

Sea Pines Community Services Associates, Inc.
Encroachment Agreement Policy

The Community Services Associates, Inc. Board of Directors (“CSA Board”) have established this procedure to be followed to request approval for encroachments into Community Services Associates, Inc. Open Space, (hereinafter “CSA Open Space”), located in the Sea Pines planned community (“Sea Pines”) and as defined in the applicable covenants governing Sea Pines (the “Covenants”), due to landscaping or construction by Sea Pines property owners. This policy acknowledges the usage of such property until the new construction is either destroyed or the usage is no longer viable. Community Services Associates, Inc., (hereinafter “CSA”) published this policy in order to standardize the required encroachment approval process (the “Policy”), as evident in the applicable encroachment approval processes set forth on the CSA website and incorporated herein by reference.

I. Administration

A. Encroachment Administrator: The CSA President shall either act or appoint an Encroachment Administrator who shall be a regular employee of CSA. This employee shall be the person responsible for carrying out the policies and procedures created herein; other duties assigned and shall report to the CSA President.

B. CSA Encroachment Agreement Application: Available on the CSA website is a printable pdf copy of the CSA Encroachment Agreement Application. The application along with a current property as-built survey depicting all improvements, including the entire encroachment into the CSA Open Space and identifying clearly what will be encroaching into the CSA Open Space, must be provided to the CSA Administration Department. Upon delivery the package will be reviewed by the Encroachment Administrator to ensure all required documents have been received and prepare the documentation for consideration by the CSA Board. CSA reserves the right to hold processing of any application until all assessments and any outstanding fees have been paid in full by property owner(s).

C. Fees: All requested documentation shall be accompanied by a nonrefundable application fee. This application fee shall be used to cover the administrative costs and legal filing fees once the encroachment request has received CSA Board approval.

II. Procedure

A. Persons Authorized To Request an Encroachment Agreement: Any person who is the owner of real property or an interest in real property within Sea Pines may request an encroachment agreement. Any agent, employee, attorney, salesperson, or other person designated by a property owner or a person who owns an interest in real estate may likewise request an encroachment agreement.

B. Required Action by CSA President

(1) Receipt of Request: Upon receipt of a request for an encroachment agreement, an as-built survey depicting the encroachment as well as any other supporting or requested documentation and the application fee, the Encroachment Administrator shall clearly define the requested encroachment and submit it to the CSA Board for its review and approval or disapproval. The CSA Board will vote on whether to approve the encroachment by email and if approved ratify it at the CSA Board's next regular meeting. Such approval will be valid for two (2) years from the date ratified. Upon receipt of the CSA Board's decision the CSA President or his designee will then send a written decision notifying the person requesting the encroachment agreement.

(2) Review of Approved Encroachment: Once the approved encroachment has been completed by the property owner, the CSA President or his designee will inspect the site to ensure it complies with the CSA Board approved plan. If it does, the encroachment agreement will be filed with the appropriate property deed. If the encroachment does not comply with the CSA Board approved plan, the CSA President or Encroachment Administrator will take appropriate action to correct the encroachment before the encroachment agreement is formally filed with the property deed.

The CSA Board reserves the right to further adopt, amend or change any policies, regulations or rules at or upon its sole discretion.