

DIVISION 3. FINAL PLAT NOTES AND CERTIFICATION

Sec. 6.3.1. Final plat requirements.

- A. A title block consisting of a formal title with one or more subtitles, centered at the top of each sheet of the Final Plat, as follows:
- (1) The title shall be the formal name of the proposed subdivision. The name shall not duplicate the name of any other existing subdivision in the County, unless the subdivision is part of an overall development bearing that common name. This portion of the title block shall be largest print included within the title block;
 - (2) In compliance with § 177.081 FS, the Final Plat shall be reviewed for conformity with Ch. 177 FS and the Marion County Land Development Code. Evidence of this review and final approval shall be shown in the form of a signed stamped certification to be placed on the left hand margin of the cover sheet of the plat by the reviewing professional surveyor and mapper.
 - (3) The following sub-titles shall be provided, in a print subordinate to the print of the formal title, as applicable, in the following order:
 - (a) The master or overall development name and phase, if it was not included as part of the formal name;
 - (b) *"A HAMLET SUBDIVISION"* if the final plat is for a hamlet subdivision created under the provisions of Section 3.3.3.A(2);
 - (c) *"A PLANNED UNIT DEVELOPMENT"* if the final plat is for a project within a PUD created under the provision of Article 4;
 - (d) *"A REPLAT OF ..."* and then listing a summary of the components for any pre-existing subdivision being replatted by the final plat;
 - (e) The Sections, Townships, and Ranges applicable to the final plat; and
 - (f) The name of the county and state;
- B. A two-inch high by five-inch wide space shall be provided and reserved in the upper right-hand corner of each sheet to include only the following recording and sheet information:
- (1) To be used by the Clerk of the Circuit Court for recording information:
"PLAT BOOK: _____ PAGE: _____"
 - (2) The general sheet listings for the plat, completed appropriately:
"Sheet _____ of _____"
- C. Information requirements:
- (1) If the Final Plat exceeds one sheet, the following shall be provided on the first sheet:
 - (a) A location sketch on page one showing the subject site and general location of the subject site in relation to the surrounding area;

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- (b) An index diagram showing the entire subdivision and indexing each area shown on succeeding sheets shall be provided on the first sheet if the Final Plat exceeds one sheet. The index diagram shall include clearly labeled match lines.
- (2) "Not included" parcels to be labeled "not a part of this plat";
- (3) Dimensions and locations of all lots, tracts, parcels, blocks, and rights-of-way, with each lot, tract, parcel, and block individually distinguishable, located, and identified. For corner lots, show the restricted areas where driveways cannot be placed;
- (4) Dimensions and locations of all known existing easements with each easement type individually distinguishable, located, and identified, including their Marion County Official Record Book and Page;
- (5) Dimensions and locations of all proposed easements with each easement type individually distinguishable, located, and identified;
- (6) Dimensions and locations of all existing or recorded streets intersecting or contiguous to the boundary of the plat by bearing and distances, using the street number as designated by 9-1-1 Management;
- (7) Dimensions and locations of all proposed streets using the street number as designated and assigned by 9-1-1 Management;
- (8) All adjacent property identified by the subdivision name, plat book and page number; if not platted, so state;
- (9) County and city limit lines within or abutting the tract;
- (10) The existing future land use designation and zoning classification of the subject property and adjoining properties at the time of approval by the Administrative Official for Marion County. This information may be provided graphically using the location sketch, on the individual sheets best representing the subject and adjoining properties, and/or in a text form as referenced in Section 6.3.1.C(15)(a);
- (11) For projects subject to a PUD zoning consistent with Division 4, a summary of the corresponding development standards shall be provided, including one or more typical setback graphics which reflect the standards applicable to the area of the Final Plat;
- (12) If any portion of the property depicted on the plat, outside of a designed and designated stormwater facility, includes the one percent (100-year) flood plain that will not be amended and removed from the FEMA FIRM prior to the recording of the plat, this flood plain shall be delineated graphically on the plat with a note detailing source reference, date, elevation, and mapping method used.
- (13) The metes and bounds legal description of the site consistent with the provisions of Section 6.4.4, including a final summary sentence, appropriately completed, that states "*CONTAINING _____ ACRES, MORE OR LESS,*" with the acreage provided to one one-hundredth of an acre at a minimum;
- (14) The purpose/use, improvements, and maintenance responsibilities for all tracts shall be listed on the plat in a list or table form;
- (15) The following statements shall be captioned as "*ADVISORY NOTICES*" and be provided in a prominent manner on the plat, as appropriate, in the following order:
- (a) "The current future land use designation and zoning classification for the property described hereon is [complete accordingly] and [complete accordingly] respectively." This item may be deleted in the event the subject property's land use and zoning have been provided graphically consistent with Section 6.3.1.C(10) above;
- (b) "According to the National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) Community Panel #[complete accordingly], Marion County, Florida, Dated [complete accordingly], the property described hereon lies in Flood Zone [complete accordingly] (X, A, AE,

