

By the Committee on Regulated Industries and Senator Clary

315-1635-98

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,

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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
15 as asphalt or concrete, alternate monumentation may be used
16 that 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," or "phase." If the word
2 "replat" is not part of the primary name, then it may be of a
3 different size and type. ~~"replat," "amended," etc.~~ The primary
4 name of the subdivision shall be shown in the dedication and
5 shall coincide exactly with the subdivision name.

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

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

14 177.061 Qualification and statement required of person
15 making survey and plat certification.--Every plat offered for
16 recording pursuant to the provisions of this part must be
17 prepared by a professional surveyor and mapper. The plat must
18 be signed and sealed by that professional surveyor and mapper,
19 who must state on the plat that the plat was prepared under
20 his or her direction and supervision and that the plat
21 complies with all of the survey requirements of this part.
22 Every plat must also contain the printed name and registration
23 number of the professional surveyor and mapper directly below
24 the statement required by this section, along with the printed
25 name, address, and certificate of authorization number of the
26 legal entity, if any. A professional surveyor and mapper
27 practicing independently of a legal entity must include his or
28 her address. ~~Every subdivision of lands made within the~~
29 ~~provisions of this chapter shall be made under the responsible~~
30 ~~direction and supervision of a surveyor and mapper who shall~~
31 ~~certify on the plat that the plat is a true and correct~~

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

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

9 177.071 Approval of plat by governing bodies.--

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

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

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

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

1 within its boundaries, unless the governing bodies having said
2 jurisdiction agree that one plat is mutually acceptable.

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

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

12 177.081 Dedication and approval.--

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

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

31

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.

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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.There may be additional restrictions that
26 are not recorded on this plat that may be found in the public
27 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 177.101, 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:

1 (3) "Control tide station" means a place so designated
2 by the department or the National Ocean Service Survey at
3 which continuous tidal observations have been taken or are to
4 be taken over a minimum of 19 years to obtain basic tidal data
5 for the locality.

6 Section 16. Subsection (1) of section 177.38, Florida
7 Statutes, is amended to read:

8 177.38 Standards for establishment of local tidal
9 datums.--

10 (1) Unless otherwise allowed by this part or
11 regulations promulgated hereunder, a local tidal datum shall
12 be established from a series of tide observations taken at a
13 tide station established in accordance with procedures
14 approved by the department. In establishing such procedures,
15 full consideration will be given to the national standards and
16 procedures established by the National Ocean Service Survey.

17 Section 17. This act shall take effect July 1, 1998.

18
19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 Senate Bill 406

22 Corrects technical errors in the original bill.
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