

Silverleaf Community Development District

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Memorandum

To: Silverleaf CDD Board of Supervisors'

From: District Staff

CC: Record Custodian

This MEMO is to provide further clarification of the Operation & Maintenance (O&M) responsibilities between the HOA and CDD.

The one-page O&M map created back in 2019 is a generalized geographical depiction of Tracts and maintenance, but because the map is only one page, it is lacking in the detail necessary to truly understand O&M at Silverleaf CDD. In other words, the map color codes tracts as either County, CDD or HOA maintained. But the map was not able to show the detailed easements within each Tract to depict which entity should be maintaining all the various elements of infrastructure within each Tract. There is a note on the map that specifically states the Tracts are subject to maintenance easements by other entities.

If one considers the elements of infrastructure at Silverleaf CDD, then the following represents the original intent of the Developer Entity:

COUNTY: The County is to maintain the potable water, sewer facilities, lift stations and the County- dedicated roads of Silverleaf Avenue and public right of ways adjacent to Chin Road. This is done via Tracts dedicated to the County by plat and by County easements established on the plat.

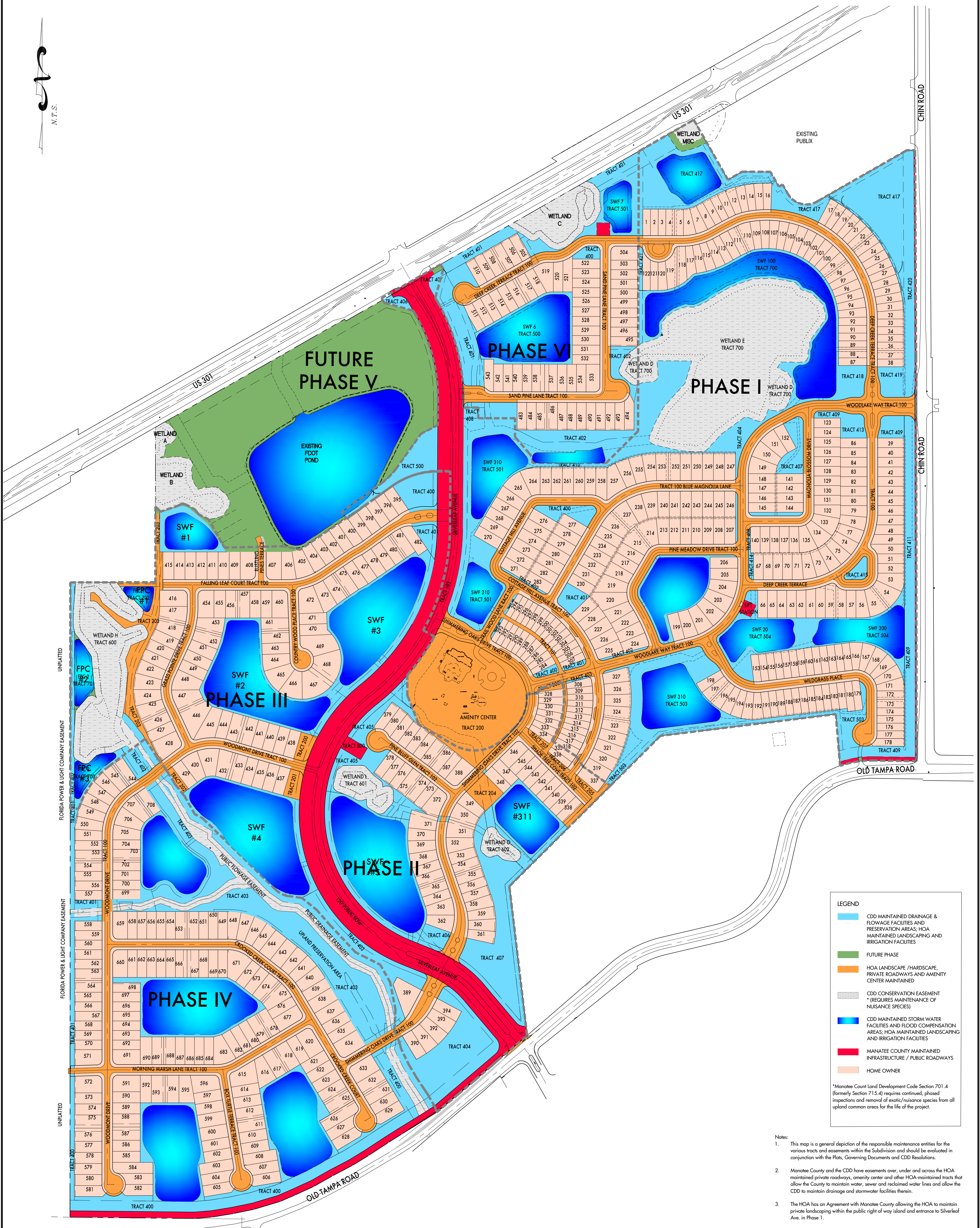
HOA: The HOA maintains the private roads & gates, private amenity center/ recreation center, and the landscaping and irrigation for the community. This includes the landscaping along the County- maintained Silverleaf Ave via an agreement between the HOA and the County that allows the HOA to maintain enhanced landscaping on a County road to help beautify the Subdivision entranceways. This is all done via Tracts that the Developer has committed to deed to the HOA at Turnover and by easements in favor of the HOA created by plat, Declaration and separate instruments.

