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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/27/2010 05:48 PM

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Senator Baker moved the following:

**Senate Amendment (with title amendment)**

Delete lines 43 - 85

and insert:

Section 3. Subsection (3) of section 712.06, Florida Statutes, is amended to read:

712.06 Contents of notice; recording and indexing.—

(3) The person providing the notice referred to in s. 712.05 shall:

(a) Cause the clerk of the circuit court to ~~shall, upon~~ such ~~filing,~~ mail by registered or certified mail to the purported owner of said property, as stated in such notice, a copy thereof and shall enter on the original, before recording



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14 the same, a certificate showing such mailing. For preparing the  
15 certificate, the claimant shall pay to the clerk the service  
16 charge as prescribed in s. 28.24(8) and the necessary costs of  
17 mailing, in addition to the recording charges as prescribed in  
18 s. 28.24(12). If the notice names purported owners having more  
19 than one address, the person filing the same shall furnish a  
20 true copy for each of the several addresses stated, and the  
21 clerk shall send one such copy to the purported owners named at  
22 each respective address. Such certificate shall be sufficient if  
23 the same reads substantially as follows:

24  
25 I hereby certify that I did on this ....., mail by  
26 registered (or certified) mail a copy of the foregoing notice to  
27 each of the following at the address stated:

28  
29 ... (Clerk of the circuit court) ...  
30 of .... County, Florida,  
31 By ... (Deputy clerk) ...  
32

33 The clerk of the circuit court is not required to mail to the  
34 purported owner of such property any such notice that pertains  
35 solely to the preserving of any covenant or restriction or any  
36 portion of a covenant or restriction; or

37 (b) Publish once a week, for 2 consecutive weeks, the  
38 notice referred to in s. 712.05, with the official record book  
39 and page number in which such notice was recorded, in a  
40 newspaper as defined in chapter 50 in the county in which the  
41 property is located.  
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43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45       Delete lines 9 - 11

46 and insert:

47       amending s. 712.06, F.S.; providing requirements for a

48       recorded notice to preserve a claim of right;

49       providing an effective date.