

RESOLUTION 2018 - 01

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE NORTHWOOD COMMUNITY DEVELOPMENT
DISTRICT ADOPTING A SIDEWALK MAINTENANCE
POLICY.**

WHEREAS, the Northwood Community Development District (the "**District**") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated in Pasco County, Florida ("**County**");

WHEREAS, all of the road right of ways ("**ROW**") in the District were dedicated to the County via plat dedication language;

WHEREAS, the County owns the ROW and operates the roads in the ROW;

WHEREAS, the District has no ownership interest in the sidewalks within the ROW, and the District has no duty to maintain the sidewalks in the ROW;

WHEREAS, the Board of Supervisors of the District (the "**Board**"), in an effort to provide its residents with information regarding the obligations of the District, and after hearing and considering public comment, has concluded that the Northwood Community Development District Sidewalk Maintenance Policy attached hereto as **Exhibit "A"** shall be adopted.

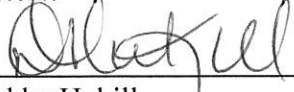
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS:

Section 1. The Board hereby adopts the Sidewalk Maintenance Policy attached as **Exhibit A.**

Section 2. This Resolution shall become effective immediately upon its adoption and shall remain in effect until modified or rescinded by the Board.

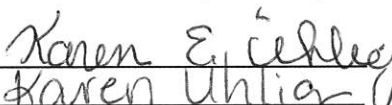
PASSED AND ADOPTED THIS 9th DAY OF OCTOBER, 2017.

Attest:



Debby Hukill
Assistant Secretary

Northwood Community Development District



Name: Karen Uhlig
Chair/Vice Chair, Board of Supervisors

Exhibit A

Northwood Community Development District Sidewalk Maintenance Policy

The Northwood Community Development District Board of Supervisors desires to establish a sidewalk maintenance policy. The goal of this policy is to help residents better understand sidewalk maintenance within the community.

As part of the development process, the road right of ways (“**ROW**”) were dedicated to Pasco County, Florida via plats¹ that were recorded with Pasco County. The dedications on the plats were used to convey ownership of the ROW to Pasco County. The Pasco County Property Appraiser records show that Pasco County owns the ROW. The Pasco County owned ROW begins on the outer edge of the sidewalk and runs through the entire width of the sidewalk, the landscaping strip, the road, all the way to the outer edge of the sidewalk on the opposite side of the ROW. Pasco County has taken the position that it will not perform any maintenance or repairs on sidewalks within the community. Pasco County maintains and operates the roads in the ROW.

Under Florida law², Pasco County is not obligated to maintain the sidewalks in the ROW, unless it voluntarily chooses to accept the obligation.³ Based on discussions with Pasco County and a neighboring CDD, it appears that this issue only affects a small amount of communities and only two outcomes are possible: (1) Pasco County could agree to add the sidewalks to its maintenance schedule or (2) the District could agree to voluntarily maintain the sidewalk at the expense of the District residents.

At this time, neither the District nor Pasco County has agreed to accept maintenance for the Pasco County owned sidewalks within the community. The District disclaims any maintenance obligations of the sidewalks in the ROW since the District has no ownership interest in the sidewalks within the ROW. Since the District has no ownership interest or maintenance obligations for the sidewalks in the ROW, residents should contact Pasco County to report any dangerous conditions or damage to the sidewalks.

The Pasco County Customer Service Department can be reached at (727) 847-2411 or (352) 523-2411.

Adopted: October 9, 2017

1 A plat is a map that is drawn to scale that shows the division of property. It describes pieces of property, their boundaries, residential lots, public infrastructure, and easements.

2 See Section 177.081 (3), Florida Statutes.

3 Although Pasco County is maintaining the roads in the ROW, Pasco County is not performing any maintenance activities for the sidewalks.