

MEMORANDUM

DATE: Dec 20, 2009
TO: Whom It May Concern
FROM: Chris Poisson, Right of Way Project Coordinator
SUBJECT: **Right of Way Dedications to the Florida Department of Transportation**

The following are the procedures to be followed when property is to be dedicated through the permitting process. The dedicated property will be dedicated in fee title. Only under exceptional circumstances will the Department consider a perpetual easement.

RESPONSIBILITIES OF REQUESTOR(S):

- Submit the following to the Permits Office:
 - Five (5) signed and sealed copies of the sketch and legal description of the area to be dedicated to the Department
 - In writing, the full name of the corporation and the full names of the corporate officers (Corporation Ownership) or the full name of the individual owner(s) (Individual Ownership) who owns the property to be dedicated.
 - A Title Report, Title Commitment (Binder), or Title Insurance Policy, dated/certified within 90 days of receipt by the Right of Way Mapping Office and covering the full legal description of the contiguous property owned by the requestor or the area to be dedicated and including legible copies of the following:
 - Proof of current ownership.
 - All documents which create, or purport to create, an interest in, a lien against, or an encumbrance and potential encumbrance on the title to the subject real property (including T.I.I.T.F.s and easements) beginning from the point at which the United States government grant transferred the property to state of Florida to present.
 - All unrecorded documents, such as leases.
 - A full legible copy of the Declaration of Condominium, if applicable.
 - Full legible copies of all “exceptions” as indicated on a Title Commitment (Binder) and Title Insurance Policy.
 - The Florida Department of Transportation named as an insured.
- NOTE: An Attorney’s Opinion of Title is not acceptable in lieu of the above.**
- The Tax I. D. Number and status of the property taxes of the subject property, including any exemptions.
 - A copy of the site plan for the property.
 - A Phase I environmental assessment of the area to be dedicated.
 - A statement from the appropriate county tax collector identifying any delinquent and daily pro-rata tax due on the area to be dedicated.

NOTE: The title information will be rejected if all documentation is not attached.

- **Requestor** is responsible for providing the Department with clear title. Requestor, once in receipt of conveyance documents prepared by the Department, must ensure that they are executed by the appropriate party(ies).
- **Requestor** is responsible for all recording fees related to the dedication. See county websites for fees.
 - Once the deed and any other necessary documents are signed and reviewed by FDOT legal staff, the **requestor** will record said deed and any other necessary documents in the Official Records of the appropriate County office within 24 business hours of approval.
 - Original recorded document(s) will be forwarded to the Right of Way Production Services unit.
- **Requestor** is responsible for all property taxes due for the area to be dedicated up to the date of the dedication (the date the deed is signed).