

# INITIAL INTAKE SHEET

**MULTIPURPOSE**

111 NW 1<sup>st</sup> Street, Suite 1501  
Miami, FL 33128  
Phone 305-375-2702  
Email: [STDP@miamidade.gov](mailto:STDP@miamidade.gov)

**Parks, Recreation and Open  
Spaces Department  
Special Assessment Districts Division**

**TO:**

**DATE:**

**FROM:**

**DOCUMENTS NEEDED FOR:** \_\_\_\_\_

Is this a **Workforce Housing** project as defined under Chapter 33  
of the Miami-Dade County Code?  
YES \_\_\_\_ NO \_\_\_\_

- (2) Copies of Tentative Plat, 24”x 36”
- AutoCad file of Tentative Plat (electronic)
- AutoCad file of Site Plan (electronic)
- Petition form
- Exhibit “A”
- Exhibit “B”
- Opinion of Title
- Corporate Resolution
- Managing Members (LLC) Affidavit (for non-Florida based entities)
- Joinder from bank (if applicable)
- Document acknowledging district creation
- Declaration of Covenant for Multipurpose Maintenance District
- Ingress/Egress Easement (for private areas)
- Legal Description (in Word format)
- Municipal Resolution for the creation and transfer of the district to the city (for incorporated areas)
- Surveyor's Affidavit

**MIAMI-DADE COUNTY  
PARKS, RECREATION AND OPEN SPACES DEPARTMENT  
SPECIAL ASSESSMENT DISTRICTS DIVISION**

Document Preparation  
Date \_\_\_\_\_

Departmental Acceptance Date  
(Government Use Only)

**PETITION FOR MULTIPURPOSE SPECIAL TAXING DISTRICT**

To the Board of County Commissioners of Miami-Dade County, Florida:

We, the undersigned property owner(s), do hereby petition Miami-Dade County, Florida, for the creation of the Special Taxing District(s) required by the respective plat(s) pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, for any or all of the following: landscape, lake, entrance features and wall maintenance services (requested landscape, lake, entrance features and wall maintenance services shall be more fully described on the attached Exhibit B). The petitioned for district lies within that portion of the unincorporated area of Miami-Dade County more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) and Number \_\_\_\_\_

It is understood and agreed that the boundaries of this district and the type and level of services to be provided by this district will be reviewed by the appropriate County authorities. It is also understood that the streetlights to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Parks, Recreation and Open Spaces Department.

OWNER'S NAME & SIGNATURE	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
		MORE FULLY	
		DESCRIBED ON	
		THE ATTACHED	
		"EXHIBIT A"	

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by \_\_\_\_\_ as \_\_\_\_\_ for \_\_\_\_\_.

( ) Personally Known or ( ) Produced Identification  
Type of Identification Produced: \_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Florida

(SEAL)

My Commission Expires: \_\_\_\_\_

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DEPARTMENTAL ACCEPTANCE DATE  
(GOVERNMENT USE ONLY)

## EXHIBIT "A"

EXHIBIT A TO THE PETITION FOR THE PLAT KNOWN AS \_\_\_\_\_  
DATED \_\_\_\_\_ FOR THE CREATION OF A MULTIPURPOSE MAINTENANCE  
SPECIAL TAXING DISTRICT.

### Legal Description:

Folio No(s):

**EXHIBIT “B”**

EXHIBIT B TO THE PETITION FOR THE SUBDIVISION KNOWN AS \_\_\_\_\_.

DATED \_\_\_\_\_, FOR THE CREATION OF A STREET LIGHTING AND

MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT.

