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1 A bill to be entitled

2 An act relating to regulating the consolidation and
3 recordation of lands; providing for assembly and
4 readjustment of certain land plats; revising provisions
5 relating to recording land plats; amending ss. 95.191 and
6 95.192, F.S.; limiting actions to recover certain property
7 after a tax deed has been issued; amending s. 125.01,
8 F.S.; revising certain powers of county governments to
9 regulate lands; amending s. 127.01, F.S.; specifying
10 consolidation of certain property for certain purposes as
11 a county purpose; amending s. 163.3164, F.S.; revising the
12 definition of the term "land development regulations" and
13 defining the term "land assembly or adjustment"; amending
14 s. 163.3177, F.S.; revising requirements of future land
15 use plan elements of a required comprehensive plan to
16 address antiquated subdivisions and consolidation of
17 certain properties for certain purposes; amending s.
18 163.3202, F.S.; revising certain land development
19 regulation requirements to address consolidation of
20 certain properties for certain purposes; amending s.
21 163.340, F.S.; revising certain definitions to include
22 consolidation of certain properties and antiquated
23 subdivisions; amending s. 163.360, F.S.; including
24 antiquated subdivisions under certain community
25 redevelopment plan requirements; amending s. 166.411,
26 F.S.; including consolidation of certain properties for
27 certain purposes under municipal powers of eminent domain;
28 amending s. 177.011, F.S.; providing additional purposes
29 and scope relating to platting, replatting, and reassembly

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30 of lands; providing intent relating to regulation of land
31 platting and land assembly or adjustment; amending s.
32 177.031, F.S.; revising the definition of the term
33 "subdivision" and defining the term "land assembly or
34 adjustment"; amending s. 177.091, F.S.; requiring
35 recordation of approved subdivision plats in certain
36 public records; amending s. 177.101, F.S.; authorizing
37 local governing bodies to order the assembly or adjustment
38 of all or portions of subdivisions for certain purposes;
39 providing criteria and requirements; amending s. 177.111,
40 F.S.; requiring submittal of certain approved plats to
41 certain entities; amending s. 290.003, F.S.; declaring the
42 revitalization of antiquated subdivisions to be a public
43 purpose; amending s. 290.0058, F.S.; revising provisions
44 for determining general distress of certain areas to
45 include antiquated subdivisions and other criteria;
46 amending s. 380.031, F.S.; revising the definition of the
47 term "land development regulations" and defining the terms
48 "antiquated subdivisions" and "land assembly or
49 adjustment"; amending ss. 695.01 and 696.01, F.S.;
50 requiring recordation in certain public records of actions
51 relating to real property or interests in real property;
52 requiring attachment of certain plats or surveys to
53 certain instruments; amending s. 697.01, F.S.; including
54 contracts or agreements for deed in a provision relating
55 to deeming certain instruments as mortgages; specifying
56 application of certain recordation requirements; providing
57 an effective date.

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59 WHEREAS, antiquated subdivisions or large volumes of vacant
 60 lots within platted and unplatted subdivisions are detrimental
 61 to the local and regional economies and environment, hinder
 62 appropriate planning, and lead to inefficient development
 63 patterns, and

64 WHEREAS, large-scale land reassembly of subdivided lots is
 65 expensive to both the property owner and the local governing
 66 body and is administratively complicated and time consuming, and

67 WHEREAS, local governments could foster the reassembly of
 68 subdivided lots into parcels that would incorporate current
 69 planning practices for efficient development, NOW, THEREFORE,

70
 71 Be It Enacted by the Legislature of the State of Florida:

72
 73 Section 1. Section 95.191, Florida Statutes, is amended to
 74 read:

75 95.191 Limitations when tax deed holder in possession.--

76 (1) When the holder of a tax deed, other than a county,
 77 goes into actual possession of the real property described in
 78 the tax deed, no action to recover possession of the property
 79 may shall be maintained by a former owner or other adverse
 80 claimant unless the action commenced is begun within 4 years
 81 after the holder of the tax deed has gone into actual
 82 possession. When the real property is adversely possessed by any
 83 person, no action may shall be brought by the tax deed holder
 84 unless the action is begun within 4 years after ~~from~~ the date of
 85 the deed.

86 (2) No action may be brought by the former owner of the
 87 property or any claimant under the former owner after a tax deed

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88 has been issued for such property to:

89 (a) Any person, other than a county, in accordance with s.
 90 197.552 for a period of 4 years or more; or

91 (b) The county in accordance with s. 197.502(8) or s.
 92 197.552 for a period of 1 year or more.

93 Section 2. Subsection (1) of section 95.192, Florida
 94 Statutes, is amended to read:

95 95.192 Limitation upon acting against tax deeds.--

96 (1) When a tax deed has been issued to any person, other
 97 than a county, under s. 197.552 for 4 years or more, no action
 98 may shall be brought by the former owner of the property or any
 99 claimant under the former owner. No action may be brought by the
 100 former owner of the property or any claimant under the former
 101 owner after a tax deed for such property has been issued to the
 102 county under s. 197.502(8) or s. 197.552 for a period of 1 year
 103 or more.

