



DEVELOPMENT SERVICES DEPARTMENT – ENGINEERING DIVISION

RIGHT-OF-WAY AND EASEMENT DEDICATION INSTRUCTIONS

Revision Date: 01/03/2024 | I.D. Number: ROWEDP

PUBLIC RIGHT-OF-WAY, SIDEWALK (PUBLIC ACCESS), UTILITIES and DRAINAGE EASEMENTS DEDICATION PROCESS

These instructions are intended to assist applicants with Right-of-Way, Sidewalk, Public Access, Utilities and Drainage Easement conveyances to the City.

Conveyances are generally required as a condition of site plan approval or vacation of Right-of-Way and must be executed prior to issuance of a Certificate of Occupancy.

****READ THESE INSTRUCTIONS CAREFULLY TO AVOID DELAYS. ****

Quick links to forms:

- [Attorney's Opinion of Title](#)
 - [Right-of-Way Easement](#)
 - [Public Access Easement](#)
 - [Public Sidewalk Easement](#)
 - [Public Drainage Easement](#)
 - [Public Utility Easement](#)
 - [Public Water and/or Sanitary Sewer Easement](#)
 - [Joinder and Consent by Ground Tenant](#)
 - [Joinder, Consent and Partial Release](#)
 - [Joinder, Consent and Subordination](#)
- If legal descriptions of the easements overlap, with the consent and approval of the City, the various easements may be combined into one instrument. The City reserves the right to require changes to the final easements based on structural elements unique to the project. The City may require an **exclusive Easement** depending on the unique elements of the project and other regulatory concerns.
 - **YOU MUST CONFIRM STATUS OF EASEMENT PRIOR TO SUBMITTING FOR APPROVAL.**
 - **ALL RIGHT OF WAY EASEMENTS ARE EXCLUSIVE.** This list is not intended to be exhaustive of all the easements the City may require. On occasion, depending on the project, it may be necessary to require additional easements not listed above.
 - The **City's latest Online standard Microsoft Word templates** are required, ****with Review-Track Changes Feature enabled**** City staff **must see** the changes in strike-through (deletions) and/or any (word additions).



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Required Documents

I. Attorney's Opinion of Title (OPINION):

- a. The latest Online-City-Microsoft Word-Template is required for Attorney's Opinion of Title **(Note: Not required for 1st submittal . Engineering will advise when to submit during review process.)** The digital draft must keep tracking enabled and maintain formatting of template.
- b. The City Attorney's Office(CAO) will review the proposed changes to determine if they are acceptable.
- c. All instruments referenced in the OPINION (except for plats) must be included in the Title packet. All special exceptions must be listed.
- d. All liens, judgments, claims of liens and mortgages (which have not been released) must be reflected on the OPINION.
- e. The OPINION shall accurately reflect the instrument being proffered to the City and indicate all parties whose signature is required for a binding agreement.
- f. Once advised by City to order, the effective date of the Title Search, within the OPINION, should be dated **no earlier than thirty days prior to recording.**

II. Easement and/or Right-of-Way Deed:

- a. The conveyance document shall be prepared by an attorney authorized to practice law in the State of Florida.
- b. The company name, (i.e., Grantor) on the easement shall be exactly as it appears in the Attorney's Opinion of Title.
- c. If the owner is a Corporation, the President or Vice President of the company must sign the document; and if a Florida Corporation, the signee must be on file with the State Division of Corporations as the holder of that office.
- d. If the owner is an LLC, the document must be signed by the managing member; however, if the managing member is an LLC or Corporation, the person signing must either be the president, vice president, managing member, etc. until the person signing is signing as either the President or Vice President of a corporation or a managing member or a general partner.
- e. If the owner is a Limited Partnership, the document must be signed by the General Partner as confirmed by a Certificate of Limited Partnership submitted by the owner.
- f. Alternatively, if the names of the people on the documents cannot be verified along with their titles by review of Florida Corporate Records, then the Owner shall be required to submit a certified resolution of minutes letter from a board meeting of the Corporation/ LLC/ LP that contains language authorizing the individual who has signed the document as having authority to sign such document.
- g. Note: Additional documentation may be required if owner is not a Florida corporation.