**AREAS TO BE MAINTAINED:**

WITHIN THE PUBLIC RIGHT-OF-WAY:

WALL AND ENTRANCE FEATURES ALONG XXXXX STREET  
BERMS AND LANDSCAPING ALONG XXXXX STREET  
**(WRITE IN THIS SPACE THE PLACES ADJACENT TO PUBLIC RIGHT-OF-WAY)**

WITHIN THE PRIVATE ROAD COMMUNITY:

**(WRITE IN THIS SPACE THE TRACTS TO BE MAINTAINED IN THE PRIVATE COMMUNITY)**

**MAINTENANCE SCHEDULE:**

- A.) LAWN/GRASS
  - 1) CUT AS REQUIRED
  - 2) FERTILIZE AND WEED CONTROL AS NEEDED
  - 3) TREAT FOR PESTS/DISEASES AS NEEDED
  - 4) IRRIGATE WITH AUTOMATIC SYSTEM AND ELECTRICAL SERVICE FOR SAME
  - 5) MULCHING – PERFORMED TWICE A YEAR OR AS NEEDED
- B.) TREES/SHRUBS
  - 1) TRIM, FERTILIZE AND TREAT FOR PESTS AS NEEDED
  - 2) REPLACE AS REQUIRED
- C.) WALL MAINTENANCE
  - 1) MAINTENANCE AND SURFACE REPAIR OF THE EXTERIOR OF A DECORATIVE MASONRY WALL AND THE REMOVAL OF GRAFFITI AS NEEDED
  - 2) WALL COLUMN PAINTING (EVERY FOUR YEARS)
- D.) LAKE MAINTENANCE TO INCLUDE, BUT NOT LIMITED TO, REMOVAL OF DEBRIS, AQUATIC WEEDS, PLANTS AND ALGAE BY CHEMICAL AND/OR MECHANICAL MEANS AS NEEDED
  - 1) LAKE BANK MAINTENANCE ALONG PUBLIC SWALES AND PUBLIC UN-BUILDABLE LOTS

**IMPROVEMENTS BY DEVELOPER FOR EACH LAKE:**

- A.) A 2 SPACE PARKING AREA ADJACENT TO THE RIGHT-OF-WAY
- B.) 12' WIDE IMPROVED BOAT RAMP TO EXTEND INTO THE WATER SUFFICIENT TO ALLOW A 3' LAUNCHING DEPTH AT MEDIAN LAKE WATER LEVEL
- C.) A LOCKING SWINGING GATE, 12 FT. WIDE WITH REMOVABLE GUARDRAIL

**Note:** THIS SPECIAL TAXING DISTRICT ENCOMPASSES A PRIVATE DRIVE COMMUNITY AND THE MULTIPURPOSE MAINTENANCE COMPONENT OF THE DISTRICT SHALL BE **DORMANT**. SERVICE WILL ONLY COMMENCE FOLLOWING FAILURE (AS DEFINED IN A “GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT” SUBMITTED AT THE SAME TIME AS THIS PETITION) OF ANY HOME-OWNER’S ASSOCIATION AND/OR COMMUNITY DEVELOPMENT DISTRICT TO PROVIDE THE REQUIRED SERVICES. ASSUMPTION OF MAINTENANCE SERVICES SHALL COMMENCE FOLLOWING ADOPTION OF THIS DISTRICT’S MULTIPURPOSE MAINTENANCE ASSESSMENT ROLL BY THE BOARD OF COUNTY COMMISSIONERS AT A PUBLIC HEARING. OTHER MAINTENANCE SERVICES MAY BE PROVIDED IN THE FUTURE AS SPECIFIED IN THE DISTRICT’S ORDINANCE AND AMENDMENTS THERETO. IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED:

(WRITE IN THIS SPACE THE TRACTS TO BE MAINTAINED WITHIN THE PRIVATE ROAD COMMUNITY)

ROAD MAINTENANCE INCLUDES INFRASTRUCTURE REPAIR UPON ACTIVATION OF THE DORMANT MULTIPURPOSE DISTRICT

**MIAMI-DADE COUNTY PARKS, RECREATION  
AND OPEN SPACES DEPARTMENT  
OPINION OF TITLE**

TO: MIAMI-DADE COUNTY, a political subdivision of the State of Florida.