104 Section 3. Paragraphs (g), (h), and (j) of subsection (1)
 105 of section 125.01, Florida Statutes, are amended to read:

106 125.01 Powers and duties.--

107 (1) The legislative and governing body of a county shall
 108 have the power to carry on county government. To the extent not
 109 inconsistent with general or special law, this power includes,
 110 but is not restricted to, the power to:

111 (g) Prepare and enforce comprehensive plans for the
 112 development of the county and the regulation of platted lands
 113 development, including platting, deplatting, and reassembly.

114 (h) Establish, coordinate, and enforce zoning and such
 115 business regulations as are necessary for the protection of the
 116 community and environmental welfare ~~public~~.

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117 (j) Establish and administer programs of housing, slum
 118 clearance, community redevelopment, conservation, flood and
 119 beach erosion control, air pollution control, platted lands
 120 assembly or adjustment, and navigation and drainage and
 121 cooperate with governmental agencies and private enterprises in
 122 the development and operation of such programs.

123 Section 4. Subsection (3) is added to section 127.01,
 124 Florida Statutes, to read:

125 127.01 Counties delegated power of eminent domain;
 126 recreational purposes, issue of necessity of taking.--

127 (3) The consolidation of platted or subdivided lots to
 128 allow replatting for more appropriate development or use shall
 129 be considered a county purpose.

130 Section 5. Subsection (23) of section 163.3164, Florida
 131 Statutes, is amended, and subsection (32) is added to said
 132 section, to read:

133 163.3164 Local Government Comprehensive Planning and Land
 134 Development Regulation Act; definitions.--As used in this act:

135 (23) "Land development regulations" means ordinances
 136 enacted by governing bodies for the regulation of any aspect of
 137 development and includes any local government zoning, rezoning,
 138 subdivision, land assembly or adjustment of platted or
 139 subdivided lands, building construction, or sign regulations or
 140 any other regulations controlling the development of land,
 141 except that this definition shall not apply in s. 163.3213.

142 (32) "Land assembly or adjustment" means the consolidation
 143 of contiguous and noncontiguous platted or subdivided lots and
 144 the vacation or deplatting of all or a portion of such lots to

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145 allow replatting and reassembly for more appropriate development
 146 or use.

147 Section 6. Paragraph (a) of subsection (6) of section
 148 163.3177, Florida Statutes, is amended to read:

149 163.3177 Required and optional elements of comprehensive
 150 plan; studies and surveys.--

151 (6) In addition to the requirements of subsections (1)-
 152 (5), the comprehensive plan shall include the following
 153 elements:

154 (a) A future land use plan element designating proposed
 155 future general distribution, location, and extent of the uses of
 156 land for residential uses, commercial uses, industry,
 157 agriculture, recreation, conservation, education, public
 158 buildings and grounds, other public facilities, and other
 159 categories of the public and private uses of land. Each future
 160 land use category must be defined in terms of uses included, and
 161 must include standards to be followed in the control and
 162 distribution of population densities and building and structure
 163 intensities. The proposed distribution, location, and extent of
 164 the various categories of land use shall be shown on a land use
 165 map or map series which shall be supplemented by goals,
 166 policies, and measurable objectives. The future land use plan
 167 shall be based upon surveys, studies, and data regarding the
 168 area, including the amount of land required to accommodate
 169 anticipated growth; the projected population of the area; the
 170 character of undeveloped land, including an analysis of
 171 antiquated subdivisions; the availability of public services;
 172 the need for redevelopment and land reassembly, including the
 173 renewal of blighted areas and the elimination of nonconforming

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174 uses which are inconsistent with the character of the community;
 175 and, in rural communities, the need for job creation, capital
 176 investment, and economic development that will strengthen and
 177 diversify the community's economy. The future land use plan may
 178 designate areas for future planned development use involving
 179 combinations of types of uses for which special regulations may
 180 be necessary to ensure development in accord with the principles
 181 and standards of the comprehensive plan and this act. The future
 182 land use plan shall contain provisions to address antiquated
 183 subdivisions that are underused to minimize the imbalance of
 184 single land use buildout, lack of public services, and
 185 environmental and water quality impacts. In addition, for rural
 186 communities, the amount of land designated for future planned
 187 industrial use shall be based upon surveys and studies that
 188 reflect the need for job creation, capital investment, and the
 189 necessity to strengthen and diversify the local economies, and
 190 shall not be limited solely by the projected population of the
 191 rural community. The future land use plan of a county may also
 192 designate areas for possible future municipal incorporation. The
 193 future land use plan element shall identify any area where the
 194 local government seeks to consolidate platted or subdivided lots
 195 and the vacation of all or a portion of such lots to allow
 196 appropriate development, redevelopment, reassembly, or any other
 197 use. The land use maps or map series shall generally identify
 198 and depict historic district boundaries and shall designate
 199 historically significant properties meriting protection. The
 200 future land use element must clearly identify the land use
 201 categories in which public schools are an allowable use. When
 202 delineating the land use categories in which public schools are

