

Heritage Landing
Community Development District
Natural Buffer Areas Policy Statement
Amended, 4-14-09

The following is the policy statement of the District as it regards the natural tree protection, wetland and upland buffer areas that are scattered in large numbers throughout the Community. The policy statement is consistent with the policies of other governments including St. Johns County, Army Corps of Engineers (ACOE) and/or St. Johns River Water Management District (SJRWMD) as it regards their natural, conservation tree protection and wetland conservation/preservation areas:

The natural areas are not intended to be maintained. These areas are to be left untouched to allow for nature to take its normal course. Vegetation that dies including, but not limited to trees are left to fulfill their role in nature's process.

Trees, within or immediately adjacent to these areas, that have died or are unhealthy and appear to pose a threat of falling and damaging an abutting property owner's property may be addressed in the following ways: 1) After written notification to the District Manager, if the District believes that the trees do in fact pose a threat of falling and damaging an abutting property owner's property and that addressing the trees is in the District's best interest, then the District, in its absolute discretion, may address the trees. 2) If, after notice to the District, the District decides that it is not in its best interest to address the trees, the trees may be addressed by the abutting property owner after securing permission to remedy the situation from the CDD and all required permits from all authorities having jurisdiction including St. Johns County, ACOE and/or SJRWMD. Such abutting property owner must initially contact the CDD for permission to address the removal or remediation of the threatening situation and shall then be responsible for any needed permitting or review by St. Johns County, ACOE, and/or SJRWMD. Permitted trimming and/or removal, where warranted, shall be done at the expense of the abutting property owner. The goal is to minimize disturbance to these areas.

In the event that a tree does fall onto another's property, that property owner has the right to cut back or limb the tree as necessary to their individual property line. The rest of the tree is to be left as is. This would also pertain to normal maintenance, which would allow an owner to trim back any encroaching vegetation to their property line. Unless otherwise approved in accordance with the foregoing policy, no one is allowed to encroach into the natural areas for any reason, from maintenance to placement of personal property of any kind.

The above policy statement may be amended as the District Board of Supervisors deems necessary.