With the understanding that this opinion of title is furnished to Miami-Dade County, Florida, as an inducement for creation of a proposed special taxing district covering the real property, hereinafter described, in compliance with Chapters 18 and 28 of the Code of Miami-Dade County, it is hereby certified that I have examined \_\_\_\_\_ (the "Title Evidence") [*Please write in one of the following: a complete Abstract of Title, or Title Insurance Policy or Title Commitment (identified by company name and policy or commitment number)*] covering the period from the beginning to the \_\_\_\_ day of \_\_\_\_\_ (Month), 20\_\_\_\_, at the hour of \_\_\_\_\_, inclusive, of the following described property. [*If examining anything other than a complete Abstract of Title, please also include: I know of no reason that this Title Evidence is inaccurate or incomplete.*]

*Insert Legal Description Here;  
Must match legal description provided for platting purposes*

I am of the opinion that on the last mentioned date, the fee simple title to the above described real property was vested in:

*[NOTE: For Limited Liability Company, Limited Partnership, Joint Venture, Corporation, or other legal entity, indicate parties comprising the legal entity and identify who is authorized to execute on the entity's behalf.]*

Subject to the following encumbrances, liens, and other exceptions (If "none", please indicate):

**1. RECORDED MORTGAGES:**

*[NOTE: Where Mortgagee is a Limited Liability Company, Limited Partnership, Joint Venture, Corporation, or other legal entity, identify who is authorized to execute on the entity's behalf.]*

**2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGEMENTS:**

**3. GENERAL EXCEPTIONS:**

**4. SPECIAL EXCEPTIONS:**

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of them hinder or affect the creation of the special taxing district or the recording or enforcement of the enabling ordinance or resolution, including the assessment of special assessments on the above-described property.

Therefore, it is my opinion that only the following party(ies) must join in the petition for the special taxing district for the above-described property in order to make the special taxing district and special assessments valid and binding on the above-described property:

<b>Name</b>	<b>Interest</b>	<b>Special Exception Number</b>

*[Where Title Evidence other than a complete Abstract of Title is indicated above, insert the following:]* The following is a description of the aforementioned Title Evidence and its continuations:

<b>Number</b>	<b>Company Certifying</b>	<b>No. of Entries</b>	<b>Period Covered</b>

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the petition for the creation of the special taxing district.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name  
Florida Bar No. \_\_\_\_\_  
Address

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_, 20\_\_\_,  
by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as  
identification.

- Took an oath
- did not take an oath

My Commission Expires:

\_\_\_\_\_  
Notary Public  
Print Name



**CERTIFIED CORPORATE RESOLUTION**

The undersigned hereby being the \_\_\_\_\_ of \_\_\_\_\_ a corporation existing under the laws of the State of Florida, certifies that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said Corporation at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_.

Resolved by the Board of directors of this corporation that the Corporation consent and join in the filing with the Board of County Commissioners a petition for a Special Taxing district for the subdivision known as \_\_\_\_\_ pursuant to Chapter 18 of the Code of Miami- Dade County; and be it further.

RESOLVED that the \_\_\_\_\_ of the Corporation is authorized, directed and empowered on behalf of the Company to execute any and all applications, petitions and other documents pertaining to the Special Taxing District for the subdivision known as \_\_\_\_\_ pursuant to Chapter 18 of the Miami-Dade County Code.

The adoption of said resolutions was in all aspects legal; and that said resolutions are in full force and effect and have not been modified or rescinded.

Dated this \_\_\_\_ day of \_\_\_\_\_, 202\_\_

**WITNESSED BY:**

**By:**

\_\_\_\_\_  
**BY**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ as \_\_\_\_\_ for \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public, State of Florida

( )Personally Known or ( )Produced Identification  
Type of Identification Produced: \_\_\_\_\_

**AFFIDAVIT OF MEMBERS, MANAGING MEMBERS, AND MANAGERS  
OF NON- FLORIDA (FOREIGN) LIMITED LIABILITY COMPANY**

WE,

Full name

Title(s)


hereby swear or affirm that :