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203 an allowable use, a local government shall include in the
204 categories sufficient land proximate to residential development
205 to meet the projected needs for schools in coordination with
206 public school boards and may establish differing criteria for
207 schools of different type or size. Each local government shall
208 include lands contiguous to existing school sites, to the
209 maximum extent possible, within the land use categories in which
210 public schools are an allowable use. All comprehensive plans
211 must comply with the school siting requirements of this
212 paragraph no later than October 1, 1999. The failure by a local
213 government to comply with these school siting requirements by
214 October 1, 1999, will result in the prohibition of the local
215 government's ability to amend the local comprehensive plan,
216 except for plan amendments described in s. 163.3187(1)(b), until
217 the school siting requirements are met. Amendments proposed by a
218 local government for purposes of identifying the land use
219 categories in which public schools are an allowable use or for
220 adopting or amending the school-siting maps pursuant to s.
221 163.31776(3) are exempt from the limitation on the frequency of
222 plan amendments contained in s. 163.3187. The future land use
223 element shall include criteria that encourage the location of
224 schools proximate to urban residential areas to the extent
225 possible and shall require that the local government seek to
226 collocate public facilities, such as parks, libraries, and
227 community centers, with schools to the extent possible and to
228 encourage the use of elementary schools as focal points for
229 neighborhoods. For schools serving predominantly rural counties,
230 defined as a county with a population of 100,000 or fewer, an
231 agricultural land use category shall be eligible for the

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232 location of public school facilities if the local comprehensive
 233 plan contains school siting criteria and the location is
 234 consistent with such criteria.

235 Section 7. Paragraph (a) of subsection (2) and subsection
 236 (3) of section 163.3202, Florida Statutes, are amended to read:
 237 163.3202 Land development regulations.--

238 (2) Local land development regulations shall contain
 239 specific and detailed provisions necessary or desirable to
 240 implement the adopted comprehensive plan and shall as a minimum:

241 (a) Regulate the subdivision, assembly, reassembly, or
 242 adjustment of land, as defined in ss. 163.3164(32) and 177.101;

243 (3) This section shall be construed to encourage the use
 244 of innovative land development regulations which include
 245 provisions such as transfer of development rights, incentive and
 246 inclusionary zoning, planned-unit development, impact fees, ~~and~~
 247 performance zoning, and land assembly, reassembly, or
 248 adjustment, as described in chapter 177. These and all other
 249 such regulations shall be combined and compiled into a single
 250 land development code for the jurisdiction. A general zoning
 251 code shall not be required if a local government's adopted land
 252 development regulations meet the requirements of this section.

253 Section 8. Subsections (9) and (10) of section 163.340,
 254 Florida Statutes, are amended to read:

255 163.340 Definitions.--The following terms, wherever used
 256 or referred to in this part, have the following meanings:

257 (9) "Community redevelopment" or "redevelopment" means
 258 undertakings, activities, or projects of a county, municipality,
 259 or community redevelopment agency in a community redevelopment
 260 area for the elimination and prevention of the development or

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261 spread of slums and blight, or for the reduction or prevention
 262 of crime, or for the provision of affordable housing, whether
 263 for rent or for sale, to residents of low or moderate income,
 264 including the elderly, and may include slum clearance and
 265 redevelopment in a community redevelopment area or
 266 rehabilitation and revitalization of coastal resort and tourist
 267 areas that are deteriorating and economically distressed, ~~or~~
 268 rehabilitation or conservation in a community redevelopment
 269 area, or the reassembly, platting, or replatting of lands, or
 270 any combination or part thereof, in accordance with a community
 271 redevelopment plan and may include the preparation of such a
 272 plan.

273 (10) "Community redevelopment area" means a slum area, a
 274 blighted area, or an area in which there is a shortage of
 275 housing that is affordable to residents of low or moderate
 276 income, including the elderly, an antiquated subdivision, or a
 277 coastal and tourist area that is deteriorating and economically
 278 distressed due to outdated building density patterns, inadequate
 279 transportation and parking facilities, faulty lot layout or
 280 inadequate street layout, or a pattern of platted or subdivided
 281 lots in an area that makes the area unsuitable for economically
 282 viable development or use, or a combination thereof, which the
 283 governing body designates as appropriate for community
 284 redevelopment.

285 Section 9. Paragraph (b) of subsection (8) of section
 286 163.360, Florida Statutes, is amended to read:

287 163.360 Community redevelopment plans.--

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288 (8) If the community redevelopment area consists of an
 289 area of open land to be acquired by the county or the
 290 municipality, such area may not be so acquired unless:

291 (b) In the event the area is to be developed in whole or
 292 in part for nonresidential uses, the governing body determines
 293 that:

294 1. Such nonresidential uses are necessary and appropriate
 295 to facilitate the proper growth and development of the community
 296 in accordance with sound planning standards and local community
 297 objectives.

298 2. Acquisition may require the exercise of governmental
 299 action, as provided in this part, because of:

300 a. Defective, or unusual conditions of, title or diversity
 301 of ownership which prevents the free alienability of such land;

302 b. Tax delinquency;

303 c. Improper or antiquated subdivisions;

304 d. Outmoded street patterns;

305 e. Deterioration of site;

306 f. Economic disuse;

307 g. Unsuitable topography or faulty lot layouts;

308 h. Lack of correlation of the area with other areas of a
 309 county or municipality by streets and modern traffic
 310 requirements; or

311 i. Any combination of such factors or other conditions
 312 which retard development of the area.

