

ASTURIA COMMUNITY DEVELOPMENT DISTRICT
Policy for Use of District Property

Effective: April 25, 2023

1. In order to prevent damage to District property and infrastructure, including but not necessarily limited to the stormwater management system, drainage improvements, or landscaping/hardscaping/irrigation improvements, no resident, builder, developer, contractor, or other entity may utilize property owned by the Asturia Community Development District (“District”) for access to that entity’s property, perform any work on District property, or drive any motorized vehicles or equipment over District property, without first obtaining a temporary access agreement or such other agreement as the District may deem necessary to protect the District’s interests, in the District’s sole discretion based on the circumstances.
2. This policy does not apply to roadways owned by the District. Use of District roadways shall be governed by the laws, rules, and regulations of Pasco County and the State of Florida, provided that the District reserves the right to recover the costs of repairing any damage to District roadways from the person or entity causing said damage.
3. Unless a person or entity has a pre-existing easement over District property, if a person or entity desires to utilize property owned by the District for access to other property, perform any work on District property, or drive any motorized vehicles or equipment over District property, that person or entity must pay a \$500 refundable damage deposit and submit a written request to the District Manager or his or her designee at least thirty (30) days prior to commencing such use of District property. The request must contain, at a minimum, the following information:
 - a. The contact information of the person making the request;
 - b. The location of the District property being utilized and a depiction of the access route proposed to be used, if applicable;
 - c. A description of the activities proposed to take place on District property; and
 - d. The requested date of access.
4. The District Engineer shall review the request to determine if the proposed use would have a negative impact on any District property. Such review may include, in the District Engineer’s discretion, conducting an in-person site inspection. The District Engineer shall recommend one of the following actions:
 - a. Approve the request, with or without conditions; or
 - b. Deny the request.
5. If the District Engineer recommends approving the request, unless other considerations necessitate denying the request, District staff shall coordinate execution of an access agreement or such other agreement which may be deemed by the District in its sole discretion as necessary to protect the District’s interests. At the conclusion of the use of the District’s property, District staff shall conduct a post-installation review to certify that no damage was done to District property.
6. Should the requestor’s use of the District’s property (including use by the requestor’s contractors, agents, or assigns) cause damage to the District’s property, the District shall have the right to:
 - a. Use any deposit for the purpose of repairing any such damage; and
 - b. If the cost to repair any damage shall exceed the deposit amount or if no deposit was received, the amounts required to repair such damage shall be invoiced to the entity that was granted permission to use the property; and

- c. Take any available legal action in connection with such damage.
7. There shall be no requirement to bring the request before the Board of Supervisors for approval, unless extraordinary circumstances warrant Board consideration.
 8. The District's approval of a use request constitutes approval from the District only. The requestor is responsible for obtaining any other necessary approvals, permits and authorizations for the project, including but not limited to approvals from an HOA, Pasco County, and any other entities having an interest in the project or property utilized therefor, as applicable.
 9. If District property is used in the manner contemplated in this policy without prior approval, the District reserves the right to take all available legal action against the person or entity engaging in such unauthorized use.