

By Senator Clary

7-258A-98

1                                   A bill to be entitled  
2           An act relating to land platting; amending s.  
3           177.031, F.S.; defining terms relating to  
4           platting; amending s. 177.041, F.S.; requiring  
5           plats and replats of subdivisions submitted for  
6           approval to be accompanied by a boundary survey  
7           of the platted lands; amending s. 177.051,  
8           F.S.; revising provisions relating to naming  
9           and replatting subdivisions; amending s.  
10          177.061, F.S.; providing requirements for the  
11          recording of a plat; amending s. 177.071, F.S.;  
12          revising provisions relating to approval of  
13          plats by governing bodies; amending s. 177.081,  
14          F.S.; requiring plats to be reviewed by a  
15          professional surveyor and mapper before  
16          approval by a governing body; amending s.  
17          177.091, F.S.; providing requirements for  
18          monuments and revising other requirements of  
19          plats made for recording; amending s. 177.101,  
20          F.S.; providing for the vacation and annulment  
21          of prior plats; amending s. 177.141, F.S.;  
22          revising provisions relating to affidavits  
23          confirming errors on recorded plats; amending  
24          s. 177.151, F.S.; revising provisions relating  
25          to state plane coordinates; amending ss.  
26          177.021, 177.121, 177.131, 177.132, 177.27,  
27          177.38, F.S.; conforming references; providing  
28          an effective date.

29  
30 Be It Enacted by the Legislature of the State of Florida:  
31

1           Section 1. Section 177.021, Florida Statutes, is  
2 amended to read:

3           177.021 Legal status of recorded plats.--The recording  
4 of any plats made in compliance with the provisions of this  
5 part ~~chapter~~ shall serve to establish the identity of all  
6 lands shown on and being a part of such plats, and lands may  
7 thenceforth be conveyed by reference to such plat.

8           Section 2. Section 177.031, Florida Statutes, is  
9 amended to read:

10           177.031 Definitions.--As used in this part ~~chapter~~:

11           (1) "Alley" means a right-of-way providing a secondary  
12 means of access and service to abutting property.

13           (2) "Block" includes "tier" or "group" and means a  
14 group of lots existing within well-defined and fixed  
15 boundaries, usually being an area surrounded by streets or  
16 other physical barriers and having an assigned number, letter,  
17 or other name through which it may be identified.

18           (3) "Board" means any board appointed by a  
19 municipality, county commission, or state agency, such as the  
20 planning and zoning board, area planning board, or the  
21 governing board of a drainage district.

22           (4) "Governing body" means the board of county  
23 commissioners or the legal governing body of a county,  
24 municipality, town, or village of this state.

25           (5) "Cul-de-sac" means a street terminated at the end  
26 by a vehicular turnaround.

27           (6) "Developer" means the owners of record executing  
28 the dedication required by s. 177.081 and applying ~~person or~~  
29 ~~legal entity that applies~~ for approval of a plat of a  
30 subdivision pursuant to this part ~~chapter~~.

31

1           (7)(a) "Easement" means any strip of land created by a  
2 subdivider for public or private utilities, drainage,  
3 sanitation, or other specified uses having limitations, the  
4 title to which shall remain in the name of the property owner,  
5 subject to the right of use designated in the reservation of  
6 the servitude.

7           (b) "Public utility" includes any public or private  
8 utility, such as, but not limited to, storm drainage, sanitary  
9 sewers, electric power, water service, gas service, or  
10 telephone line, whether underground or overhead.

11           (8) "Survey data" means all information shown on the  
12 face of a plat that would delineate the physical boundaries of  
13 the subdivision and any parts thereof.

14           (9) "Improvements" may include, but are not limited  
15 to, street pavements, curbs and gutters, sidewalks, alley  
16 pavements, walkway pavements, water mains, sanitary sewers,  
17 storm sewers or drains, street names, signs, landscaping,  
18 permanent reference monuments (P.R.M.s), permanent control  
19 points (P.C.P.s), monuments, or any other improvement required  
20 by a governing body.

21           (10) "Professional surveyor and mapper" means a  
22 surveyor and mapper registered under chapter 472 who is in  
23 good standing with the Board of Professional Surveyors and  
24 Mappers.

25           (11) "Lot" includes tract or parcel and means the  
26 least fractional part of subdivided lands having limited fixed  
27 boundaries, and an assigned number, letter, or other name  
28 through which it may be identified.

29           (12) "Municipality" means any incorporated city, town,  
30 or village.

31

1           (13) "P.C.P." means permanent control point and shall  
2 be considered a reference monument, ~~which shall be a secondary~~  
3 ~~horizontal control monument and shall be a metal marker with~~  
4 ~~the point of reference marked thereon or a 4-inch by 4-inch~~  
5 ~~concrete monument a minimum of 24 inches long with the point~~  
6 ~~of reference marked thereon. A "P.C.P." must bear the~~  
7 ~~registration number of the surveyor and mapper filing the plat~~  
8 ~~of record; however, when the surveyor and mapper of record is~~  
9 ~~no longer in practice or is not available due to relocation of~~  
10 ~~his or her practice, or when the contractual relationship~~  
11 ~~between the subdivider and surveyor and mapper has been~~  
12 ~~terminated, any registered surveyor and mapper in good~~  
13 ~~standing shall be allowed to place permanent control points~~  
14 ~~(P.C.P.s) within the time allotted in s. 177.091(8).~~

15           (a) "P.C.P.s" set in impervious surfaces must:

16           1. Be composed of a metal marker with a point of  
17 reference.

