

1                                   A bill to be entitled  
 2       An act relating to marketable record title; amending s.  
 3       712.03, F.S.; revising the exceptions to marketability by  
 4       including any right, title, or interest held by the Board  
 5       of Trustees of the Internal Improvement Trust Fund, any  
 6       water management district, or the United States; amending  
 7       s. 712.04, F.S.; conforming provisions to changes made by  
 8       the act; providing an effective date.

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

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 12       Section 1. Subsection (9) is added to section 712.03,  
 13   Florida Statutes, to read:

14       712.03 Exceptions to marketability.—Such marketable record  
 15   title shall not affect or extinguish the following rights:

16       (9) Any right, title, or interest held by the Board of  
 17   Trustees of the Internal Improvement Trust Fund, any water  
 18   management district created under chapter 373, or the United  
 19   States.

20       Section 2. Section 712.04, Florida Statutes, is amended to  
 21   read:

22       712.04 Interests extinguished by marketable record title.—  
 23   Subject to ~~the matters stated in~~ s. 712.03, a ~~such~~ marketable  
 24   record title is ~~shall be~~ free and clear of all estates,  
 25   interests, claims, or charges ~~whatsoever~~, the existence of which  
 26   depends upon any act, title transaction, event, or omission that  
 27   occurred before ~~prior to~~ the effective date of the root of  
 28   title. Except as provided in s. 712.03, all such estates,

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29 | interests, claims, or charges, however denominated, whether they  
30 | ~~such estates, interests, claims, or charges~~ are or appear to be  
31 | held or asserted by a person sui juris or under a disability,  
32 | whether such person is within or without the state, ~~whether such~~  
33 | ~~person is~~ natural or corporate, or ~~is~~ private or governmental,  
34 | are ~~hereby~~ declared to be null and void. However, except that  
35 | this chapter does ~~shall not be deemed to~~ affect any right,  
36 | title, or interest of the United States, Florida, or any of its  
37 | officers, boards, commissions, or other agencies reserved in the  
38 | patent or deed by which the United States, Florida, or any of  
39 | its agencies parted with title.

40 |       Section 3. This act shall take effect July 1, 2010.