

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Robinson, W. offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 704.09, Florida Statutes, is created to  
6 read:

7 704.09 Creation of easements, servitudes, and other  
8 interests affecting real property owned by the same owner.-

9 (1) An owner of real property may create an easement,  
10 servitude, or other interest in the owner's real property,  
11 notwithstanding that the owner owns all of the affected real  
12 property.

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13 (2) An easement, servitude, or other interest in real  
14 property created by an owner in the owner's real property before  
15 the effective date of this act is valid unless invalidated by a  
16 court on grounds other than unity of title.

17 Section 2. It is the intent of the Legislature to respect  
18 the intent of the parties to real property transactions that  
19 occurred before the effective date of this act and the parties'  
20 reliance on easements, servitudes, or other interests created by  
21 those transactions.

22 Section 3. The Division of Law Revision is directed to  
23 replace the phrase "the effective date of this act" wherever it  
24 occurs in s. 704.09, Florida Statutes, as created by this act,  
25 with the date this act becomes a law.

26 Section 4. This act shall take effect upon becoming a law.

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29 **T I T L E A M E N D M E N T**

30 Remove everything before the enacting clause and insert:

31 A bill to be entitled  
32 An act relating to easements affecting real property  
33 owned by the same owner; creating s. 704.09, F.S.;

34 authorizing an owner of real property to create an  
35 easement, servitude, or other interest in the owner's  
36 real property and providing that such easement,  
37 servitude, or other interest is valid; providing an

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38 |       exception; providing legislative intent; providing a  
39 |       directive to the Division of Law Revision; providing  
40 |       an effective date.

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