18           2. Have a metal cap or disk bearing either the Florida  
19 registration number of the professional surveyor and mapper in  
20 responsible charge or the certificate of authorization number  
21 of the legal entity, which number shall be preceded by LS or  
22 LB as applicable and the letters "P.C.P."

23           (b) "P.C.P.s" set in pervious surfaces must:

24           1. Consist of a metal rod having a minimum length of  
25 18 inches and a minimum cross-section area of material of 0.2  
26 square inches encased in concrete. The concrete shall have a  
27 minimum cross-section area of 12.25 square inches and be a  
28 minimum of 24 inches long.

29           2. Be identified with a durable marker or cap with the  
30 point of reference marked thereon bearing either the Florida  
31 registration number of the professional surveyor and mapper in

1 responsible charge or the certificate of authorization number  
2 of the legal entity, which number shall be preceded by LS or  
3 LB as applicable and the letters "P.C.P."

4 (c) "P.C.P.s" must be detectable with conventional  
5 instruments for locating ferrous or magnetic objects.

6 (14) "Plat or replat" means a map or delineated  
7 representation of the subdivision of lands, being a complete  
8 exact representation of the subdivision and other information  
9 in compliance with the requirement of all applicable sections  
10 of this part ~~chapter~~ and of any local ordinances, ~~and may~~  
11 ~~include the terms "replat," "amended plat," or "revised plat."~~

12 (15) "P.R.M." means a permanent reference monument  
13 which must:

14 (a) Consist of a metal rod having a minimum length of  
15 18 inches and a minimum cross-section area of material of 0.2  
16 square inches encased in concrete. The concrete shall have a  
17 minimum cross-section area of 12.25 square inches and be a  
18 minimum of 24 inches long.

19 (b) Be identified with a durable marker or cap with  
20 the point of reference marked thereon bearing either the  
21 Florida registration number of the professional surveyor and  
22 mapper in responsible charge or the certificate of  
23 authorization number of the legal entity, which number shall  
24 be preceded by LS or LB as applicable and the letters "P.R.M."

25 (c) Be detectable with conventional instruments for  
26 locating ferrous or magnetic objects.

27  
28 If the location of the "P.R.M." falls in a hard surface such  
29 as asphalt or concrete, alternate monumentation may be used  
30 that is durable and identifiable, which consists of a metal  
31 rod a minimum of 24 inches long or a 1 1/2 -inch minimum

1 ~~diameter metal pipe a minimum of 20 inches long, either of~~  
2 ~~which shall be encased in a solid block of concrete or set in~~  
3 ~~natural bedrock, a minimum of 6 inches in diameter, and~~  
4 ~~extending a minimum of 18 inches below the top of the~~  
5 ~~monument, or a concrete monument 4 by 4 inches, a minimum of~~  
6 ~~24 inches long, with the point of reference marked thereon. A~~  
7 ~~metal cap marker, with the point of reference marked thereon,~~  
8 ~~shall bear the registration number of the surveyor and mapper~~  
9 ~~certifying the plat of record, and the letters "PRM" shall be~~  
10 ~~placed in the top of the monument.~~

11 (16) "Right-of-way" means land dedicated, deeded,  
12 used, or to be used for a street, alley, walkway, boulevard,  
13 drainage facility, access for ingress and egress, or other  
14 purpose by the public, certain designated individuals, or  
15 governing bodies.

16 (17) "Street" includes any access way such as a  
17 street, road, lane, highway, avenue, boulevard, alley,  
18 parkway, viaduct, circle, court, terrace, place, or  
19 cul-de-sac, and also includes all of the land lying between  
20 the right-of-way lines as delineated on a plat showing such  
21 streets, whether improved or unimproved, but shall not include  
22 those access ways such as easements and rights-of-way intended  
23 solely for limited utility purposes, such as for electric  
24 power lines, gas lines, telephone lines, water lines, drainage  
25 and sanitary sewers, and easements of ingress and egress.

26 (18) "Subdivision" means the division ~~platting~~ of land  
27 ~~real property~~ into three or more lots, parcels, tracts, tiers,  
28 blocks, sites, units, or any other division of land; and  
29 includes establishment of new streets and alleys, additions,  
30 and resubdivisions; and, when appropriate to the context,  
31

1 relates to the process of subdividing or to the lands or area  
2 subdivided.

3 (19) "State plane coordinates" means the system of  
4 plane coordinates which has been established by the National  
5 Ocean Service Survey for defining and stating the positions or  
6 locations of points on the surface of the earth within the  
7 state and shall hereinafter be known and designated as the  
8 "Florida State Plane Coordinate System." For the purpose of  
9 the use of this system, the zones ~~divisions~~ established by the  
10 National Ocean Service Survey in NOAA Manual NOS NGS 5, State  
11 Plane Coordinate System of 1983, ~~Special Publication Number~~  
12 255 shall be used, and the appropriate projection and zone  
13 designation shall be indicated and included in any description  
14 using the Florida State Plane Coordinate System.

15 (20) Surveying data:

16 (a) "Point of curvature," written "P.C.," means the  
17 point where a tangent circular curve begins.