1. The foregoing persons or entities set forth above constitute and are all of the Members, Managing Members, and Managers, as those terms are defined in Section 608.402, Fla. Stat.(2014), as same may be amended from time to time, or the equivalent\* thereof, of the Non-Florida (Foreign) Limited Liability Company known as *[INSERT NAME]*, LLC, as same may be amended from time to time, or the equivalent\* thereof, currently filed with the Secretary of State of the State of Delaware;
2. There are no Members, Managing Members or Managers, or the equivalent\* thereof, of the aforesaid Non-Florida (Foreign) Limited Liability Company other than the persons or entities set forth above.
3. There are no provisions in any Articles of Organization, or the equivalent\* thereof, of the aforesaid Non-Florida (Foreign) Limited Liability Company or in any operating agreement, written or oral, or the equivalent\* thereof, of the aforesaid Non-Florida (Foreign) Limited Liability Company, as those terms are defined in Section 608.402, Fla. Stat.(2014), as same may be amended from time to time, which prohibit, restrict or limit in

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\* The term “equivalent” shall mean for the purposes of this Affidavit, with respect to “persons” or “entities”, any person or entity which has or may have any one or more of the duties or powers or obligations or responsibilities or authorities, real or apparent, of a Member, Managing Member, or Manager, as those terms are defined in Section 608.402, Fla. Stat. (2014), as same may be amended from time to time. The term “equivalent” shall mean for the purposes of this Affidavit, with respect to instruments or documents or articles of organization or operating agreements or written agreements or oral agreements, any written agreement or oral agreement or instrument or document which has or may have any one or more of the functions or purposes of any instrument, document, operating agreement, written agreement or oral agreement described or mentioned in this Affidavit.

any way or in any manner the execution of the instruments or documents attached hereto and incorporated herein by reference hereto, to wit, **[LIST ALL OF THE AGREEMENTS/DEEDS/ETC. TO BE EXECUTED]** by any of the foregoing persons or entities set forth above for and on behalf of the aforesaid Non-Florida (Foreign) Limited Liability Company and to bind and obligate the aforesaid Non-Florida (Foreign) Limited Liability Company as set forth in the foregoing instrument or document.

4. All of the foregoing persons or entities set forth above are authorized by the aforesaid Non-Florida(Foreign) Limited Liability Company, to execute the instruments or documents attached hereto and incorporated herein by reference hereto, to wit, **[LIST ALL OF THE AGREEMENTS/DEEDS/ETC. TO BE EXECUTED]** for and on behalf of the aforesaid Non-Florida (Foreign) Limited Liability Company and to bind and obligate the aforesaid Non-Florida (Foreign) Limited Liability Company as set forth in the foregoing instrument or document.
5. All of the provisions of this Affidavit shall be construed in accordance with the laws of the State of Florida.

\_\_\_\_\_  
Signature of Member/Managing  
Member/Manager

\_\_\_\_\_  
Title(s)

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ (year) by \_\_\_\_\_ (print name legibly), who is personally known to me or who has produced \_\_\_\_\_ (type of identification).

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Print, type or stamp name of notary public)

\_\_\_\_\_  
Signature of Member/Managing  
Member/Manager

\_\_\_\_\_  
Title(s)

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ (year) by \_\_\_\_\_ (print name legibly), who is personally known to me or who has produced \_\_\_\_\_ (type of identification).

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Print, type or stamp name of notary public)

\_\_\_\_\_  
Signature of Member/Managing  
Member/Manager

\_\_\_\_\_  
Title(s)

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ (year) by  
\_\_\_\_ (print name legibly), who is personally known to me or who  
has produced \_\_\_\_\_ (type of identification).