etc.) for all zones applicable to the property]. The flooding limits have been identified here within as currently established at the time of final plat recording. All persons with an interest in the lands described hereon should evaluate current floodplain limits as they may be amended from time to time as determined by FEMA;"

- (c) When stormwater is not contained within the limits of the plat, provide the note as follows:
"Stormwater runoff generated from the improvements associated with this plat are discharged into the lands described in Marion County Public Records [Official Record Book {###}, Page {###}] or [Tract {??} as depicted in Plat Book{###}, Page{###}];"
- (d) As related to covenants, restrictions, or reservations:
 - 1. *WHEN COVENANTS*, restrictions, or reservations are established by the developer they shall be indicated as follows and completed accordingly: "*COVENANTS, RESTRICTIONS, AND/OR RESERVATIONS AFFECTING THE OWNERSHIP OR USE OF THE PROPERTY SHOWN IN THIS PLAT ARE FILED IN MARION COUNTY OFFICIAL RECORD BOOK NO. _____, PAGE _____.*"
 - 2. The following shall minimally be provided: "There may be additional restrictions that are not recorded or referenced on this plat that may be found in the Marion County Official Records;"
- (e) "All lots/tracts shall use this subdivision's internal roadways for vehicle/driveway access. Direct vehicle/driveway access to _____ is prohibited."
- (f) *"This plat contains _##_ lots and _##_ miles of roads."*
- (g) If the project is part of DRI/FQD, then the following note shall be provided: "DEVELOPMENT OF THE PROPERTY AS SHOWN ON THIS [SITE PLAN/SUBDIVISION PLAT] IS SUBJECT TO THE TERMS AND CONDITIONS OF THE [PROJECT NAME DRI/FQD] DEVELOPMENT ORDER, AS MAY BE AMENDED FROM TIME TO TIME, INCLUDING PROVISIONS REGARDING THE CONCURRENCY OF PUBLIC FACILITIES."
- (h) "This project has not been granted concurrency approval and/or granted and/or reserved any public facility capacities. Future rights to develop the resulting property(ies) are subject to a deferred concurrency determination, and final approval to develop the property has not been obtained. The completion of concurrency review and/or approval is deferred to a later development review stage."
- (i) *"The Administrative Official of Marion County, Florida, as a condition of precedent to the approval and acceptance of this plat for recording in the Public Records, does hereby notify all present and future owners of the property described hereon that the lands included in this plat are subject to special assessments as may be permitted by law to finance cost incurred in connection with the maintenance, operation, and construction of infrastructure as determined necessary in the opinion of said Administrative Official or other governing body having jurisdiction."*
- (j) Acknowledgment of Contiguous Sustainable Agricultural Lands. If the subdivision plat is contiguous to sustainable agricultural land as defined by § 163.3163 FS, then the following shall apply:
 - 1. The following note shall be provided on the plat:
"ACKNOWLEDGEMENT OF CONTIGUOUS SUSTAINABLE AGRICULTURAL LAND.
The developer, successors, and assigns, hereby acknowledge and understand the subdivision herein described and established is contiguous to sustainable agricultural land as shown on this plat.

