

CDD NEWSLETTER



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Special Edition

This special Edition is dedicated to better understanding issues regarding property ownership, and responsibilities of the appropriate governing organization.

John Schmidt – Chairman CDD

All residents of the Preserve at Tara should be aware that surrounding and within the Preserve, there are a number of owners of large tracts of land. The Preserve Golf Club is the largest owner of land, with all of the Condo Associations owning the next largest tract of property. Next comes the Community Development District (CDD), Manatee County, Southwest Florida Water Management District, Army Corp of Engineers and then individual home owners. One could imagine that understanding who owns what and who is responsible for maintaining the property has been and continues to be a healthy learning experience for your CDD Supervisors and the Field Manager.

Recently the Field Manager came into possession of a mapping program that gives us a pretty good idea of the Plats¹ in the Preserve.

1. A **plat** is a map, drawn to scale, showing the divisions of a piece of land. U.S. General Land Office surveyors drafted township plats of Public Lands Surveys to show the distance and bearing between section corners, sometimes including topographic or vegetation information. City, town or village plats show subdivisions into blocks with streets and alleys

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Further refinement often splits blocks into individual lots, usually for the purpose of selling the described lots; this has become known as subdivision. After the filing of a plat, legal descriptions can refer to block and lot-numbers rather than portions of sections

Even better is that the Field Manager can bring up on a computer screen a specific lot, say my lot, and show the outline of my property with a white line. Why is this important? It allows us to view where a resident’s property ends and helps to determine who owns the property behind a resident’s house or in some cases alongside the house.

Why is this important to all residents? It is very important, because you can now know who owns the property behind your house. You now can know if you are cutting someone else’s grass, trees, dumping on your neighbor’s property and who to negotiate with to get something accomplished, like thinning out some bush behind your house.

You can also now know that that \$800 Royal Palm you planted was in fact on CDD property, and suddenly you may not own it. Or that preserve area you had someone cut down was in fact under the control of the Southwest Florida Water Management District and you could be fined as much as \$10,000. Or you may find that the property you commonly call your back yard is owned by the Golf Club or CDD and your property line ends 6 feet from the back of your pool enclosure.

It may all be a bit frightening, but as we all get more familiar with living in the Preserve, we should begin to understand what can and cannot be done regarding the Preserve around us.

What's the CDD Doing?

The CDD Supervisors and Staff are diligent in their effort to better understand the legal role of the CDD, of what it is responsible, and how it can help the residents of the Preserve. As we become more knowledgeable about what our role is we also are finding the role of Manatee County in the Preserve, The Golf Club and Southwest Florida Water Management District. We are trying to impart this wisdom in these newsletters. And ask residents to attend CDD meetings.

Specifics: Water quality of all the ponds in the Preserve are the responsibility of the CDD. Did you know that if you live with a pond behind your house, that your property line ends far from the pond. Did you know that cutting grass around the pond is the responsibility of the CDD or the Golf Club? Did you know if you are having your lawn maintained by a contractor that they are not to cut beyond your property line and never to the water's edge? Did you know a mower that discharges into the pond is illegal? Did you know if you walk to the pond that you are legally trespassing? Did you know if you fertilize your own property that you must never fertilize CDD or Golf Club property? Did you know there are specific fertilizers for use in all of Manatee County, and you may be using the wrong blend?

During the November meeting of the CDD, the Board received a petition from a number of homeowners voicing their concern with the lack of quality of the present CDD Landscaper. Since then the Board has taken action and conducted two Workshops to better understand the problems addressed by the petition. Over the coming months, the Board will review findings of those workshops and determine actions to be taken within budget guidelines.

What can the CDD Do? Keep in mind that the CDD's main role is to pay back the bond that helped build the Preserve. Maintain the property and ponds that it has under its control

It actually has no enforcement ability when it comes to individual homeowners, or property owners including the Golf Club. If you are wondering who does, it is the Tara Master Association's Architectural Review Committee (TMA ARC). You see, the TMA has the deed restrictions in each homeowner's deed that give them the ability to monitor, approve or disapprove changes to your property. And no, the TMA ARC cannot restrict the CDD. There is an article on the following page from the ARC.