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Print, type or stamp name of notary public)

Joinder Form

TO: MIAMI-DADE COUNTY

Gentlemen:

The undersigned, being buyer/ mortgagee of the following described property, in Miami-Dade County, Florida, to-wit:

*(Insert Legal Description Here)*

does hereby and herewith join with \_\_\_\_\_, a Florida \_\_\_\_\_ and others in the pending petition for creation of a Special Taxing District for \_\_\_\_\_ as described in petition dated \_\_\_\_\_, which includes, the above referred to parcel of land. Witnesses:

Buyer(s)/ Mortgagee

\_\_\_\_\_  
\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_ as \_\_\_\_\_ for \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public, State of Florida

Personally Known or  Produced Identification

Type of Identification Produced: \_\_\_\_\_

### SPECIAL TAXING DISTRICT ACKNOWLEDGEMENT

Pursuant to section 18-20.2 (d) of the Code of Miami-Dade County (Code), any special taxing district petition submitted pursuant to section 18-22.1 of the Code, shall require the petitioning property owner(s) to sign the following statement prior to submitting the petition. Upon creation of the special taxing district, the County Mayor or Mayor's designee shall record the statement, together with the legal description of the property, in the public records of Miami-Dade County, Florida. The petitioning property owner(s) shall be required to prepay the costs of such recordation at the time the petition is filed.

#### Recording Costs to be submitted with document(s)

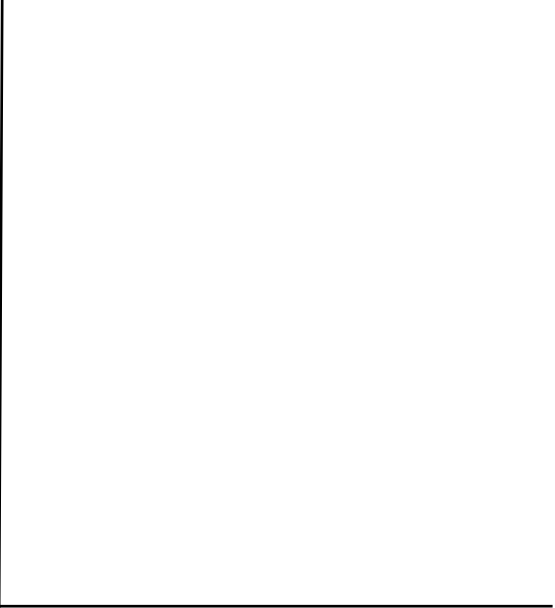
First page	\$10.00
Other pages	\$8.50 per page

**SPECIAL TAXING DISTRICT ACKNOWLEDGMENT**

Pursuant to section 18-20.2 (d) and section 18-22.1 of the Code of Miami-Dade County

KNOW ALL MEN BY THESE PRESENTS:

**WHEREAS**, the undersigned, \_\_\_\_\_, the  
\_\_\_\_\_ of \_\_\_\_\_;  
a Florida \_\_\_\_\_, being the owner of the following described  
property, in Miami-Dade County, Florida, to wit:



Space above reserved for use of recording office

*(Insert legal description of attach EXHIBIT "A")*

*(Insert folio)*

This property is located within the \_\_\_\_\_ Special Taxing District created by Miami-Dade County for the purpose of providing local improvements and services in the nature of \_\_\_\_\_. The costs for providing such improvements and services shall be paid by special assessments levied against the properties within the district. Said special assessments may be collected at the same time and in the same manner as ad valorem taxes.

\_\_\_\_\_  
Signature of Property Owner(s)

\_\_\_\_\_  
Name and Position of Property Owner(s)

\_\_\_\_\_  
Name of Owner Entity (if applicable)

**Notary Statement and Stamp:**  
**STATE OF FLORIDA**

**SS.**

**COUNTY OF MIAMI-DADE**

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgements, personally appeared \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_ a Florida Corporation personally known to me, or who produced identification in the form of \_\_\_\_\_, and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_

**DECLARATION OF COVENANT**

**KNOWN ALL MEN BY THESE PRESENTS:**

**WHEREAS**, the undersigned, \_\_\_\_\_, the  
\_\_\_\_\_ of \_\_\_\_\_;  
a Florida \_\_\_\_\_ is the owner of the following subdivision,  
to wit: \_\_\_\_\_ as recorded in Plat Book \_\_\_\_\_  
and Page \_\_\_\_\_ of the Public Records of Miami-Dade County, Florida and

**WHEREAS**, Miami-Dade County, Florida, required notice to purchasers of new residential property of the existence, or the proposed creation, of special taxing districts affecting their property,

