

HB 1335

2014

1 A bill to be entitled

2 An act relating to the Loxahatchee Groves Water
3 Control District, Palm Beach County; amending chapter
4 99-425, Laws of Florida, as amended; providing for the
5 dedication of road right-of-way easements to the
6 public; providing requirements for such dedication;
7 providing for prima facie evidence of such public road
8 right-of-way easements; exempting certain property of
9 an electric utility; assigning continuing traffic
10 control jurisdiction on all public roads within the
11 district to the Town of Loxahatchee Groves; providing
12 an effective date.

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

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16 Section 1. Section 9 is added to section 2 of chapter 99-
17 425, Laws of Florida, as amended, to read:

18 Section 9. Roads presumed to be dedicated.-

19 a. When a road within the district has been constructed by
20 the district, and when such road has been maintained or repaired
21 continuously and uninterruptedly for 7 years by the district, an
22 easement for such road over, under, across, upon, through, and
23 within the underlying real property for road right-of-way
24 purposes shall be deemed to be dedicated to the public to the
25 extent of the width that has been actually maintained or
26 repaired for the prescribed period, whether or not the road has

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27 been formally established as a public road. The dedication shall
28 vest such easement in and to the road in the public, whether or
29 not there is a record of conveyance, dedication, or
30 appropriation to the public use.

31 b. The filing of a map in the office of the clerk of the
32 circuit court of the county where the road is located showing
33 the lands and reciting on it that the road has been dedicated in
34 accordance with subsection a., or by any other means of
35 acquisition, duly certified by the chair and secretary of the
36 district, shall be prima facie evidence of the public's easement
37 rights.

38 c. This section does not apply to any facility of an
39 electric utility which is located on property otherwise subject
40 to this section.

41 d. The Town of Loxahatchee Groves shall continue to have
42 traffic control jurisdiction over all public roads located
43 within the district.

44 Section 2. This act shall take effect upon becoming a law.