

By Representative Futch

1 A bill to be entitled
2 An act relating to conveyances of property;
3 amending s. 695.26, F.S.; requiring certain
4 instruments conveying real property to contain
5 an acknowledgment that the property is or is
6 not consistent with local plans and zoning
7 ordinances; providing for fees; providing an
8 effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraphs (e) and (f) of subsection (1) of
13 section 695.26, Florida Statutes, are amended, and paragraph
14 (g) is added to said subsection, to read:

15 695.26 Requirements for recording instruments
16 affecting real property.--

17 (1) No instrument by which the title to real property
18 or any interest therein is conveyed, assigned, encumbered, or
19 otherwise disposed of shall be recorded by the clerk of the
20 circuit court unless:

21 (e) A 3-inch by 3-inch space at the top right-hand
22 corner on the first page and a 1-inch by 3-inch space at the
23 top right-hand corner on each subsequent page are reserved for
24 use by the clerk of the court; ~~and~~

25 (f) In any instrument other than a mortgage conveying
26 or purporting to convey any interest in real property, the
27 name and post-office address of each grantee in such
28 instrument are legibly printed, typewritten, or stamped upon
29 such instrument; ~~and-~~

30 (g) The instrument contains an acknowledgment by an
31 officer or employee of a unit of local government within which

1 the property is located who is designated by the governing
2 body to make such acknowledgments, stating that the property
3 described in the instrument:

4 1. Is a parcel that has been subdivided, other than as
5 part of a subdivision that has been created and approved in
6 compliance with the applicable subdivision ordinance, out of a
7 larger parcel since the last recorded conveyance, assignment,
8 encumbrance, or other disposal of the larger parcel;

9 2. Is subject to the local government's comprehensive
10 plan or zoning ordinances; and

11 3. Is or is not consistent, as of the date the
12 acknowledgment is made, with each comprehensive plan and
13 zoning ordinance to which it is subject.

14 Section 2. A unit of local government may charge a
15 reasonable fee for its services, not to exceed \$25, to the
16 person presenting an instrument for acknowledgment under s.
17 695.26(1), Florida Statutes.

18 Section 3. This act shall take effect January 1, 1999.

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21 HOUSE SUMMARY

22 Requires an instrument conveying the title to real
23 property to be acknowledged by an officer or employee of
24 a unit of local government within which the conveyed
25 property is located when the property conveyed has been
26 created out of a larger parcel other than by means of the
27 applicable subdivision ordinance. The acknowledgment must
28 indicate whether the parcel is or is not in compliance
29 with applicable comprehensive plans and zoning codes.
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