Space above reserved for use of recording office

NOW, THEREFORE, in consideration of the approval of the aforesaid plat of \_\_\_\_\_ (plat name) by Miami-Dade County, Florida, the undersigned do(es) hereby declare and agree that upon the sale of said subdivision or of any lot or lots therein, the undersigned will incorporate in such conveyances the following covenant, to wit:

**THE PROPERTY WHICH IS THE SUBJECT OF THIS TRANSACTION IS LOCATED WITHIN THE \_\_\_\_\_ SPECIAL TAXING DISTRICT PROPOSED FOR CREATION BY THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS FOR THE PURPOSE OF PROVIDING THE FOLLOWING LOCAL SERVICES: \_\_\_\_\_. THE COST FOR PROVIDING SUCH SERVICES SHALL BE PAID BY THE SPECIAL ASSESSMENT LEVIED AGAINST PROPERTIES WITHIN THE DISTRICT. SAID SPECIAL ASSESSMENTS MAY BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS AD VALOREM TAXES.**

The undersigned hereby declare(s) that this said covenant shall constitute a covenant running with the land and shall be binding upon the undersigned, his successors, and assigns.

**IN WITNESS WHEREOF**, the undersigned \_\_\_\_\_ of \_\_\_\_\_, a Florida \_\_\_\_\_ has (have) executed these presents for the purpose of set forth, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Signed: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
the \_\_\_\_\_ of \_\_\_\_\_

**Notary Statement and Stamp:**  
**STATE OF FLORIDA**

**SS.**

**COUNTY OF MIAMI-DADE**

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgements, personally appeared \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_ a Florida Corporation personally known to me, or who produced identification in the form of \_\_\_\_\_, and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_



Instrument prepared by:  
Name:  
Mailing address:  
City, State, Zip Code:  
User department: \_\_\_\_\_

## EASEMENT

THIS GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT (“Easement”) is dated as of \_\_\_\_\_ 20\_\_ by \_\_\_\_\_, (“Owner”), a \_\_\_\_\_, a Florida \_\_\_\_\_.

## RECITALS

- A. OWNER owns that certain parcel of real property located in the County of Miami-Dade, State of Florida, (COUNTY) as described in **Exhibit A** attached hereto and incorporated herein by this reference (referred to herein as “Parent Parcel”).
- B. OWNER has submitted to COUNTY, and COUNTY has approved subject to Recordation that certain final plat known as: LEAVE BLANK, recorded in PB \_\_\_\_ Pg \_\_\_\_ (referred to herein as “Plat”).
- C. The Plat provides that a Homeowners Association, Community Development District, and/or Special Taxing District approved by Miami-Dade County shall be responsible for maintaining certain areas or tracts more particularly depicted on the Plat and in **Exhibit B** attached hereto (the “Infrastructure Parcels”)

1. Easement. OWNER hereby grants a perpetual non-exclusive easement over the Infrastructure Parcels depicted in **Exhibit B** hereto and set forth as Tract(s): “: LEAVE BLANK” on the Plat, running in favor of the COUNTY for the benefit of the public, for the purpose of maintenance and public access, ingress and egress, the rights under which shall be exercised solely at the discretion of the County and pursuant to the process described in Paragraph 3 hereof, upon the occurrence of a Failure to Maintain Infrastructure Parcels as defined in Paragraph 2 hereof.

2. Failure to Maintain Infrastructure Parcels. The exercise of any rights hereunder is expressly conditioned on the occurrence of a failure by the Homeowner’s Association and any authorized Community Development District to maintain the Infrastructure Parcels and any improvements constructed thereon (“Failure to Maintain Infrastructure Parcels”), which failure shall be determined by the process set forth in Paragraph 3 herein and shall be deemed to occur in the event that any one of the following takes place:

- a. There exist collectively and simultaneously upon the Infrastructure Parcels not fewer than five (5) continuing violations within the meaning of Section 8CC-4(c) of the Code of Miami-Dade County, as such may be amended; or
- b. The Homeowners Association has been dissolved pursuant to either Section 607.1420, Florida Statutes or Section 607.1431, Florida Statutes, and any authorized Community Development District has been terminated or its parcels conveyed, or has been declared inactive pursuant to Section 189.062, Florida Statutes; or
- c. There exists a condition on any of those Infrastructure Parcels that have been

improved with roadways which renders such roadways impassible to the safe passage of vehicles, which condition is permitted to remain for a period of more than thirty (30) days; or

- d. There exists any condition on any Infrastructure Parcels which poses an immediate and substantial threat to the health or safety of the public in general or of any resident or tenant of the Property in particular.