18 (b) "Point of tangency," written "P.T.," means the  
19 point where a tangent circular curve ends and becomes tangent.

20 (c) "Point of compound curvature," written "P.C.C.,"  
21 means the point where two circular curves have a common point  
22 of tangency, the curves lying on the same side of the common  
23 tangent.

24 (d) "Point of reverse curvature," written "P.R.C.,"  
25 means the point where two circular curves have a common point  
26 of tangency, the curves lying on opposite sides of the common  
27 tangent.

28 (21) "Legal entity" means an entity that holds a  
29 certificate of authorization issued under chapter 472, whether  
30 the entity is a corporation, partnership, association, or  
31 person practicing under a fictitious name.

1           (22) "Monument" means a survey marker which must:  
2           (a) Be composed of a durable material.  
3           (b) Have a minimum length of 18 inches.  
4           (c) Have minimum cross-section area of material of 0.2  
5 square inches.  
6           (d) Be identified with a durable marker or cap bearing  
7 either the Florida registration number of the professional  
8 surveyor and mapper in responsible charge or the certificate  
9 of authorization number of the legal entity, which number  
10 shall be preceded by LS or LB as applicable.  
11           (e) Be detectable with conventional instruments for  
12 locating ferrous or magnetic objects.  
13  
14 If the location of the monument falls in a hard surface such a  
15 asphalt or concrete, alternate monumentation may be used that  
16 is durable and identifiable.  
17           Section 3. Section 177.041, Florida Statutes, is  
18 amended to read:  
19           177.041 Boundary survey and title certification  
20 required.--Every plat or replat of a subdivision submitted to  
21 the approving agency of the local governing body must be  
22 accompanied by:  
23           (1) A boundary survey of the platted lands. However, a  
24 new boundary survey for a replat is required only when the  
25 replat affects any boundary of the previously platted property  
26 or when improvements have been made on the lands to be  
27 replatted or adjoining lands. The boundary survey must be  
28 performed and prepared under the responsible direction and  
29 supervision of a professional surveyor and mapper preceding  
30 the initial submittal of the plat to the local governing body.  
31 This subsection does not restrict a legal entity from



1 employing one professional surveyor and mapper to perform and  
2 prepare the boundary survey and another professional surveyor  
3 and mapper to prepare the plat, except that both the boundary  
4 survey and the plat must be under the same legal entity.

5 (2) A title opinion of an attorney at law licensed in  
6 Florida or a certification by an abstractor or a title company  
7 showing that record title to the land as described and shown  
8 on the plat is in the name of the person, persons,  
9 corporation, or entity executing the dedication, ~~if any, as it~~  
10 ~~is shown on the plat and, if the plat does not contain a~~  
11 ~~dedication, that the developer has record title to the land.~~  
12 The title opinion or certification shall also show all  
13 mortgages not satisfied or released of record nor otherwise  
14 terminated by law.

15 Section 4. Section 177.051, Florida Statutes, is  
16 amended to read:

17 177.051 Name and replat of subdivision.--

18 (1) Every subdivision shall be given a name by which  
19 it shall be legally known. For the purpose of this section,  
20 that name is the "primary name." The primary ~~Such~~ name shall  
21 not be the same or in any way so similar to any name appearing  
22 on any recorded plat in the same county as to confuse the  
23 records or to mislead the public as to the identity of the  
24 subdivision, except when the subdivision is further divided  
25 ~~subdivided~~ as an additional unit or section by the same  
26 developer or the developer's successors in title. In that  
27 case, the additional unit, section, or phase shall be given  
28 the primary name followed by the unit, section, or phase  
29 number. Words such as "the," "replat," or "a" may not be used  
30 as the first word of the primary name. Every subdivision's  
31 name shall have legible lettering of the same size and type,

1 including the words "section," "unit," and "phase." If the  
2 word "replat" is not part of the primary name, then it may be  
3 of a different size and type. ~~"replat," "amended," etc.~~The  
4 primary name of the subdivision shall be shown in the  
5 dedication and shall coincide exactly with the subdivision  
6 name.

7       (2) Any change in a plat, except as provided in s.  
8 177.141, shall be labeled a "replat," and a replat must  
9 conform with this part. After the effective date of this act,  
10 the terms "amended plat," "revised plat," "corrected plat,"  
11 and "resubdivision" may not be used to describe the process by  
12 which a plat is changed.

13       Section 5. Section 177.061, Florida Statutes, is  
14 amended to read:

15       177.061 Qualification and statement required of person  
16 making survey and plat certification.--Every plat offered for  
17 recording pursuant to the provisions of this part must be  
18 prepared by a professional surveyor and mapper. The plat must  
19 be signed and sealed by that professional surveyor and mapper,  
20 who must state on the plat that the plat was prepared under  
21 his or her direction and supervision and that the plat  
22 complies with all of the survey requirements of this part.  
23 Every plat must also contain the printed name and registration  
24 number of the professional surveyor and mapper directly below  
25 the statement required by this section, along with the printed  
26 name, address, and certificate of authorization number of the  
27 legal entity, if any. A professional surveyor and mapper  
28 practicing independently of a legal entity must include his or  
29 her address.~~Every subdivision of lands made within the~~  
30 ~~provisions of this chapter shall be made under the responsible~~  
31 ~~direction and supervision of a surveyor and mapper who shall~~