It is acknowledged and understood by the parties that the farm operation on the contiguous sustainable agricultural land identified herein may be conducted according to generally accepted agricultural practices as provided in the Florida Right to Farm Act, section 823.14, Florida Statutes."

2. All lands identified as qualified continuous sustainable agriculture lands shall be identified on the plat in a clear manner, similar to the identification of "unplatted" lands as required in Section 6.3.1.C(8).
 3. Compliance with this provision shall deem the requirement for the individual property owners or permittees within this subdivision contiguous to sustainable agricultural land to be in compliance with § 163.3163 FS.
- D. The Final Plat shall contain, on the first page, the following dedications executed and acknowledged as required by law, in the forms set forth below:
- (1) All dedications shall be in the following forms or as approved by the County Attorney (*Italic*), with the appropriate items below. When a name or entity is used within a dedication item, the exact legal name of the entity shall be provided.
 - (a) "DEVELOPER'S ACKNOWLEDGEMENT AND DEDICATION"

"KNOW ALL MEN BY THESE PRESENTS, that [exact corporate name, state of incorporation, or individual's name], fee simple owner of the land described and platted herein, as [exact subdivision name], being in Marion County, has caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows:"
 - (b) Streets, Rights-of-way, and Parallel Access Easements, select as appropriate:
 1. For Public Streets. *"[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated for the use and benefit of the public."*
 2. For Non-Public Streets. *"[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated privately to the [entity name]. All public authorities and their personnel providing services to the subdivision are granted an easement for access. The Board of County Commissioners of Marion County, Florida, shall have no responsibility, duty, or liability whatsoever regarding such streets. Marion County is granted an easement for emergency maintenance in the event of a local, state, or federal state of emergency wherein the declaration includes this subdivision or an emergency wherein the health, safety, or welfare of the public is deemed to be at risk."*
 3. For Cross Access Easements. *"All parallel access easements shown on this plat are hereby dedicated for the use and benefit of the public, and maintenance of said easements is the responsibility of [entity name]."*
 - (c) Utility Easements, select as appropriate:
 1. *"[All utility easements shown or noted or name specifically if less than all] are dedicated [private or to the public] for the construction, installation, maintenance, and operation of utilities by any utility provider."*
 2. *"[All utility tracts or identify each tract as appropriate] as shown are dedicated [private or to the public] for the construction and maintenance of such facilities."*
 - (d) Stormwater easements and facilities, select as appropriate:

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1. *"[All stormwater and drainage easements as shown or noted or name specifically if less than all] are dedicated [private or to the public] for the construction and maintenance of such facilities."*
 2. *"[All stormwater management tracts or identify each tract as appropriate] as shown are dedicated [private or to the public] for the construction and maintenance of such facilities."*
 3. When any stormwater easement and/or management tract is not dedicated to the public or Marion County directly, the following statement shall be added to the dedication language: *"Marion County is granted the right to perform emergency maintenance on the [stormwater easement and/or management tract, complete accordingly] in the event of a local, state, or federal state of emergency wherein the declaration includes this subdivision or an emergency wherein the health, safety, or welfare of the public is deemed to be at risk."*
- (e) Park, Recreation, Amenity areas. *"Tracts [identify each tract as appropriate] are dedicated in perpetuity for the [exclusive use and enjoyment of the owners of lots in this subdivision or use and enjoyment of the public, complete accordingly] and shall be the perpetual maintenance obligation of [state exact name of entity or Marion County, Florida, complete accordingly]."*
- (f) If a Conservation Easement is required the following shall be provided: *"A conservation easement [as shown or on tract and identify the tract, complete accordingly] is dedicated to [the Board of County Commissioners of Marion County, Florida or entity name, if not Marion County] for the purpose of preservation of [listed species, habitat, Karst feature and/or native vegetation, complete accordingly]."*
- (2) Add the appropriate closing.
- (a) If corporation:
- IN WITNESS WHEREOF, the above named corporation has caused these presents to be signed by its _____ and its corporate seal to be affixed hereto by and with the authority of its board of directors this _____ day of _____, 20____.
- (FULL CORPORATE NAME), a corporation of the State of _____
- By: _____
- (Signature of president or vice president or chief executive above)
- Type Name and Title of Officer (signature must have two (2) witnesses or be under corporate seal).
- (b) If individual:
- IN WITNESS WHEREOF, (I) (we), (name(s)), have hereunto set (my) (our) hand(s) and seal(s) this _____ day of _____, 20____.
- WITNESSES:
- _____ (signature)
- (Typed name)
- _____
- (c) Add the acknowledgement (witnesses and notary) of those executing the dedication consistent with § 689.01 FS.
- (3) Add the appropriate joinder and consent to the dedication by a mortgagee or other party of interest using one, or a combination of, the following methods:

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- (a) Provide the joinder and consent to the dedication by a mortgagee or other party in interest as a direct statement on the Final Plat as follows:

"[MORTGAGEE or PARTY OF INTEREST] CONSENT

The undersigned hereby certifies that it is the holder of (a) mortgage(s), lien(s), or other encumbrance(s) upon the property described hereon and does hereby join in and consent to the dedication of the land described in said dedication by the owner thereof and agrees that its mortgage(s), lien(s), or other encumbrance(s) which (is)(are) recorded in Official Record Book _____ at page(s) _____ of the public records of Marion County, Florida, shall be subordinated to the dedication shown hereon."

1. Provide the appropriate closing.

- a. If corporation:

IN WITNESS WHEREOF, *The said Corporation has caused the presents to be signed by its _____ and its Corporate Seal to be affixed hereon by and with the authority of its Board of Director this _____ day of _____, 20____.*

(Full Corporate Name), A Corporation of the State of _____

By (Signature of President Vice President or Chief Executive Officer)

(Typed name and title of Officer)

(AFFIX CORPORATE SEAL) or have two witnesses as listed in Item 2 below.

- b. If individual:

IN WITNESS WHEREOF, *(I) (We), _____ Do hereunto set (my) (our) hand(s) and seal(s) this _____ day of _____, 20____.*

WITNESSES (repeat signature below as necessary for each owner).

(Signature) _____

(Typed name)

- c. Add the acknowledgment (witnesses and notary) of those executing the Mortgagee or party of interest consent consistent with § 689.01 FS.

2. Provide the joinder and consent as a separate instrument joining in and ratifying the plat and all dedications thereon, in accordance with § 177.081 FS, as follows:

- a. The final plat and the separate instrument(s) shall be recorded within the Marion County Public Records concurrently and include coordinated references between the documents as provided in following Section 6.3.1.D(3)(a)2.b and c.
- b. The following statement shall be placed on the final plat: *"A separate instrument(s) serving as joinder and consent for a mortgagee or other party of interest to the Plat depicted hereon has been separately filed and recorded in the Marion County Public Records Official Record Book (enter number), pages (enter number) to (enter number)," as assigned by the Clerk of the Court's Office.*
- c. The separate instrument shall utilize the same general form as provided in Section 6.3.1.D(3)(a)1(a) above and shall include the final plat's official name as listed on the final plat and include a blank entry reference for the Marion County Public Records Plat Book and Page(s) as assigned by the Clerk of the Court's Office.

E. Certifications and Approvals. The Final Plat shall contain on the first page the following certifications and approvals, all executed and acknowledged as required by law, in the forms set forth below:

- (1) The Surveyors and Mappers Certification shall contain the signature, Florida registration number, and name of firm, if applicable (if submitted by a firm the signing surveyors name will also appear in a legible manner), street address, and embossed seal of the Surveyor certifying the plat and will contain the following statement:

"I certify this plat, prepared under my direction and supervision, complies with the requirements of Chapter 177, Florida Statutes, meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers, and is in accordance with the requirements of the Marion County Land Development Code, and that this plat does not adversely affect the legal access of adjacent parcels."