313 3. Conditions of blight in the area contribute to an
 314 increase in and spread of disease and crime or constitute a
 315 menace to public health, safety, morals, or welfare.

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316 Section 10. Subsection (12) is added to section 166.411,
 317 Florida Statutes, to read:

318 166.411 Eminent domain; uses or purposes.--Municipalities
 319 are authorized to exercise the power of eminent domain for the
 320 following uses or purposes:

321 (12) The consolidation of platted or subdivided lots to
 322 allow replatting and reassembly for more appropriate development
 323 or use.

324 Section 11. Section 177.011, Florida Statutes, is amended
 325 to read:

326 177.011 Purpose and scope of part I.--This part shall be
 327 deemed to establish consistent minimum requirements, and to
 328 create such additional powers in local governing bodies, as
 329 herein provided to regulate and control the platting,
 330 replatting, and reassembly of lands. The public health, safety,
 331 comfort, economy, order, appearance, convenience, morals, and
 332 general welfare require the harmonious, orderly, and progressive
 333 development of land within this state and its counties and
 334 incorporated municipalities. In furtherance of this general
 335 purpose, counties and incorporated municipalities, individually
 336 or in combination, may adopt, amend, or revise and enforce
 337 measures relating to platting and land assembly or adjustment.

338 (1) The regulation of platting and land assembly or
 339 adjustment is intended to:

340 (a) Aid in the coordination of land development in
 341 counties and municipalities in accordance with orderly physical
 342 patterns.

343 (b) Discourage haphazard, premature, uneconomic, or
 344 scattered land development.

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345 (c) Encourage development of economically stable and
 346 healthful communities.

347 (d) Ensure adequate utilities provision to all lands being
 348 developed.

349 (e) Serve as one of the several instruments of the local
 350 comprehensive plan authorized by s. 163.3161.

351 (2) This part establishes minimum requirements and does
 352 not exclude additional provisions or regulations by local
 353 ordinance, laws, or regulations.

354 Section 12. Subsection (18) of section 177.031, Florida
 355 Statutes, is amended, and subsection (23) is added to said
 356 section, to read:

357 177.031 Definitions.--As used in this part:

358 (18) "Subdivision" means the division of land into two
 359 ~~three~~ or more lots, parcels, tracts, tiers, blocks, sites,
 360 units, or any other division of land; and includes establishment
 361 of new streets and alleys, additions, and resubdivisions; and,
 362 when appropriate to the context, relates to the process of
 363 subdividing or to the lands or area subdivided.

364 (23) "Land assembly or adjustment" means the consolidation
 365 of contiguous and noncontiguous platted or subdivided lots and
 366 the vacation or deplating of all or a portion of such lots to
 367 allow replatting and reassembly for more appropriate development
 368 or use.

369 Section 13. Section 177.091, Florida Statutes, is amended
 370 to read:

371 177.091 Plats made for recording.--Every approved plat of a
 372 subdivision shall be recorded in the public records of each

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373 county in which the property is situated and offered for
 374 ~~recording~~ shall conform to the following:

375 (1) It must be:

376 (a) An original drawing made with black permanent drawing
 377 ink; or

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

381
 382 Marginal lines, standard certificates and approval forms shall
 383 be printed on the plat with a permanent black drawing ink. A
 384 print or photographic copy of the original drawing must be
 385 submitted with the original drawing.

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

392 (3) When more than one sheet must be used to accurately
 393 portray the lands subdivided, an index or key map must be
 394 included and each sheet must show the particular number of that
 395 sheet and the total number of sheets included, as well as
 396 clearly labeled matchlines to show where other sheets match or
 397 adjoin.

398 (4) In all cases, the letter size and scale used shall be
 399 of sufficient size to show all detail. The scale shall be both
 400 stated and graphically illustrated by a graphic scale drawn on
 401 every sheet showing any portion of the lands subdivided.

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402 (5) The name of the plat shall be shown in bold legible
 403 letters, as stated in s. 177.051. The name of the subdivision
 404 shall be shown on each sheet included. The name of the
 405 professional surveyor and mapper or legal entity, along with the
 406 street and mailing address, must be shown on each sheet
 407 included.

408 (6) A prominent "north arrow" shall be drawn on every
 409 sheet included showing any portion of the lands subdivided. The
 410 bearing or azimuth reference shall be clearly stated on the face
 411 of the plat in the notes or legend, and, in all cases, the
 412 bearings used shall be referenced to some well established and
 413 monumented line.

414 (7) Permanent reference monuments must be placed at each
 415 corner or change in direction on the boundary of the lands being
 416 platted and may not be more than 1,400 feet apart. Where such
 417 corners are in an inaccessible place, "P.R.M.s" shall be set on
 418 a nearby offset within the boundary of the plat and such offset
 419 shall be so noted on the plat. Where corners are found to
 420 coincide with a previously set "P.R.M.," the Florida
 421 registration number of the professional surveyor and mapper in
 422 responsible charge or the certificate of authorization number of
 423 the legal entity on the previously set "P.R.M." shall be shown
 424 on the new plat or, if unnumbered, shall so state. Permanent
 425 reference monuments shall be set before the recording of the
 426 plat. The "P.R.M.s" shall be shown on the plat by an appropriate
 427 symbol or designation.

