

## **TOLOMATO COMMUNITY DEVELOPMENT DISTRICT**

### **I. Preserve and Conservation Areas General Policies**

The Tolomato Community Development District (District) features numerous conservation and preservation areas. These areas are subject to governmental regulation and are not intended to be maintained like ordinary landscaping. Instead, these areas are to be left untouched to allow for nature to take its normal course. These areas provide aesthetic benefits, preserve wildlife habitat, and protect wetland recharge areas for the District. Any vegetation that dies or is damaged by storms or other “acts of God” is to remain in its existing state within these areas to fulfill its role in nature’s process. The District only and not adjacent property owners may conduct specific, permitted maintenance activities to remove or eradicate nuisance vegetation. The District only may also remove vegetation which it determines may pose a danger to persons and/or private property.

Maintenance of the natural areas, disposal of personal property within the natural areas, and other activities within the natural areas are strictly prohibited, except as authorized in writing and in advance by the District, even if the conservation area is located adjacent to the property owner’s lot. Failure to comply with this policy may result in fines and/or penalties, civil liability, or criminal prosecution.

Property owners (or their tenants, guests, invitees) may not use, occupy, or otherwise disturb or alter the preserve and conservation areas except as expressly permitted or authorized in advance and in writing by the District. Pets are not allowed in the preserve or conservation areas.

## **II. Resident Request for Work in a Preserve or Conservation Area**

If a Resident or Homeowners Association requests to have work performed in a preserve or conservation area adjacent to their property, the District will arrange an inspection of the area with the District's environmental consultant and/or contractor at the expense of the party making the request. At the inspection, the District and consultant will review the plats and determine if any maintenance work may be performed in the area in accordance with applicable laws and regulations. If the resident or Homeowners Association desires to hire their own contractor to perform the work, the name and qualifications of the contractor must be submitted to the District for written approval prior to the start of any work.

## **III. Responsibility for Tree Damage**

Consistent with Florida law, the health of the tree determines which landowner is responsible for damage. In some cases, if a dead tree falls from District property onto an adjoining property and causes damage, the District is responsible for the damages. However, if a live tree falls onto an adjoining property and causes damage, the adjoining property landowner is responsible for such damages.

## **IV. Responsibility for Overhanging Branches and Roots**

Branches and roots from trees on District property frequently extend across property lines. Consistent with Florida law, the adjoining landowner may, at his or her own expense, trim back the branches or roots as he or she desires up to the property line.

## **V. Recreation in District Ponds**

District ponds are filled using Reclaimed Water and therefore swimming, boating, and similar recreational uses are not permitted.

## **VI. Fishing in District Ponds**

Fishing in District Ponds is at YOUR OWN RISK. The District is not responsible for any loss, damage or injury to any person or property arising out of the authorized or unauthorized use of the Ponds within the District. Residents may fish from any District pond. We ask that you respect your fellow landowners and access the Ponds through the proper access points. Catch and release is required. Fish caught in the Ponds should not be eaten. Residents are responsible for complying with the State of Florida licensing requirements and other laws for fishing. Children under 12 years of age must be accompanied by adults when fishing. Do not leave fishing poles, lines, equipment or bait unattended. Do not leave any litter. Fishing line is hazardous to wildlife.

## **VII. Wildlife Policy**

Nature and wildlife are an integral part of the District and the community. Please do not feed the wildlife or harm the wildlife.

There is no hunting allowed on District property.

The District is not responsible for damage caused by wildlife, nor is the District responsible for the control of wildlife within preserve and conservation areas or wildlife that presents on private property.

1. Alligators – Alligators are part of the natural Florida ecosystem and are an integral component of keeping other animal

populations in balance. State law prohibits killing, harassing or possessing alligators. However, if you see an alligator that is over four feet in length AND is a threat, call the Nuisance Alligator Hotline at 866-FWCGATOR (866-392-4286). Please be aware, nuisance alligators are killed, not relocated. Simply being an alligator does not make it a threat.

2. Feral Hogs – Feral hogs are not native to Florida. The Florida Fish and Wildlife Commission has labeled feral hogs a nuisance animal and encourage their removal as feral hogs have a direct impact on both human health as well as the native fish, amphibians and reptiles. Feral hogs also destroy natural wetland ecosystems. Therefore, the District may, from time to time, hire a trapper to control the feral hog population. Residents are encouraged to take measures to protect their property from damage caused by feral hogs.

### **VIII. Signage Policy**

Signs are not allowed on District property or District maintained property without the express written permission of the Community Manager. This includes For Sale, Open House, Garage Sale, business signs and all other signs. Signs cannot be attached to any street light poles, structures, or placed in the ground.