

FORM 11.A.9-1D

DEDICATION/RESERVATION GUIDELINES

1. Generally, utility and drainage easements may not overlap. However, crossing and minor overlapping may be allowed with the County Engineer's approval when no other satisfactory location can be found and there is a note on the plat giving the drainage easement first priority. The note shall state that:

"In those cases where easements of different types cross or otherwise coincide, drainage easements shall have first priority, utility easements shall have second priority, access easements shall have third priority, and all other easements shall be subordinate to these with their priorities being determined by use rights granted."
2. Drainage easements and water management tracts generally serve the entire development and must be reserved for a master property owners association. Reservations for sub-associations will not be allowed unless the developer can clearly prove that the part of the drainage system he wishes to reserve for a sub-association is not connected in any way to the drainage system for the rest of the development.
3. Any private street that is intended to provide access to lots in more than one plat must be reserved for a master property owners association.
4. Buffer easements should be maintained by a property owners association and not by the individual fee simple owners of underlying lots.
5. Reservations for private streets shall not use the term "right-of-way" in referring to the street or its tract boundaries.
6. Standard utility easements required pursuant to Art. 11.E.7 of the ULDC are not to be dedicated to a particular utility company. If an individual utility company requires a dedication to it, the easement must be in addition to minimum County-required utility easements and the company must sign the plat to show its acceptance of the dedication.
7. Residential areas on plats of condominium and rental projects may be reserved by and be the maintenance responsibility of the title holder as identified on the plat, its successors and assigns, without recourse to Palm Beach County. The reservation language must include the full name of the title holder as it appears in the Title Certification.

8. Golf Course tracts may be reserved by and be the maintenance responsibility of the title holder as identified on the plat, its successors and assigns, without recourse to Palm Beach County. If any lakes or other areas in the golf course are incorporated in the stormwater management system serving any other part of the development, the reservation language must state that the master property owners association (or other specifically names approved maintenance entity) has the right to maintain those lakes or other areas should the title holder fail to do so, including the right of access to those lakes or other areas as necessary to accomplish such maintenance.
9. Execution of dedications and reservations by a corporation may also be accomplished by signature of the corporation's president or vice president plus attestation by another corporate officer in lieu of two (2) witnesses. The attesting corporate officer may be the corporation's president, secretary, treasurer, or another vice president, but must not be the same natural person as the president or vice president signing for the corporation. If this option is selected, both the signing and attesting officers' signature must be acknowledged by a notary public.
10. The notary public acknowledging the signature of a person executing a Dedication & Reservation, Consent, or other form contained herein shall **not** act as either of the two required witnesses to that signature.

Revised: 04/12/95, 01/11/05