428 (8) Permanent control points shall be set on the
 429 centerline of the right-of-way at the intersection and terminus
 430 of all streets, at each change of direction, and no more than

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431 1,000 feet apart. Such "P.C.P.s" shall be shown on the plat by
 432 an appropriate symbol or designation. In those counties or
 433 municipalities that do not require subdivision improvements and
 434 do not accept bonds or escrow accounts to construct
 435 improvements, "P.C.P.s" may be set prior to the recording of the
 436 plat and must be set within 1 year of the date the plat was
 437 recorded. In the counties or municipalities that require
 438 subdivision improvements and have the means of insuring the
 439 construction of said improvements, such as bonding requirements,
 440 "P.C.P.s" must be set prior to the expiration of the bond or
 441 other surety. If the professional surveyor and mapper or legal
 442 entity of record is no longer in practice or is not available
 443 due to relocation, or when the contractual relationship between
 444 the subdivider and professional surveyor and mapper or legal
 445 entity has been terminated, the subdivider shall contract with a
 446 professional surveyor and mapper or legal entity in good
 447 standing to place the "P.C.P.s" within the time allotted.

448 (9) Monuments shall be set at all lot corners, points of
 449 intersection, and changes of direction of lines within the
 450 subdivision which do not require a "P.R.M." or a "P.C.P.";
 451 however, a monument need not be set if a monument already exists
 452 at such corner, point, or change of direction or when a monument
 453 cannot be set due to a physical obstruction. In those counties
 454 or municipalities that do not require subdivision improvements
 455 and do not accept bonds or escrow accounts to construct
 456 improvements, monuments may be set prior to the recording of the
 457 plat and must be set at the lot corners before the transfer of
 458 the lot. In those counties or municipalities that require
 459 subdivision improvements and have the means of ensuring the

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460 construction of those improvements, such as bonding
 461 requirements, monuments shall be set prior to the expiration of
 462 the bond or other surety. If the professional surveyor and
 463 mapper or legal entity of record is no longer in practice or is
 464 not available due to relocation, or when the contractual
 465 relationship between the subdivider and professional surveyor
 466 and mapper or legal entity has been terminated, the subdivider
 467 shall contract with a professional surveyor and mapper or legal
 468 entity in good standing who shall be allowed to place the
 469 monuments within the time allotted.

470 (10) The section, township, and range shall appear
 471 immediately under the name of the plat on each sheet included,
 472 along with the name of the city, town, village, county, and
 473 state in which the land being platted is situated.

474 (11) Each plat shall show a description of the lands
 475 subdivided, and the description shall be the same in the title
 476 certification. The description must be so complete that from it,
 477 without reference to the plat, the starting point and boundary
 478 can be determined.

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

481 (13) The circuit court clerk's certificate and the
 482 professional surveyor and mapper's seal and statement required
 483 by s. 177.061 shall be shown.

484 (14) All section lines and quarter section lines occurring
 485 within the subdivision shall be indicated by lines drawn upon
 486 the map or plat, with appropriate words and figures. If the
 487 description is by metes and bounds, all information called for,
 488 such as the point of commencement, course bearings and

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489 distances, and the point of beginning, shall be indicated. If
 490 the platted lands are in a land grant or are not included in the
 491 subdivision of government surveys, then the boundaries are to be
 492 defined by metes and bounds and courses.

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

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

502 (17) All contiguous properties shall be identified by
 503 subdivision title, plat book, and page, or, if unplatted, land
 504 shall be so designated. If the subdivision platted is a part or
 505 the whole of a previously recorded subdivision, sufficient ties
 506 shall be shown to controlling lines appearing on the earlier
 507 plat to permit an overlay to be made; the fact of its being a
 508 replat shall be stated as a subtitle under the name of the plat
 509 on each sheet included. The subtitle must state the name of the
 510 subdivision being replatted and the appropriate recording
 511 reference.

512 (18) All lots shall be numbered either by progressive
 513 numbers or, if in blocks, progressively numbered in each block,
 514 and the blocks progressively numbered or lettered, except that
 515 blocks in numbered additions bearing the same name may be
 516 numbered consecutively throughout the several additions.

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517 (19) Sufficient survey data shall be shown to positively
 518 describe the bounds of every lot, block, street easement, and
 519 all other areas shown on the plat. When any lot or portion of
 520 the subdivision is bounded by an irregular line, the major
 521 portion of that lot or subdivision shall be enclosed by a
 522 witness line showing complete data, with distances along all
 523 lines extended beyond the enclosure to the irregular boundary
 524 shown with as much certainty as can be determined or as "more or
 525 less," if variable. Lot, block, street, and all other dimensions
 526 except to irregular boundaries, shall be shown to a minimum of
 527 hundredths of feet. All measurements shall refer to horizontal
 528 plane and in accordance with the definition of the U.S. Survey
 529 foot or meter adopted by the National Institute of Standards and
 530 Technology. All measurements shall use the $^{39.37}/_{12}=3.28083333333$
 531 equation for conversion from a U.S. foot to meters.

