

By Representative Saunders

1 A bill to be entitled
2 An act relating to Collier County; to
3 extinguish, because of nonuse, certain
4 perimeter and bisecting easements within the
5 Golden Gate Estates subdivisions; providing
6 that all of such easements shall be
7 extinguished and be void as of midnight,
8 December 31, 1999, except to the extent that an
9 easement, on or before December 31, 1999, is in
10 actual use as a road, for drainage, or for
11 utility facilities, and a proper notice of
12 claim to the easement is recorded in the
13 official records of Collier County, not later
14 than December 31, 1999; providing that this act
15 shall not modify any effect chapter 712,
16 Florida Statutes, may have over easements;
17 providing that this special act shall be
18 published in a newspaper of general circulation
19 prior to July 1, 1997, and prior to July 1 for
20 the next 3 years; providing an effective date.

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22 Be It Enacted by the Legislature of the State of Florida:
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24 Section 1. (1) This act applies to all perimeter
25 easements and to all bisecting easements in each of the Golden
26 Gate Estates subdivisions, which easements were reserved,
27 dedicated, conveyed, or otherwise created by the Gulf American
28 Corporation, the Central Bank and Trust Company, Gulf American
29 Corporation Properties, Inc., or Avatar Properties, Inc.
30 Most, if not all, of these perimeter easements are 30 feet
31 wide. Most, if not all, of these bisecting easements are 60

1 feet wide. Most, if not all, of these easements were
2 "reserved" by one or more of the above-listed entities between
3 1961 and 1969, and include all of the easements that are
4 referred to in that "release" recorded in O.R. Book 1059, Page
5 631, or referred to in that "release" recorded in O.R. Book
6 1082, Page 326, Official Records of Collier County.

7 (2) All such perimeter easements and all such
8 bisecting easements shall be extinguished and be void as of
9 midnight, December 31, 1999, except to the extent that an
10 easement in actual use is claimed as follows: A notice of
11 claim of right to the easement, as described in s. 712.06,
12 Florida Statutes, must be recorded in the official records of
13 Collier County, not later than December 31, 1999. Each such
14 claim shall be limited to that length of the easement in
15 actual use as a road, for drainage, or as a location of one or
16 more utility facilities. The notice must describe the
17 boundaries of the easement that is actually being used. A
18 valid notice shall be claimed only by an owner of the fee of
19 any lot or other parcel of land over which any part of the
20 easement in actual use exists, or by an owner of any drainage
21 facilities or any utility facilities then located within the
22 respective easement area. A separate notice of claim must be
23 recorded for each claimed easement.

24 Section 2. This act does not modify any effect that
25 chapter 712, Florida Statutes, could have over any of these
26 easements, including possible extinguishment wholly
27 independent of this law.

28 Section 3. A copy of this law shall be published prior
29 to July 1, 1997, and prior to July 1 for the next 3 years by
30 the Collier County Administrator and in a newspaper of general
31 circulation within the Golden Gate Estates subdivision areas.

1 Section 4. This act shall take effect upon becoming a
2 law.
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