OK John, this is all very well, but what's one to do regarding issues of preserve, overgrowth, property values, etc.? There is no easy answer. But here is what I would do...

1. Know your property. Know where your property begins and ends. Who owns the property behind my house and alongside it? Is the property behind my house border a pond or preserve area? If preserve area, is there a piece of property between my property and the preserve area? If so, who owns that? Is it owned or is it a maintenance easement that the CDD maintains.
2. Better understand where you can go to get information. If clearly an issue over CDD owned or maintained land or ponds get to know the CDD Field Manager. If clearly an issue of land or trees or shrubs that are not CDD, then see the property owner or TMA Architectural Review Committee.
3. Remember dependent where you live, one may have to deal with the Villa Landscape Association, a Condo Association, the TMA ARC or the Community Development District, Manatee County or Southwest Florida Water Management District.

Frustrated? Unlike communities that have no Homeowner Association, we do have the TMA ARC. It has enforcement capabilities and can assist you in matters related to **Neighborhood, Neighbors, House Paint Colors, Cars, Driveways, Campers, Sports equipment, Trees on my property or a neighbors.** One can find out more about the ARC by using One Source.

Q. What role does the CDD have regarding property?

A. The CDD has the sole responsibility for property it owns or for which it has maintenance easement agreements. The CDD has no authority to act on behalf of any resident or corporation within its jurisdiction for which it has no easement. Please refer to the Decision Tree insert in this newsletter.

CDD Election Results:

Election of 3 CDD Supervisor seats took place during the General Elections, Manatee County, on November 4, 2014. The results are as follows:

Seat	Candidate	Winner
Seat 1	Beth Bond (unopposed)	Beth Bond
Seat 3!	Darby Connor 21.7% 166 votes Daniel D. Powers 78.2% 596 votes	Daniel Powers
Seat 5	Joseph A. Mojica (unopposed)	Joseph Mojica

Q. What is the length of office of a CDD Supervisor?

A. A CDD Supervisor term of office is 4 years.

Q. Can a CDD Supervisor be removed from office?

A. A Supervisor may resign or be removed from office by the Governor of the State of Florida

Where to Find CDD Information?

The CDD maintains a web site at:
<http://www.taracdd.org/>

One can access the site and obtain minutes of past meetings, newsletters, Aquatic Reports, Schedule of Meetings, Audit Reports, Budgets, Policies, and other information.

Additionally, general information can be found on the CDD Bulletin Board at the Community Center, and handouts when available inside the Community Center.

TMA Notes:

As a service, we try to dedicate some space for the Tara Master Association.

The Communications Committee has been working on a Tri-fold document for the homeowner wishing to sell his/her house. This handy document describes Tara and the Preserve. It will be ready for distribution in December. One can obtain copies at the Community Center during normal business hours. Notice of availability will be made on Channel 196 as well as on the TMA Bulletin Board at the Community Center.

The Document Review Committee is working with the Board of Directors to finalize changes to the TMA Governing Documents, including the By Laws and Covenants and Restrictions. When approved by the Board of Directors, residents may expect to receive a copy of the proposed changes and will then be given the opportunity to cast their ballot, either for or against the changes. This is anticipated to occur in 2015. Additional notice will be provided through Community Channels as well as other sources, still to be determined.

The monuments and landscaping the State Road 70 entrance to our community will undergo a refurbishment in early 2015.

Q. Where can I find TMA Information?

A. TMA information is available at:

- One Source;
- Channel 196 (Preserve Community Channel). You must have Comcast TV to see the channel;
- Bulletin Board at the Community Center;
- Email blasts from the Property Manager; and
- Friends of TMA Email notices.

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We're on the Web!

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