532 (20) Curvilinear lot lines shall show the radii, arc
 533 distances, and central angles. Radial lines will be so
 534 designated. Direction of nonradial lines shall be indicated.

535 (21) Sufficient angles, bearings, or azimuth to show
 536 direction of all lines shall be shown, and all bearings, angles,
 537 or azimuth shall be shown to the nearest second of arc.

538 (22) The centerlines of all streets shall be shown as
 539 follows: noncurved lines: distances together with either angles,
 540 bearings, or azimuths; curved lines: arc distances, central
 541 angles, and radii, together with chord and chord bearing or
 542 azimuths.

543 (23) Park and recreation parcels as applicable shall be so
 544 designated.

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545 (24) All interior excepted parcels as described in the
 546 description of the lands being subdivided shall be clearly
 547 indicated and labeled "Not a part of this plat."

548 (25) The purpose of all areas dedicated must be clearly
 549 indicated or stated on the plat.

550 (26) When it is not possible to show line or curve data
 551 information on the map, a tabular form may be used. The tabular
 552 data must appear on the sheet to which it applies.

553 (27) The plat shall include in a prominent place the
 554 following statements: "NOTICE: This plat, as recorded in its
 555 graphic form, is the official depiction of the subdivided lands
 556 described herein and will in no circumstances be supplanted in
 557 authority by any other graphic or digital form of the plat.
 558 There may be additional restrictions that are not recorded on
 559 this plat that may be found in the public records of this
 560 county."

561 (28) All platted utility easements shall provide that such
 562 easements shall also be easements for the construction,
 563 installation, maintenance, and operation of cable television
 564 services; provided, however, no such construction, installation,
 565 maintenance, and operation of cable television services shall
 566 interfere with the facilities and services of an electric,
 567 telephone, gas, or other public utility. In the event a cable
 568 television company damages the facilities of a public utility,
 569 it shall be solely responsible for the damages. This section
 570 shall not apply to those private easements granted to or
 571 obtained by a particular electric, telephone, gas, or other
 572 public utility. Such construction, installation, maintenance,

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573 and operation shall comply with the National Electrical Safety
 574 Code as adopted by the Florida Public Service Commission.

575 (29) A legend of all symbols and abbreviations shall be
 576 shown.

577 Section 14. Section 177.101, Florida Statutes, is amended
 578 to read:

579 177.101 Assembly, replat, vacation, and annulment of plats
 580 subdividing land.--

581 (1) Whenever it is discovered, after the plat has been
 582 recorded in the public records, that the developer has
 583 previously caused the lands embraced in the second plat to be
 584 differently subdivided under and by virtue of another plat of
 585 the same identical lands, and the first plat was also filed of
 586 public record at an earlier date, and no conveyances of lots by
 587 reference to the first plat so filed appears of record in such
 588 county, the governing body of the county is authorized and
 589 directed to and shall, by resolution, vacate and annul the first
 590 plat of such lands appearing of record upon the application of
 591 the developer of such lands under the first plat or upon
 592 application of the owners of all the lots shown and designated
 593 upon the second and subsequent plat of such lands, and the
 594 circuit court clerk of the county shall thereupon make proper
 595 notation of the annulment of such plat upon the face of such
 596 annulled plat.

597 (2) Whenever it is discovered that after the filing of a
 598 plat subdividing a parcel of land located in the county, the
 599 developer of the lands therein and thereby subdivided did cause
 600 such lands embraced in said plat, or a part thereof, to be again
 601 and subsequently differently subdivided under another plat of

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602 the same and identical lands or a part thereof, which said
 603 second plat was also filed at a later date; and it is further
 604 made to appear to the governing body of the county that the
 605 filing and recording of the second plat would not materially
 606 affect the right of convenient access to lots previously
 607 conveyed under the first plat, the governing body of the county
 608 is authorized by resolution to vacate and annul so much of the
 609 first plat of such lands appearing of record as are included in
 610 the second plat, upon application of the owners and developer of
 611 such lands under the first plat or their successors, grantees,
 612 or assignees, and the circuit court clerk of the county shall
 613 thereupon make proper notation of the action of the governing
 614 body upon the face of the first plat. The approval of a replat
 615 by the governing body of a local government, which encompasses
 616 lands embraced in all or part of a prior plat filed of public
 617 record shall, upon recordation of the replat, automatically and
 618 simultaneously vacate and annul all of the prior plat
 619 encompassed by the replat.

620 (3) The governing bodies of the counties of the state may
 621 adopt resolutions vacating plats in whole or in part of
 622 subdivisions in said counties, returning the property covered by
 623 such plats either in whole or in part into acreage. Before such
 624 resolution of vacating any plat either in whole or in part shall
 625 be entered by the governing body of a county, it must be shown
 626 that the persons making application for said vacation own the
 627 fee simple title to the whole or that part of the tract covered
 628 by the plat sought to be vacated, and it must be further shown
 629 that the vacation by the governing body of the county will not

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630 affect the ownership or right of convenient access of persons
 631 owning other parts of the subdivision.