1 ~~certify on the plat that the plat is a true and correct~~  
2 ~~representation of the lands surveyed, that the survey was made~~  
3 ~~under his or her responsible direction and supervision, and~~  
4 ~~that the survey data complies with all of the requirements of~~  
5 ~~this chapter. The certification shall bear the signature, the~~  
6 ~~registration number, and the official seal of the surveyor and~~  
7 ~~mapper.~~

8 Section 6. Section 177.071, Florida Statutes, is  
9 amended to read:

10 177.071 Approval of plat by governing bodies.--

11 (1) Before a plat is offered for recording, it must be  
12 approved by the appropriate governing body, and evidence of  
13 such approval must ~~shall~~ be placed on the plat. If not  
14 approved, the governing body must return the plat to the  
15 professional surveyor and mapper or the legal entity offering  
16 the plat for recordation. ~~However, such examination and~~  
17 ~~approval for conformity to this chapter by the appropriate~~  
18 ~~governing body shall not include the verification of the~~  
19 ~~survey data, except by a surveyor and mapper either employed~~  
20 ~~by or under contract to the local governing body for the~~  
21 ~~purpose of such examination.~~ For the purposes of this part  
22 ~~chapter:~~

23 (a) When the plat to be submitted for approval is  
24 located wholly within the boundaries of a municipality, the  
25 governing body of the municipality has exclusive jurisdiction  
26 to approve the plat.

27 (b) When a plat lies wholly within the unincorporated  
28 areas of a county, the governing body of the county has  
29 exclusive jurisdiction to approve the plat.

30 (c) When a plat lies within the boundaries of more  
31 than one governing body, two plats must be prepared and each

1 governing body has exclusive jurisdiction to approve the plat  
2 within its boundaries, unless the governing bodies having said  
3 jurisdiction agree that one plat is mutually acceptable.

4 (2) Any provision in a county charter, or in an  
5 ordinance of any ~~charter county or~~ consolidated government  
6 chartered under s. 6(e), Art. VIII of the State Constitution,  
7 which provision is inconsistent with anything contained in  
8 this section shall prevail in such charter county or  
9 consolidated government to the extent of any such  
10 inconsistency.

11 Section 7. Section 177.081, Florida Statutes, is  
12 amended to read:

13 177.081 Dedication and approval.--

14 (1) Prior to approval by the appropriate governing  
15 body, the plat shall be reviewed for conformity to this  
16 chapter by a professional surveyor and mapper either employed  
17 by or under contract to the local governing body, the costs of  
18 which shall be borne by the legal entity offering the plat for  
19 recordation, and evidence of such review must be placed on  
20 such plat.

21 (2) Every plat of a subdivision filed for record must  
22 contain a dedication by the owner or owners of record  
23 ~~developer~~. The dedication must ~~shall~~ be executed by all  
24 persons, corporations, or entities ~~developers~~ having a record  
25 interest in the lands subdivided, in the same manner in which  
26 deeds are required to be executed. All mortgagees having a  
27 record interest in the lands subdivided shall execute, in the  
28 same manner in which deeds are required to be executed, either  
29 the dedication contained on the plat or a separate instrument  
30 joining in and ratifying the plat and all dedications and  
31 reservations thereon.

1           (3)~~(2)~~ When a tract or parcel of land has been  
2 subdivided and a plat thereof bearing the dedication executed  
3 by the owners of record ~~developers~~ and mortgagees having a  
4 record interest in the lands subdivided, and when the approval  
5 of the governing body has been secured and recorded in  
6 compliance with this part ~~chapter~~, all streets, alleys,  
7 easements, rights-of-way, and public areas shown on such plat,  
8 unless otherwise stated, shall be deemed to have been  
9 dedicated to the public for the uses and purposes thereon  
10 stated. However, nothing herein shall be construed as  
11 creating an obligation upon any governing body to perform any  
12 act of construction or maintenance within such dedicated areas  
13 except when the obligation is voluntarily assumed by the  
14 governing body.

15           Section 8. Section 177.091, Florida Statutes, is  
16 amended to read:

17           177.091 Plats made for recording.--Every plat of a  
18 subdivision offered for recording shall conform to the  
19 following:

20           (1) It shall be:

21           (a) An original drawing made with black permanent  
22 drawing ink or varitype process on a good grade linen tracing  
23 cloth or with a suitable permanent black drawing ink on a  
24 stable base film, a minimum of 0.003 inches thick, coated upon  
25 completion with a suitable plastic material to prevent flaking  
26 and to assure permanent legibility; or

27           (b) A nonadhered scaled print on a stable base film  
28 made by photographic processes from a film scribing tested for  
29 residual hypo testing solution to assure permanency.

30  
31

1 Marginal lines, standard certificates and approval forms shall  
2 be printed on the plat with a permanent black drawing ink. A  
3 print or photographic copy of the original drawing shall be  
4 submitted with the original drawing.

5 (2) The size of each sheet shall be determined by the  
6 local governing body and shall be drawn with a marginal line,  
7 or printed when permitted by local ordinance, completely  
8 around each sheet and placed so as to leave at least a 1/2  
9 -inch margin on each of three sides and a 3-inch margin on the  
10 left side of the plat for binding purposes.

