

**CAMERON ESTATES COMMUNITY SERVICES DISTRICT
EASEMENT MAINTENANCE POLICY
Revised January 2008**

Government Code Section 61100(l) provides the District with various powers, including, but not limited to, acquiring, constructing, improving, maintaining streets, roads, including rights-of-way and easements, bridges, culverts, drains, curbs, gutters, sidewalks and any incidental works, including entrance gates and riding trails.

1. TREE/BRUSH TRIMMING POLICY

Purpose:

- To reduce the risk of fire
- Increase visibility
- Provide for adequate emergency access and equestrian space
- Maintain erosion control
- Maintain established riding trails
- Other safety issues within roadway easements

Authority:

- Legal authority pursuant to Government Code Section 61100(l)
- August 2000 Fire Safety Recommendations for Cameron Estates

Responsibility of Property owners:

- Trim trees, brush, and remove dead weeds in the easement.
- Prevent vegetation undermining or encroaching on pavement by mowing, pulling or spraying.
- Remove dead or dangerous trees, limbs, etc. which are a hazard to the easement.
- Remove debris from cut brush, shrubs, branches, etc. from the easement.

Standards:

- From the edge of the pavement, clear ten feet (10') on the horizontal plane and thirteen feet, six inches (13' 6") on the vertical plane.

Appeal Process:

(a) Where a property owner does not abide by the standards set forth in this policy or has received a notice from the District requiring him/her to conform to the standards set forth in this policy, but believes that the

standards imposed by this policy cannot be met because of the terrain, he/she shall contact the District as soon as possible, or within five (5) days of receipt of the notice with specific information on the reasons why the standards of the policy cannot be implemented.

(b) The District shall require the homeowner to appear at the next scheduled Board meeting to present his/her case for exemption from the standards set forth in this policy.

(c) The Board shall consider the matter and make a decision at the meeting or take the matter under further consideration and provide the homeowner with a decision prior to the next Board meeting.

(d) The Board's decision can: (i) grant the homeowner an exception from the standards set forth in this policy; (ii) modify the standards set forth in this policy due to the terrain; (iii) make provision for a third-party to undertake the work at the expense of the homeowner if the Board determines that the standards set forth in this policy are capable of being enforced and the homeowner refuses to abide by these standards; (iv) provide any other solution that would implement the standards set forth in this policy.

Board Action:

Where notice has been provide to the homeowner, as set forth in Resolution No. 2007-01, (including an estimate of the cost to remedy the violation of this policy) and thirty days have elapsed without any response from the property owner, the Board shall have the work done and mail the bill for services rendered to the home owner. Failure to pay the bill within thirty (30) days will result in a ten percent penalty and a further one percent per month penalty for the nonpayment of the amount due. Any unpaid charges or penalties may be collected on the tax roll or as a lien against the property.

Emergency Work:

Where a roadway of the District is blocked or restricted by a fallen tree limb or other debris, or there is clear danger that it will be, the Board shall contact the owner immediately and if the owner fails to take action within 24 hours, or in the event the Board has made all reasonable attempts to contact the property owner, and is unable to do so within 24 hours, the Board shall have the work done and mail the bill for services rendered to the home owner. Failure to pay the bill within thirty (30) days will result in a ten percent penalty and a further one percent per month penalty for the nonpayment of the amount due. Any unpaid charges or penalties may be collected on the tax roll or as a lien against the property.

2. ROAD REPAIRS AND MAINTENANCE

Purpose:

- Prevent damage to roadway surfaces
- Maintain and repair roadway surfaces
- Maintain and repair rights-of-way and sidewalks
- Maintain and repair roadway edges
- Maintain and repair culverts, gutters, and drains for proper drainage
- Maintain and repair bridges and monuments
- Maintain entrance gates
- Maintain any other District property

Authority:

- Legal authority pursuant to Government Code Section 61100(l)

Responsibility of Property owners:

- Prevent damage to roadway surfaces, rights-of-way, sidewalks, roadway edges, culverts, gutters, and drains, bridges, monuments, entrance gates and other District property caused by, but not limited to, personal and rented vehicles, trailers, contractors, tractors, implements, and heavy equipment and other vehicles providing service to property.
- Keep easements free of mud, dirt and other debris, including garbage, trash and illegal dumping.
- No unlicensed or junked vehicles are allowed on District property.
- Notify the district prior to any commencement of excavation, drainage, swale placement or any type of improvements that may impact District property.

Standards:

- Property owners must keep all District property clean and free of any impediment at all times.

Appeal Process:

(a) Where a property owner does not abide by the standards set forth in this policy or has received a notice from the District requiring him/her to conform to the standards set forth in this policy, he/she shall contact the District as soon as possible, or within five (5) days of receipt of the notice with specific information on the reasons why the standards of the policy cannot be implemented.

(b) The District shall require the homeowner to appear at the next scheduled Board meeting to present his/her case for exemption from the standards set forth in this policy.

(c) The Board shall consider the matter and make a decision at the meeting or take the matter under further consideration and provide the homeowner with a decision prior to the next Board meeting.

(d) The Board's decision can: (i) grant the homeowner an exception from the standards set forth in this policy; (ii) modify the standards set forth in this policy; (iii) make provision for a third-party to undertake the work at the expense of the homeowner if the Board determines that the standards set forth in this policy are capable of being enforced and the homeowner refuses to abide by these standards; (iv) provide any other solution that would implement the standards set forth in this policy.

Board Action:

Where notice has been provide to the homeowner, as set forth in Resolution No. 2007-01, (including an estimate of the cost to remedy the violation of this policy) and thirty days have elapsed without any response from the property owner, the Board shall have the work done and mail the bill for services rendered to the home owner. Failure to pay the bill within thirty (30) days will result in a ten percent penalty and a further one percent per month penalty for the nonpayment of the amount due. Any unpaid charges or penalties may be collected on the tax roll or as a lien against the property.

Emergency Work:

Where emergency roadwork is necessary or if any of the District roadways are blocked or restricted by property owners' debris, or there is clear danger that they will be, the Board shall contact the owner immediately and if the owner fails to take action within 24 hours, or in the event the Board has made all reasonable attempts to contact the property owner and is unable to do so within 24 hours, the Board shall have the work done and mail the bill for services rendered to the home owner. Failure to pay the bill within thirty (30) days will result in a ten percent penalty and a further one percent per month penalty for the nonpayment of the amount due. Any unpaid charges or penalties may be collected on the tax roll or as a lien against the property.