632 (4) Persons making application for vacations of plats
 633 either in whole or in part shall give notice of their intention
 634 to apply to the governing body of the county to vacate said plat
 635 by publishing legal notice in a newspaper of general circulation
 636 in the county in which the tract or parcel of land is located,
 637 in not less than two weekly issues of said paper, and must
 638 attach to the petition for vacation the proof of such
 639 publication, together with certificates showing that all state
 640 and county taxes have been paid. For the purpose of the tax
 641 collector's certification that state, county, and municipal
 642 taxes have been paid, the taxes shall be deemed to have been
 643 paid if, in addition to any partial payment under s. 194.171,
 644 the owner of the platted lands sought to be vacated shall post a
 645 cash bond, approved by the tax collector of the county where the
 646 land is located and by the Department of Revenue, conditioned to
 647 pay the full amount of any judgment entered pursuant to s.
 648 194.192 adverse to the person making partial payment, including
 649 all costs, interest, and penalties. The circuit court shall fix
 650 the amount of said bond by order, after considering the
 651 reasonable timeframe for such litigation and all other relevant
 652 factors; and a certified copy of such approval, order, and cash
 653 bond shall be attached to the application. If such tract or
 654 parcel of land is within the corporate limits of any
 655 incorporated city or town, the governing body of the county
 656 shall be furnished with a certified copy of a resolution of the
 657 town council or city commission, as the case may be, showing

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658 that it has already by suitable resolution vacated such plat or
 659 subdivision or such part thereof sought to be vacated.

660 (5) Every such resolution by the governing body shall have
 661 the effect of vacating all streets and alleys which have not
 662 become highways necessary for use by the traveling public. Such
 663 vacation shall not become effective until a certified copy of
 664 such resolution has been filed in the offices of the circuit
 665 court clerk and duly recorded in the public records of said
 666 county.

667 (6) All resolutions vacating plats by the governing body
 668 of a county prior to September 1, 1971, are hereby validated,
 669 ratified, and confirmed. Such resolutions shall have the same
 670 effect as if the plat had been vacated after September 1, 1971.

671 (7)(a) The governing body of a county may order the
 672 assembly or adjustment of all or part of a subdivision within
 673 its jurisdiction to the provisions and objectives of the revised
 674 local comprehensive plan. It may order the assembly, replatting,
 675 or vacation of the acreage of the existing plat on any portion
 676 of the subdivision, including the vacation of streets or other
 677 parcels of land dedicated for public purposes or any of such
 678 streets or other parcels, when:

679 1. The plat of the subdivision was recorded as provided by
 680 law, or approved pursuant to law but not recorded, not less than
 681 25 years before the date of such action.

682 2. In the subdivision or a portion of the subdivision, not
 683 more than 20 percent of the total subdivision area has been
 684 built into the uses of the subdivision's zoned or land use
 685 purposes.

686 (b) Any persons or entities, other than the local

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687 governing body, pursuing reassembly of a parcel pursuant to this
 688 section must demonstrate that the persons or entities making
 689 application for such vacation own the fee simple title to at
 690 least 60 percent of the subdivision or portion of the tract
 691 covered by the plat sought to be vacated and must demonstrate
 692 that the vacation will not affect the ownership or right of
 693 convenient access of persons owning other parts of the
 694 subdivision.

695 (c) Such action shall be based on a finding by the
 696 governing body that the proposed assembly or adjustment, or
 697 vacation and reversion to acreage of subdivided land, conforms
 698 to the comprehensive plan of the area and that the public
 699 health, safety, economy, comfort, order, convenience, and
 700 welfare will be promoted.

701 (d) A county governing authority shall establish
 702 provisions for the fair and just compensation of any fee simple
 703 owner of platted lands within the tract covered by the
 704 application for vacation and reversion to acreage who, for
 705 whatever reason, has refused to participate in the application.

706 Section 15. Section 177.111, Florida Statutes, is amended
 707 to read:

708 177.111 Instructions for filing plat.--After the approval
 709 by the appropriate governing body required by s. 177.071, the
 710 plat shall be submitted to ~~recorded by~~ the circuit court clerk
 711 or other recording officer for recording in the public records
 712 of the county ~~upon submission thereto of such approved plat.~~ The
 713 circuit court clerk or other recording officer shall maintain in
 714 his or her office a book of the proper size for such papers so
 715 that they shall not be folded, to be kept in the vault. A print

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716 or photographic copy must be filed in a similar book and kept in
 717 his or her office for the use of the public. The clerk shall
 718 make available to the public a full size copy of the record plat
 719 at a reasonable fee.

