

Encroachment Agreement Policy

Community Services Associates, Inc. Sea Pines Plantation

I. Purpose: Establish procedure to be followed to request approval for encroachment into CSA Open Space due to landscaping or construction by Sea Pines Property Owners. This policy acknowledges the usage of this property until the new construction is either destroyed or the usage is no longer viable. Community Services Associates, Inc., (hereinafter "CSA") published this policy in order to standardize the required encroachment approval process.

II. Administration

A. Encroachment Officer: The Executive Vice President shall either act or appoint an Encroachment officer who shall be a regular employee of CSA. This employee shall be the person responsible for carrying out the policies and procedures created herein; other duties assigned and shall report to the Executive Vice President.

B. Encroachment Agreement Request Form: Available on this website is a printable PDF copy of the CSA Encroachment Application Form. This form along with a current property site plan, which depicts the total encroachment into CSA open space and clearly identifies what will be encroaching into the open space (vegetation, fencing, decking, driveway, etc.), must be provided to the CSA Administration Department. Upon delivery the package will be scheduled for consideration by the CSA Board of Directors at their next regular scheduled meeting.

C. Fees: All request forms shall be accompanied by a fee in the amount of one hundred fifty dollars (\$150.00). This fee shall be used to cover the legal filing fees once the Encroachment has received CSA Board approval.

III. Procedure

A. Persons Authorized To Request an Encroachment Agreement: Any person who is the owner of real property or an interest in real property within Sea Pines Plantation may request an Encroachment agreement. Any agent, employee, attorney, sales person or other person designated by a property owner or a person who owns an interest in real estate may likewise request an Encroachment Agreement.

IV. Required Action by Executive Vice President

- A. **Receipt of Request:** Upon receipt of a request for an Encroachment Agreement, a survey depicting the encroachment and the filing fee, the Encroachment Officer shall clearly define the requested encroachment and submit it to the CSA Board for their review and approval or disapproval. The CSA Board will vote on whether or not to approve the Encroachment Agreement at their next regular meeting. The CSA Executive Vice President will then send a written decision notifying the person requesting the encroachment agreement within (15) fifteen days after that meeting. If the request is disapproved all documents and the filing fee will be returned to the applicant.
- B. **Review of Approved Actions:** Once the approved encroachment actions have been completed by the property owner, the Executive Vice President or Encroachment Officer will inspect the site to ensure it complies with the CSA Board approved plan. If it does, the encroachment agreement will be filed with the appropriate property deed. If the actions do not comply with the CSA Board approved plan, the Executive Vice President or Encroachment Officer will take appropriate action to correct the encroachment before the encroachment agreement is formally filed with the property deed.
- V. **Afterward:** This Policy may be amended, revoked or otherwise modified by the CSA Board at any time and upon such terms and conditions as it deems prudent.