11 (3) When more than one sheet must be used to  
12 accurately portray the lands subdivided, an index or key map  
13 must be included and each sheet must show the particular  
14 number of that sheet and the total number of sheets included,  
15 as well as clearly labeled matchlines to show where other  
16 sheets match or adjoin.

17 (4) In all cases, the letter size and scale used shall  
18 be of sufficient size to show all detail. The scale ~~and~~ shall  
19 be both stated and graphically illustrated by a graphic scale  
20 drawn on every sheet showing any portion of the lands  
21 subdivided.

22 (5) The name of the plat shall be shown in bold  
23 legible letters, as stated in s. 177.051. The name of the  
24 subdivision shall be shown on each sheet included. The name of  
25 the professional surveyor and mapper or legal entity, along  
26 with the street and mailing address, must be shown on each  
27 sheet included.

28 (6) A prominent "north arrow" shall be drawn on every  
29 sheet included showing any portion of the lands subdivided.  
30 The bearing or azimuth reference shall be clearly stated on  
31 the face of the plat in the notes or legend and, in all cases,

1 the bearings used shall be referenced to some well-established  
2 and monumented line.

3 (7) Permanent reference monuments must be placed at  
4 each corner or change in direction on the boundary of the  
5 lands being platted ~~and; however, "P.R.M.s" need not be set~~  
6 ~~closer than 310 feet, but may not be more than 1,400~~ 1400 feet  
7 apart. ~~In all cases there must be a minimum of four "P.R.M.s"~~  
8 ~~placed on the boundary of the lands being platted.~~ Where such  
9 corners are in an inaccessible place, "P.R.M.s" shall be set  
10 on a nearby offset within the boundary of the plat and such  
11 offset shall be so noted on the plat. Where corners are found  
12 to coincide with a previously set "P.R.M.," the Florida  
13 registration number of the professional surveyor and mapper in  
14 responsible charge or the certificate of authorization number  
15 of the legal entity on the previously set "P.R.M." shall be  
16 shown on the new plat or, if unnumbered, shall so state.  
17 Permanent reference monuments shall be set before the  
18 recording of the plat, ~~and this will be so stated in the~~  
19 ~~surveyor and mapper's certificate on the plat.~~ The "P.R.M.s"  
20 ~~"P.R.M."~~ shall be shown on the plat by an appropriate symbol  
21 or designation.

22 (8) Permanent control points ~~"P.C.P.s"~~ shall be set on  
23 ~~at the intersection of~~ the centerline of the right-of-way at  
24 the intersection and terminus of all streets, at each change  
25 of direction, "P.C.s," "P.T.s," "P.R.C.s," and "P.C.C.s," and  
26 no more than 1,000 feet apart, ~~on tangent, between changes of~~  
27 ~~direction, or along the street right-of-way or block lines at~~  
28 ~~each change in direction and no more than 1,000 feet apart.~~  
29 Such "P.C.P.s" shall be shown on the plat by an appropriate  
30 symbol or designation. In those counties or municipalities  
31 that do not require subdivision improvements and do not accept

1 bonds or escrow accounts to construct improvements, "P.C.P.s"  
2 may be set prior to the recording of the plat and must be set  
3 within 1 year of the date the plat was recorded ~~and shall be~~  
4 ~~referred to in the surveyor and mapper's certificate.~~ In the  
5 counties or municipalities that require subdivision  
6 improvements and have the means of insuring the construction  
7 of said improvements, such as bonding requirements, "P.C.P.s"  
8 must be set prior to the expiration of the bond or other  
9 surety. If the professional surveyor and mapper or legal  
10 entity of record is no longer in practice or is not available  
11 due to relocation, or when the contractual relationship  
12 between the subdivider and professional surveyor and mapper or  
13 legal entity has been terminated, the subdivider shall  
14 contract with a professional surveyor and mapper or legal  
15 entity in good standing to place the "P.C.P.s" within the time  
16 allotted. ~~It is the surveyor and mapper's responsibility to~~  
17 ~~furnish the clerk or recording officer of the county or~~  
18 ~~municipality his or her certificate that the "P.C.P.s" have~~  
19 ~~been set and the dates the "P.C.P.s" were set.~~

20 (9) Monuments shall be set at all lot corners, points  
21 of intersection, and changes of direction of lines within the  
22 subdivision which do not require a "P.R.M." or a "P.C.P.";  
23 however, a monument need not be set if a monument already  
24 exists at such corner, point, or change of direction or when a  
25 monument cannot be set due to a physical obstruction. In those  
26 counties or municipalities that do not require subdivision  
27 improvements and do not accept bonds or escrow accounts to  
28 construct improvements, monuments may be set prior to the  
29 recording of the plat and must be set before the transfer of  
30 any lot. In those counties or municipalities that require  
31 subdivision improvements and have the means of ensuring the



1 construction of those improvements, such as bonding  
2 requirements, monuments shall be set prior to the expiration  
3 of the bond or other surety. If the professional surveyor and  
4 mapper or legal entity of record is no longer in practice or  
5 is not available due to relocation, or when the contractual  
6 relationship between the subdivider and professional surveyor  
7 and mapper or legal entity has been terminated, the subdivider  
8 shall contract with a professional surveyor and mapper or  
9 legal entity in good standing who shall be allowed to place  
10 the monuments within the time allotted.