- (2) Development Review Committee certification shall appear in the following form:

APPROVAL BY COUNTY OFFICIALS - DEVELOPMENT REVIEW COMMITTEE:

BY: _____ County Engineering

BY: _____ County Fire Services

BY: _____ County Planning

BY: _____ County Surveyor

BY: _____ County Utilities

BY: _____ County Zoning

- (3) Administrative Official and Clerk of Circuit Court certification shall include the following:

"APPROVAL BY ADMINISTRATIVE AUTHORITY

THIS IS TO CERTIFY, that on ____/____/____ the foregoing Plat was approved by the County Administrator or designee as the Administrative Official for Marion County, Florida.

[Printed Name of County Administrator or Designer],
Administrative Official

Attest:

[Printed Name of Clerk]
Clerk of the Circuit Court"

- (4) Clerk's certification for acceptance and recording shall include the following:

"I, Clerk of Circuit Court of Marion County, Florida, do hereby accept this plat of ____ [list legal name of subdivision] ____ for recording. This Plat filed for record this ____ day of ____, ____, at ____: ____ am/pm and recorded on page ____ of plat book ____ in the Office of the Clerk of Circuit Court of Marion County, Florida

BY: _____
[Printed Name of Clerk]
Clerk of the Circuit Court"

F. The following supporting documentation shall also be provided as appropriate:

- (1) A copy of the documents demonstrating either:

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- a. The establishment of a corresponding CDD or other State recognized, governmentally established special district responsible for the maintenance and operation of the dedicated improvements; or
 - b. The commencement of the process to establish a Municipal Service Benefit Unit (MSBU) responsible for the maintenance and operation of the dedicated improvements as described in Sec. 2.19.4.C. If the MSBU option is selected by the developer, it shall be established to provide maintenance and upkeep for, at minimum, roads and drainage infrastructure. Other improvements, such as, but not limited to, street lighting or recreation, can be added to the MSBU if desired by the development.

The purpose for the establishment of the MSBU is for the MSBU to act as a mechanism to fund and manage any needed maintenance and/or improvements to roads, drainage and other suitably identified infrastructure within the development in the event that a home owners' association/property owners' association (HOA/POA) is unable or unwilling to do so. Nothing herein shall be construed as a limitation of the authority of the County or any MSBU created.

- (2) For a subdivision with privately dedicated improvements, a copy of the completed and filed documents demonstrating the private entity is properly established, operating, and eligible to be responsible for the improvements so dedicated to the association. In the case of an entity previously created and encompassing the proposed subdivision, documents demonstrating the continued establishment of the entity and its acceptance of responsibility for the improvements to be conveyed shall be required;
- (3) A copy of the final protective covenants and deed restrictions, where such covenants and restrictions are required or established by the applicant, in a form to be recorded and cross-referenced to the submitted Final Plat. In the case where covenants and restrictions are previously recorded and applicable to a proposed subdivision, a copy of the effective covenants and deed restrictions shall also be provided;
- (4) A certificate of title demonstrating the following:
 - (a) The lands as described and shown on the plat are in the name of, and apparent record title is held by, the person, persons, or organizations executing the dedication;
 - (b) That all taxes have been paid on said property as required by § 197.192 FS, as amended; and
 - (c) The official record book and page number of all mortgages, liens, or other encumbrances against the land, and the names of all persons holding an interest in such mortgage, lien or encumbrance.

The title certification shall be an opinion of a Florida attorney-at-law or the certification of an abstract or title insurance company licensed to do business in Florida. The County reserves the right to require that the title certification be brought current at the time of Final Plat approval.

- (5) When required in conjunction with an Improvement or Maintenance Agreement, an itemized cost estimate prepared and certified by the developer's engineer including the cost of construction of all required improvements in the following form:

"CERTIFICATE OF COST ESTIMATE

I, _____, A Florida registered engineer, License No. _____, do hereby certify to Marion County that a cost estimate has been prepared under my responsible direction for those improvements itemized in this exhibit and that the total cost estimate for said improvements is \$ _____. This estimate has been prepared, in part, to induce approval by the County of a Final Plat for the _____ Subdivision, and for the purpose of establishing proper surety amounts associated therewith.

_____(Signature)

(Name, Florida Registered Engineer

License No. _____)"
(AFFIX SEAL)

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-09 , § 4(Att. 4), 4-13-2023)