III. Survey Sketch and Legal Description:

- a. Shall be prepared and certified by a Professional Land Surveyor and labeled as "Exhibit A" under the "Witnesseth" section of this document (do not write in the legal description in this area).
- b. Drawings shall also be prepared with the professional surveyor's title block in legal size (8.5 in. X 11 in.) (Adobe pdf only)

IV. Joinder, Consent, and Subordination by Mortgagee/Lien Holder (if applicable per item 1 above) ***Engineering will advise when to submit OPINION and Joinder.**

- a. Joinder and Consent for Right of Way easements (pedestrian and vehicular traffic) for public easements shall require a subordination from the Mortgagee/lienholder. Conveyance of fee simple interest to the City shall require a Partial Release of the parcel conveyed to the City.

V. As-Built Sketch: The purpose of the as-built sketch is to show constructed features (such as meters, sewer manholes, etc.) within prescribed easements and/or right-of-way per design.

- a. Sufficient information shall be provided for City staff to easily determine that the constructed feature(s) is located properly within the easement(s).
- b. As-builts shall be prepared, 8 ½" x 11" in size, with a title block showing company information.
 - i. As-builts must be signed/sealed by a Professional Surveyor.
 - ii. One corner of the easement shall be tied to a property corner.
 - iii. For water meter vaults: ties from the easement corners to at least three corners of the vault shall be provided.
 - iv. For manholes: ties from one easement corner to the radius point of the manhole shall be provided.
 - v. As-builts for sidewalks.

First Submittal Requirements:

1. Upload through [LauderBuild](#) (Select New Application - Permits/Engineering - Engineering-Service Requests - Legal Documents). ***Engineering will advise when to submit OPINION.**
2. Submit requested materials **at least six weeks prior** to requiring final Certification of Occupancy.
3. First submittals are digital drafts reviewed for accuracy and completeness **and are not executed at this stage**; however, the exact names of the organizations and names and titles of the signatories **need to be typed on the forms.**



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4. Supporting Documents/Exhibits (sized 8.5 in. x 11 in.) must be in “Adobe pdf format ONLY”.
5. (1) submittal per upload (don't combine files)
6. An Engineering Services Record number will be provided for you to track the progress Online
7. **If corrections and/or updates are requested, the six week time frame commences** from the time the corrections are submitted. Submit corrections Online by Uploading to the Record - Attachments through **LauderBuild**.

AFTER Acceptance:

- A. City staff will notify applicant to provide hard copy original executed documents with the City accepted changes/corrections, along with Opinion of Title (effective within 30 days and Joinder (if applicable).
 - i. Exhibits must be original with Applicant Surveyor's raised seal and signature.
- B. Submit to the Engineering Division of the Development Services Department, located at 700 NW 19 Avenue, Fort Lauderdale, FL 3331
 - i. Upon arriving, pull a ticket for ENGINEERING > QUESTIONS.
 - ii. A DSD Engineering Senior Administrative Assistant will come out to meet you.
 - iii. DSD Engineering staff will coordinate/route the package(s) internally.

AFTER Approval and Final Execution:

- A. CAO returns the final package(s) to DSD. Engineering Staff notifies the applicant that the final documents are READY FOR PICKUP.
- B. The **APPLICANT PICKS UP and RECORDS** the documents at the Broward County Records Department and **UPLOADS the RECORDED documents** (in Adobe pdf format) to the ENG-LD record in **LauderBuild**

Point of Contact:

Communications shall be through Main Point of Contact, DSD Engineering Senior Admin Assistant, who will coordinate with other City Divisions. If no email reply within 24h, you may call 954-828-5232 for assistance.