11 ~~(10)(9) Each plat shall show~~ The section, township,  
12 and range shall appear immediately under the name of the plat  
13 on each sheet included, along with as applicable, or, if in a  
14 ~~land grant, the plat will so state.~~

15 ~~(10)~~ the name of the city, town, village, county, and  
16 state in which the land being platted is situated ~~shall appear~~  
17 ~~under the name of the plat as applicable.~~

18 (11) Each plat shall show a description of the lands  
19 subdivided, and the description shall be the same in the title  
20 certification. The description must be so complete that from  
21 it, without reference to the plat, the starting point and  
22 boundary can be determined.

23 (12) The dedications and approvals required by ss.  
24 177.071 and 177.081 must be shown.

25 (13) The circuit court clerk's certificate and the  
26 professional surveyor and mapper's seal and statement required  
27 by s. 177.061 shall be shown ~~certificate and seal.~~

28 (14) All section lines and quarter section lines  
29 occurring within the subdivision ~~in the map or plat~~ shall be  
30 indicated by lines drawn upon the map or plat, with  
31 appropriate words and figures. If the description is by metes

1 and bounds, all information called for, such as the point of  
2 commencement, course bearings and distances, and the point of  
3 beginning, shall be indicated, ~~together with all bearings and~~  
4 ~~distances of the boundary lines.~~ If the platted lands are in  
5 a land grant or are not included in the subdivision of  
6 government surveys, then the boundaries are to be defined by  
7 metes and bounds and courses. ~~The initial point in the~~  
8 ~~description shall be tied to the nearest government corner or~~  
9 ~~other recorded and well established corner.~~

10 (15) Location, width, and names of all streets,  
11 waterways, or other rights-of-way shall be shown, as  
12 applicable.

13 (16) Location and width of proposed easements and  
14 existing easements identified in the title opinion or  
15 certification required by s. 177.041(2) shall be shown on the  
16 plat or in the notes or legend, and their intended use shall  
17 be clearly stated. Where easements are not coincident with  
18 property lines, they must be labeled with bearings and  
19 distances and tied to the principal lot, tract, or  
20 right-of-way.

21 (17) All contiguous properties shall be identified by  
22 subdivision title, plat book, and page, or, if unplatted, land  
23 shall be so designated. If the subdivision platted is ~~a~~  
24 ~~resubdivision of~~ a part or the whole of a previously recorded  
25 subdivision, sufficient ties shall be shown to controlling  
26 lines appearing on the earlier plat to permit an overlay to be  
27 made; the fact of its being a replat ~~resubdivision~~ shall be  
28 stated as a subtitle under the name of the plat on each sheet  
29 included. The subtitle must state the name of the subdivision  
30 being replatted and the appropriate recording reference

31

1 ~~following the name of the subdivision wherever it appears on~~  
2 ~~the plat.~~

3 (18) All lots shall be numbered either by progressive  
4 numbers or, if in blocks, progressively numbered in each  
5 block, and the blocks progressively numbered or lettered,  
6 except that blocks in numbered additions bearing the same name  
7 may be numbered consecutively throughout the several  
8 additions.

9 ~~(19) Block corner radii dimensions shall be shown.~~

10 (19)~~(20)~~ Sufficient survey data shall be shown to  
11 positively describe the bounds of every lot, block, street  
12 easement, and all other areas shown on the plat. When any lot  
13 or portion of the subdivision is bounded by an irregular line,  
14 the major portion of that lot or subdivision shall be enclosed  
15 by a witness line showing complete data, with distances along  
16 all lines extended beyond the enclosure to the irregular  
17 boundary shown with as much certainty as can be determined or  
18 as "more or less," if variable. Lot, block, street, and all  
19 other dimensions except to irregular boundaries, shall be  
20 shown to a minimum of hundredths of feet. All measurements  
21 shall refer to horizontal plane and in accordance with the  
22 definition of the U.S. Survey foot or meter adopted by the  
23 National Institute of Standards and Technology. All  
24 measurements shall use the  $39.37/12=3.28083333333$  equation for  
25 conversion from a U.S. foot to meters ~~a metric foot~~.

26 (20)~~(21)~~ Curvilinear lot lines ~~lots~~ shall show the  
27 radii, arc distances, and central angles ~~or radii, chord, and~~  
28 ~~chord bearing, or both~~. Radial lines will be so designated.  
29 Direction of nonradial lines shall be indicated.

30 (21)~~(22)~~ Sufficient angles, bearings, or azimuth to  
31 show direction of all lines shall be shown, and all bearings,

1 angles, or azimuth shall be shown to the nearest second of  
2 arc.

3 (22)~~(23)~~ The centerlines of all streets shall be shown  
4 as follows: noncurved lines:with distances together with  
5 either,angles, bearings,or azimuths;azimuth, "P.C.s,"  
6 "P.T.s," "P.R.C.s," "P.C.C.s,"curved lines:arc distances  
7 distance, central angles, and tangents,radii, together with  
8 chord,and chord bearing or azimuths azimuth,or both.

9 (23)~~(24)~~ Park and recreation parcels as applicable  
10 shall be so designated.

11 (24)~~(25)~~ All interior excepted parcels as described in  
12 the description of the lands being subdivided shall be clearly  
13 indicated and labeled "Not a part of this plat."

14 (25)~~(26)~~ The purpose of all areas dedicated must be  
15 clearly indicated or stated on the plat.

