

## CHAPTER 2014-246

### House Bill No. 1335

An act relating to the Loxahatchee Groves Water Control District, Palm Beach County; amending chapter 99-425, Laws of Florida, as amended; providing for the dedication of road right-of-way easements to the public; providing requirements for such dedication; providing for prima facie evidence of such public road right-of-way easements; exempting certain property of an electric utility; assigning continuing traffic control jurisdiction on all public roads within the district to the Town of Loxahatchee Groves; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 9 is added to section 2 of chapter 99-425, Laws of Florida, as amended, to read:

Section 9. Roads presumed to be dedicated.—

a. When a road within the district has been constructed by the district, and when such road has been maintained or repaired continuously and uninterruptedly for 7 years by the district, an easement for such road over, under, across, upon, through, and within the underlying real property for road right-of-way purposes shall be deemed to be dedicated to the public to the extent of the width that has been actually maintained or repaired for the prescribed period, whether or not the road has been formally established as a public road. The dedication shall vest such easement in and to the road in the public, whether or not there is a record of conveyance, dedication, or appropriation to the public use.

b. The filing of a map in the office of the clerk of the circuit court of the county where the road is located showing the lands and reciting on it that the road has been dedicated in accordance with subsection a., or by any other means of acquisition, duly certified by the chair and secretary of the district, shall be prima facie evidence of the public's easement rights.

c. This section does not apply to any facility of an electric utility which is located on property otherwise subject to this section.

d. The Town of Loxahatchee Groves shall continue to have traffic control jurisdiction over all public roads located within the district.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 12, 2014.

Filed in Office Secretary of State May 12, 2014.