CDD: The CDD maintains the stormwater drainage system and facilities, including the curbs, gutters, drainage/flowage areas, lakes/ponds and the environmentally sensitive conservation

/preservation areas. This is done via Tracts dedicated to the CDD by plat and by CDD easements established on the plat. Any aquatic vegetation as required by SWFWMD in the lakes/ponds and any nuisance species in the environmentally sensitive conservation /preservation areas are a CDD function to maintain. This aquatic vegetation and nuisance species in the environmentally sensitive conservation areas should not be lumped into a “landscaping” category for HOA maintenance. The CDD should be handling all the SWFWMD monitoring and reporting of the stormwater facilities.

The above categories are general; there could be a specific item of infrastructure that falls into a grey area. In those circumstances, the District Engineer and Developer representative need to help identify the primary purpose of the infrastructure to determine which entity is ultimately responsible for maintenance. District Counsel can assist as well in that process.

Enclosed: O&M Map for the Community



LEGEND

- CDD MAINTAINED DRAINAGE & FLOWAGE FACILITIES AND PRESERVATION AREAS; HOA MAINTAINED LANDSCAPING AND IRRIGATION FACILITIES
- FUTURE PHASE
- HOA LANDSCAPE / HARDSCAPE, PRIVATE ROADWAYS AND AMENITY CENTER MAINTAINED
- CDD CONSERVATION EASEMENT * (REQUIRES MAINTENANCE OF NUISANCE SPECIES)
- CDD MAINTAINED STORM WATER FACILITIES AND FLOOD COMPENSATION AREAS; HOA MAINTAINED LANDSCAPING AND IRRIGATION FACILITIES
- MANATEE COUNTY MAINTAINED INFRASTRUCTURE / PUBLIC ROADWAYS
- HOME OWNER

*Manatee County Land Development Code Section 701.4 (formerly Section 715.4) requires continued, phased inspections and removal of exotic/nuisance species from all upland common areas for the life of the project.

- Notes:
1. This map is a general depiction of the responsible maintenance entities for the various tracts and easements within the Subdivision and should be evaluated in conjunction with the Plats, Governing Documents and CDD Resolutions.
 2. Manatee County and the CDD have easements over, under and across the HOA maintained private roadways, amenity center and other HOA-maintained tracts that allow the County to maintain water, sewer and reclaimed water lines and allow the CDD to maintain drainage and stormwater facilities therein.
 3. The HOA has an Agreement with Manatee County allowing the HOA to maintain private landscaping within the public right of way island and entrance to Silverleaf Ave. in Phase I.
 4. The CDD has a landscape easement over County Tract 800 of Silverleaf Phase II & III allowing the CDD to maintain landscaping therein.
 5. Tract designations, easements and operation and maintenance responsibilities are per the recorded Plats and Governing Documents for the Subdivision.

DESIGNED	
DRAWN	
DATE	
JOB NO.	
SCALE	
SHEET	

MAINTENANCE EXHIBIT
FOR
SILVERLEAF CDD
LOCATED IN
SECTION 01, TOWNSHIP 34 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

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