16 (26)~~(27)~~ When it is not possible to show line or curve  
17 data detail information on the map, a tabular form may be  
18 used. The tabular data must appear on the sheet to which it  
19 applies.

20 (27)~~(28)~~ The plat shall include in a prominent place  
21 the following statements ~~statement~~: "NOTICE: This plat, as  
22 recorded in its graphic form, is the official depiction of the  
23 subdivided lands described herein and will in no circumstances  
24 be supplanted in authority by any other graphic or digital  
25 form of the plat, whether graphic or digital.There may be  
26 additional restrictions that are not recorded on this plat  
27 that may be found in the public records of this county."

28 (28)~~(29)~~ All platted utility easements shall provide  
29 that such easements shall also be easements for the  
30 construction, installation, maintenance, and operation of  
31 cable television services; provided, however, no such

1 construction, installation, maintenance, and operation of  
2 cable television services shall interfere with the facilities  
3 and services of an electric, telephone, gas, or other public  
4 utility. In the event a cable television company damages the  
5 facilities of a public utility, it shall be solely responsible  
6 for the damages. This section shall not apply to those private  
7 easements granted to or obtained by a particular electric,  
8 telephone, gas, or other public utility. Such construction,  
9 installation, maintenance, and operation shall comply with the  
10 National Electrical Safety Code as adopted by the Florida  
11 Public Service Commission.

12 (29) A legend of all symbols and abbreviations shall  
13 be shown.

14 Section 9. Subsection (2) of section 177.01, Florida  
15 Statutes, is amended to read:

16 177.101 Vacation and annulment of plats subdividing  
17 land.--

18 (2) Whenever it is discovered that after the filing of  
19 a plat subdividing a parcel of land located in the county, the  
20 developer of the lands therein and thereby subdivided did  
21 cause such lands embraced in said plat, or a part thereof, to  
22 be again and subsequently differently subdivided under another  
23 plat of the same and identical lands or a part thereof, which  
24 said second plat was also filed at a later date; and it is  
25 further made to appear to the governing body of the county  
26 that the filing and recording of the second plat would not  
27 materially affect the right of convenient access to lots  
28 previously conveyed under the first plat, the governing body  
29 of the county is authorized by resolution to vacate and annul  
30 so much of the first plat of such lands appearing of record as  
31 are included in the second plat, upon application of the

1 owners and developer of such lands under the first plat or  
2 their successors, grantees, or assignees, and the circuit  
3 court clerk of the county shall thereupon make proper notation  
4 of the action of the governing body upon the face of the first  
5 plat. The approval of a replat by the governing body of a  
6 local government, which encompasses lands embraced in all or  
7 part of a prior plat filed of public record shall, upon  
8 recordation of the replat, automatically and simultaneously  
9 vacate and annul all of the prior plat encompassed by the  
10 replat.

11 Section 10. Section 177.121, Florida Statutes, is  
12 amended to read:

13 177.121 Misdemeanor to molest monument or deface or  
14 destroy map or plat.--It is a misdemeanor of the second  
15 degree, punishable as provided in s. 775.082 or s. 775.083,  
16 for any person to molest any monuments established according  
17 to this part ~~chapter~~ or to deface or destroy any map or plat  
18 placed on public record.

19 Section 11. Subsection (2) of section 177.131, Florida  
20 Statutes, is amended to read:

21 177.131 Recordation of the Department of  
22 Transportation official right-of-way maps and other  
23 governmental right-of-way maps.--

24 (2) Sections 177.011-177.121 of this part ~~chapter~~ are  
25 not applicable to this section. Upon request of the clerk,  
26 the Department of Transportation shall furnish without charge  
27 a reproducible copy of its right-of-way maps.

28 Section 12. Section 177.132, Florida Statutes, is  
29 amended to read:

30 177.132 Preservation of unrecorded maps.--

31

1           (1) The clerk of the circuit court of a county may  
2 receive and copy, as unrecorded maps, otherwise unrecorded  
3 plats and maps, including sales maps, which describe or  
4 illustrate the boundaries and subdivision of parcels of land,  
5 but which do not necessarily indicate proper metes and bounds  
6 or otherwise comply with the recording requirements of this  
7 part ~~chapter~~. The receipt and copying of such documents shall  
8 not affect or impair the title to the property in any manner,  
9 nor shall it be construed as actual or constructive notice,  
10 but shall be for informational purposes only and shall not be  
11 referred to for the purpose of conveying property or for  
12 circumventing the lawful regulation and control of subdividing  
13 lands by local governing bodies. The clerk may maintain a  
14 separate book or other filing process provided by the county  
15 for this purpose. The clerk shall make reproductions of these  
16 copies available to the public at a reasonable fee.

17           (2) Sections 177.021-177.121 of this part ~~chapter~~  
18 shall not apply to this section.