3. Determination of Failure to Maintain Infrastructure Parcels. Determination of whether Failure to Maintain Infrastructure Parcels has occurred shall be by the Miami-Dade County Board of County Commissioners after public hearing. Prior notice of the public hearing shall be provided by certified mail to the Homeowners Association, to any authorized Community Development District, and to all record owners of property within the Plat. In the event that such a determination is made, a notice of that determination shall be recorded in the public records of Miami-Dade County.

4. Covenants Running with Land. This Easement shall run with the lands described herein, and shall be binding upon OWNER and COUNTY and shall inure to and be for the benefit of OWNER and COUNTY and their respective successors and assigns. The provisions of this instrument shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and subject to the provisions of Paragraph 7 and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless terminated in writing as provided for herein.

5. Attorney's Fees. In the event that any party brings an action to enforce its rights hereunder, the prevailing party in such action shall be entitled to receive all costs and reasonable attorney's fees in addition to any damages to which it is due by reason of such action.

6. Notices. Any demands or notice allowed or required hereunder (except notice as provided by Paragraph 3 above) shall be deemed to have been properly given or served when delivered personally or deposited with the United States Postal Service, as registered or certified mail, postage prepaid and addressed as follows:

If to COUNTY: Miami-Dade County  
Office of the Mayor  
111 N.W. First Street, Suite 2910  
Miami, FL. 33128-1970

and a copy to Miami-Dade County Attorneys Office  
111 N.W. First Street, 28<sup>th</sup> Floor  
Miami, FL. 33128-1970

If to OWNER:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and a copy to: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Any party may change his, her or its address for notice by giving the other parties hereto at least fifteen (15) days' prior written notice of any such change of address.

7. Amendments. This Easement may not be changed, modified, released or amended in whole or in part except by a written and recorded instrument, executed by the then record fee owners of the Infrastructure Parcels, after notice in the manner provided in Paragraph 3 hereof and after hearing and approval by the Board of County Commissioners of Miami-Dade County, Florida.

8. No COUNTY Obligation to Exercise. Nothing herein shall be construed as obligating the COUNTY to exercise any of its easement rights herein, and the COUNTY may determine whether to exercise all or any portion of its easements rights herein, in its sole discretion.

9. Severability. If any portion contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this instrument.

IN WITNESS WHEREOF, OWNER has caused this instrument to be executed and delivered as of the date and year first written above.

**Signed, Sealed and Delivered  
In the Presence of:**

\_\_\_\_\_  
**Signature**  
\_\_\_\_\_  
\_\_\_\_\_  
**Print Name, Company, Position**

\_\_\_\_\_  
Signature of First Witness

\_\_\_\_\_  
Signature of Second Witness

\_\_\_\_\_  
Print Name of First Witness

\_\_\_\_\_  
Print Name of Second Witness

STATE OF FLORIDA            )  
  ) ss:  
COUNTY OF MIAMI-DADE    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by

\_\_\_\_\_, who is \_\_\_ personally known  
to me or \_\_\_ has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Print, Type or Stamp Commissioned Name of Notary Public)

EXHIBIT "A" TO EASEMENT  
LEGAL DESCRIPTION OF PARENT PARCEL

**(Insert Legal Description Here)**

EXHIBIT "B" TO EASEMENT

LEGAL DESCRIPTION

Tract(s) : LEAVE BLANK of \_\_\_\_\_

According to the plat thereof as recorded in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ of the Public

Records of Miami-Dade County.