720 Section 16. Section 290.003, Florida Statutes, is amended
 721 to read:

722 290.003 Policy and purpose.--It is the policy of this
 723 state to provide the necessary means to assist local
 724 communities, their residents, and the private sector in creating
 725 the proper economic and social environment to induce the
 726 investment of private resources in productive business
 727 enterprises located in severely distressed areas and to provide
 728 jobs for residents of such areas. In achieving this objective,
 729 the state will seek to provide appropriate investments, tax
 730 benefits, and regulatory relief of sufficient importance to
 731 encourage the business community to commit its financial
 732 participation. The purpose of ss. 290.001-290.016 is to
 733 establish a process that clearly identifies such severely
 734 distressed areas and provides incentives by both the state and
 735 local government to induce private investment in such areas. The
 736 Legislature, therefore, declares the revitalization of
 737 enterprise zones and antiquated subdivisions, through the
 738 concerted efforts of government and the private sector, to be a
 739 public purpose.

740 Section 17. Subsection (4) of section 290.0058, Florida
 741 Statutes, is amended to read:

742 290.0058 Determination of pervasive poverty, unemployment,
 743 and general distress.--

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744 (4) General distress shall be evidenced by describing
 745 adverse conditions within the nominated area, including
 746 antiquated subdivisions, other than those of pervasive poverty
 747 and unemployment. A high incidence of crime, abandoned
 748 structures, and deteriorated infrastructure; ~~or~~ substantial
 749 population change; a high percentage of tax delinquent parcels;
 750 or inappropriate lot sizes to ensure a balance of land uses
 751 ~~decline~~ are examples of appropriate indicators of general
 752 distress.

753 Section 18. Subsection (8) of section 380.031, Florida
 754 Statutes, is amended, and subsections (21) and (22) are added to
 755 said section, to read:

756 380.031 Definitions.--As used in this chapter:

757 (8) "Land development regulations" include local zoning,
 758 subdivision, assembly, reassembly, or adjustment of platted or
 759 subdivided lands, building, and other regulations controlling
 760 the development of land.

761 (21) "Land assembly or adjustment" means the consolidation
 762 of contiguous and noncontiguous platted or subdivided lots and
 763 the vacation or deplatting of all or a portion of these lots to
 764 allow replatting and reassembly for more appropriate development
 765 or use.

766 (22) "Antiquated subdivisions" means subdivisions or large
 767 numbers of lots within platted and unplatted subdivisions that
 768 were recorded prior to 1980 in which the continued buildout of
 769 the subdivision would provide an imbalance of land uses and
 770 would be detrimental to the local and regional economies and
 771 environment, hinder current planning practices, and lead to
 772 inefficient development patterns.

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773 Section 19. Subsection (1) of section 695.01, Florida
 774 Statutes, is amended to read:

775 695.01 Conveyances to be recorded.--

776 (1) Every conveyance, transfer, agreement or contract for
 777 deed, and transfer of, or mortgage of, real property, or any
 778 interest therein, shall be recorded in the public records of the
 779 county in which the real property is situated. A copy of the
 780 approved, recorded plat or survey, if the plat is unrecorded or
 781 the legal description is not attached, shall be attached to each
 782 instrument and submitted to the clerk of the circuit court for
 783 recording. No conveyance, transfer, or mortgage of real
 784 property, or of any interest therein, nor any lease for a term
 785 of 1 year or longer, shall be good and effectual in law or
 786 equity against creditors or subsequent purchasers for a valuable
 787 consideration and without notice, unless the same be recorded
 788 according to law; nor shall any such instrument made or executed
 789 by virtue of any power of attorney be good or effectual in law
 790 or in equity against creditors or subsequent purchasers for a
 791 valuable consideration and without notice unless the power of
 792 attorney be recorded before the accruing of the right of such
 793 creditor or subsequent purchaser.

794 Section 20. Section 696.01, Florida Statutes, is amended
 795 to read:

796 696.01 Contracts for sale of realty must be acknowledged
 797 in order to be recorded.--All contracts for deed or other
 798 instruments for the purchase or sale of real estate must be
 799 recorded in the public records of the county where the real
 800 property is situated. A copy of the approved recorded plat or
 801 survey must be attached to each instrument at the time of

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802 recording. No contract, agreement, or other instrument
 803 purporting to contain an agreement to purchase or sell real
 804 estate shall be recorded in the public records of any county in
 805 the state, unless such contract, agreement or other instrument
 806 is acknowledged by the vendor in the manner provided by law for
 807 the acknowledgment of deeds; and where there is no
 808 acknowledgment on the part of the vendor, the recording officers
 809 in the various counties of this state shall refuse to accept
 810 such instrument for record.

811 Section 21. Subsection (1) of section 697.01, Florida
 812 Statutes, is amended to read:

813 697.01 Instruments deemed mortgages.--

814 (1) All conveyances, obligations conditioned or
 815 defeasible, bills of sale, contracts or agreements for deed, or
 816 other instruments of writing conveying or selling property,
 817 either real or personal, for the purpose or with the intention
 818 of securing the payment of money, whether such instrument be
 819 from the debtor to the creditor or from the debtor to some third
 820 person in trust for the creditor, shall be deemed and held
 821 mortgages, and shall be subject to the same rules of foreclosure
 822 and to the same regulations, restraints, recordation
 823 requirements, and forms as are prescribed in relation to
 824 mortgages.

825 Section 22. This act shall take effect upon becoming a
 826 law.