19           Section 13. Section 177.141, Florida Statutes, is  
20 amended to read:

21           177.141 Affidavit confirming error on a recorded  
22 plat.--In the event an ~~appreciable~~ error or omission in the  
23 data shown on any plat duly recorded under the provisions of  
24 this part ~~chapter~~ is detected by subsequent examination or  
25 revealed by a retracement of the ~~lines run during the~~ original  
26 survey of the lands shown on such recorded plat, the  
27 professional surveyor and mapper or legal entity ~~who was~~  
28 responsible for the survey and the preparation of the plat as  
29 recorded may file an affidavit confirming that such error or  
30 omission was made. If applicable ~~However~~, the affidavit must  
31 state that the professional surveyor and mapper or legal

1 entity has made a resurvey of the subject property in the  
2 recorded subdivision within the last 10 days and that no  
3 evidence existed on the ground that would conflict with the  
4 corrections as stated in the affidavit. The affidavit shall  
5 describe the nature and extent of such error or omission and  
6 the appropriate correction that in the affiant's professional  
7 ~~surveyor and mapper's~~ opinion should be substituted for the  
8 erroneous data shown on the plat or added to the data on the  
9 plat. When such an affidavit is filed, it is the duty of the  
10 circuit court clerk to record the affidavit, and he or she  
11 must ~~shall~~ place in the margin of the recorded plat a notation  
12 that the affidavit has been filed, the date of filing, and the  
13 official book and page where it is recorded. The notation must  
14 also be placed on all copies of the plat used for reproduction  
15 purposes.The affidavit shall have no effect upon the validity  
16 of the plat ~~or on the information shown thereon.~~

17 Section 14. Section 177.151, Florida Statutes, is  
18 amended to read:

19 177.151 State plane coordinate.--

20 (1) Coordinates may be used to define or designate the  
21 position of points on the surface of the earth within the  
22 state for land descriptions and subdivision purposes, provided  
23 the initial point in the description shall be tied to the  
24 nearest government corner or other recorded and well  
25 established corner. The state plane coordinates of a point on  
26 the earth's surface, to be used in expressing the position or  
27 location of such point in the appropriate projection and zone  
28 system, shall consist of two distances, expressed in meters or  
29 feet and decimals of the same ~~a foot~~. One position distance,  
30 to be known as the "Northing," shall give the position in a  
31 north and south direction; the other,to be known as the



1 "Easting ~~x-coordinate~~," shall give the position in an east and  
2 west direction; ~~the other, to be known as the "y-coordinate,"~~  
3 ~~shall give the position in a north and south direction.~~ These  
4 coordinates shall be made to depend upon and conform to the  
5 origins and projections on the Florida State Plane Coordinate  
6 System and the geodetic control ~~triangulation and traverse~~  
7 stations of the National Ocean Service ~~Survey~~ within the  
8 state, as those origins and projections have been determined  
9 by such service ~~the said survey~~. When any tract of land to be  
10 defined by a single description extends from one into the  
11 other of the above projections or zones, the positions of all  
12 points on its boundary may be referred to either of the zones  
13 or projections, with the zone and projection being used  
14 specifically named in the description.

15 (2) The position of points on the Florida State Plane  
16 Coordinate System shall be as marked on the ground by geodetic  
17 control ~~triangulation or traverse~~ stations established in  
18 conformity with standards adopted by the National Ocean  
19 Service ~~Survey~~ for first-order and second-order work, the  
20 geodetic positions of which have been rigidly adjusted on the  
21 North American Datum of 1983, as readjusted in 1990, and the  
22 coordinates of which have been computed on the Florida State  
23 Plane Coordinate System ~~herein defined~~. Any such station may  
24 be used for establishing a survey connection with the Florida  
25 State Plane Coordinate System.

26 ~~(3) No coordinates based on the Florida Coordinate~~  
27 ~~System purporting to define the position of a point on a land~~  
28 ~~boundary may be presented to be recorded in any public land~~  
29 ~~records or deed records unless the point is within one-half~~  
30 ~~mile of a triangulation or traverse station established in~~  
31 ~~conformity with the standards described in s. 177.031(19).~~

1 ~~However, the said one-half mile limitation may be waived when~~  
2 ~~coordinates shown are certified as having been established in~~  
3 ~~accordance with National Ocean Survey requirements and~~  
4 ~~procedures for first-order or second-order work by a surveyor~~  
5 ~~and mapper licensed in the state. This certification of~~  
6 ~~order-of-accuracy must be included in the description of the~~  
7 ~~land involved.~~

8 ~~(4) The use of the term "Florida Coordinate System" on~~  
9 ~~any map, report of survey, or other document shall be limited~~  
10 ~~to coordinates based on the Florida Coordinate System as~~  
11 ~~defined in this chapter.~~

12 ~~(5) Whenever coordinates based on the Florida~~  
13 ~~Coordinate System are used to describe a tract of land which~~  
14 ~~in the same document is also described by reference to any~~  
15 ~~subdivision, line, or corner of the United States Public Land~~  
16 ~~Survey, the description by coordinates shall be construed as~~  
17 ~~supplemental to the basic description of such subdivision,~~  
18 ~~line, or corner contained in the official plats and field~~  
19 ~~notes of record, and, in the event of any conflict, the~~  
20 ~~description by reference to the subdivision, line, or corner~~  
21 ~~of the United States Public Land Survey shall prevail over the~~  
22 ~~description by coordinates.~~

23 ~~(6) Nothing contained in this chapter shall require~~  
24 ~~any purchaser or mortgagee to rely on a description any part~~  
25 ~~of which depends exclusively upon the Florida Coordinate~~  
26 ~~System.~~

27 Section 15. Subsection (3) of section 177.27, Florida  
28 Statutes, is amended to read:

29 177.27 Definitions.--The following words, phrases, or  
30 terms used herein, unless the context otherwise indicates,  
31 shall have the following meanings:

