description of the proposed work to be performed for the improvements and the estimated time for construction;
- c. Landowner provide the District Manager with a sketch or drawing of the location of the District property that landowner is seeking the easement;
- d. Landowner provide the proof of ownership of the property;
- e. Landowner provide a fee of \$300 made payable to the Montecito Community Development District for the review, preparation and execution of the temporary access agreement; and
- f. District Manager authorize District Counsel to prepare the temporary access easement agreements upon approval of procedure.

**Section 3.** That the District Manager is hereby authorized to act on behalf of the District and review and approve the temporary access agreements as forth herein.

**Section 4.** The proper District officials are hereby authorized and directed to take all steps necessary to effectuate the intent of this Resolution.

**Section 5.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** This Resolution shall take effect upon adoption.

**THIS RESOLUTION WAS PASSED AND ADOPTED** by the District at its regularly scheduled meeting this 26<sup>th</sup> day of February, 2018.

**ATTEST:**

**MONTECITO COMMUNITY  
DEVELOPMENT DISTRICT**

  
Secretary/Assistant Secretary

  
Chairman/Vice Chairman