

By the Committee on Real Property & Probate and Representative Henriquez

1 A bill to be entitled
2 An act relating to platted lands; amending s.
3 177.041, F.S.; revising language with respect
4 to certain boundaries for a replat; removing a
5 requirement that the boundary survey and plat
6 be prepared by a professional surveyor and
7 mapper under the same legal entity; amending s.
8 177.091, F.S.; revising language with respect
9 to certain monuments; providing an effective
10 date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (1) of section 177.041, Florida
15 Statutes, 1998 Supplement, is amended to read:

16 177.041 Boundary survey and title certification
17 required.--Every plat or replat of a subdivision submitted to
18 the approving agency of the local governing body must be
19 accompanied by:

20 (1) A boundary survey of the platted lands. However, a
21 new boundary survey for a replat is required only when the
22 replat affects any boundary of the previously platted property
23 or when improvements which may affect the boundary of the
24 previously platted property have been made on the lands to be
25 replatted ~~or adjoining lands~~. The boundary survey must be
26 performed and prepared under the responsible direction and
27 supervision of a professional surveyor and mapper preceding
28 the initial submittal of the plat to the local governing body.
29 This subsection does not restrict a legal entity from
30 employing one professional surveyor and mapper to perform and
31 prepare the boundary survey and another professional surveyor

1 and mapper to prepare the plat, ~~except that both the boundary~~
2 ~~survey and the plat must be under the same legal entity.~~

3 Section 2. Subsection (9) of section 177.091, Florida
4 Statutes, 1998 Supplement, is amended to read:

5 177.091 Plats made for recording.--Every plat of a
6 subdivision offered for recording shall conform to the
7 following:

8 (9) Monuments shall be set at all lot corners, points
9 of intersection, and changes of direction of lines within the
10 subdivision which do not require a "P.R.M." or a "P.C.P.";
11 however, a monument need not be set if a monument already
12 exists at such corner, point, or change of direction or when a
13 monument cannot be set due to a physical obstruction. In those
14 counties or municipalities that do not require subdivision
15 improvements and do not accept bonds or escrow accounts to
16 construct improvements, monuments may be set prior to the
17 recording of the plat and must be set at the lot corners
18 before the transfer of the ~~any~~ lot. In those counties or
19 municipalities that require subdivision improvements and have
20 the means of ensuring the construction of those improvements,
21 such as bonding requirements, monuments shall be set prior to
22 the expiration of the bond or other surety. If the
23 professional surveyor and mapper or legal entity of record is
24 no longer in practice or is not available due to relocation,
25 or when the contractual relationship between the subdivider
26 and professional surveyor and mapper or legal entity has been
27 terminated, the subdivider shall contract with a professional
28 surveyor and mapper or legal entity in good standing who shall
29 be allowed to place the monuments within the time allotted.

30 Section 3. This act shall take effect July 1, 1999.

31