





Maintenance Declaration Right-of-Way Improvements Instructions

These instructions are to assist applicants when a Maintenance Declaration for Improvements in the Right-of-Way must be conveyed to the City. Typically, these conveyances are required as a condition of site plan approval, and executed prior to issuance of a Certificate of Occupancy.

The City's sample Maintenance Declaration MS-Word document is required with Review-Track Changes Feature enabled. City staff must see the changes in red strike-through (deletions) and/or any (word additions).

****PLEASE READ THE PROVIDED INSTRUCTIONS CAREFULLY TO AVOID DELAYS.****

- [Maintenance Declaration Model Document](#) 
- [Maintenance Declaration - Word Format](#) 

Following is a list of the required documentation:

HELP IS AVAILABLE: If you have any questions, please contact the City of Fort Lauderdale Department of Sustainable Development Engineering Division Senior Administrative Assistant, Caroline Yeakel, at 954-828-6159 or email to DEngineeringAdmin@fortlauderdale.gov.

I. Declaration Regarding Maintenance Obligation document:

- a. The conveyance document must be prepared by owner's legal counsel.
- b. The company name and the name of the signatory must be exactly as they appear in the State Division of Corporations.
- c. If the owner is a Corporation, the President or Vice President of the company must sign the document; and if a Florida Corporation, the signee must be on file with the State Division of Corporations as the holder of that office.
- d. If the owner is an LLC, the document must be signed by the managing member; however, if the managing member is an LLC or Corporation, the person signing must either be the president, vice president, managing member, etc. until the person signing is signing as either the President or Vice President of a corporation or a managing member or a general partner.
- e. If the owner is a Limited Partnership, the document must be signed by the General Partner as confirmed by a Certificate of Limited Partnership submitted by the owner.
- f. Alternatively, if the names of the people on the documents cannot be verified along with their titles by review of Florida Corporate Records, then the Owner shall be required to submit a certified resolution of minutes letter from a board meeting of the Corporation/ LLC LP that contains language authorizing the individual who has signed the document as having authority to sign such document.
- g. Note: Additional documentation may be required if owner is not a Florida corporation.



DEPARTMENT OF SUSTAINABLE DEVELOPMENT – ENGINEERING DIVISION INSTRUCTIONS FOR MAINTENANCE DECLARATION FOR R.O.W.

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II. Exhibits A and B: Declaration must reference applicable Exhibits.

- a. **Exhibit A – Property Survey and/or Legal Description:** Shall be prepared and certified by a Professional Land Surveyor; and labeled as “Exhibit A”. Drawings shall also be prepared with the professional surveyor’s title block in legal size **(8.5 in. X 11 in.) (Adobe pdf only.)**
- b. **Exhibit B – Improvement Area Sketch & Legal Description:** Sketch of Improvement Area to be covered by Maintenance Declaration and Area shall be called out as such. Legal Description of this Area shall accompany the Sketch. Shall be prepared and certified by a Professional Land Surveyor; and labeled as “Exhibit B”. Drawings shall also be prepared with the professional surveyor’s title block in letter size **(8.5 in. X 11 in.) (Adobe pdf only.)**

The below information is extremely important, please read carefully. If documents are not sent in the proper, requested format, it will be rejected and further delays to your review time-frame will occur.

Please submit the above-listed materials **at least six weeks prior to requiring final certification of occupancy.**

The documents must be sent via e-mail to Caroline Yeakel at DEngineeringAdmin@fortlauderdale.gov as follows:

- **Legal documents** must be in **“MS Word format ONLY”**. First submittals are for review for accuracy and completeness and are not executed at this stage; however, the exact names of the organizations and names and titles of the signatories need to be printed on the forms.
- **Supporting Exhibits** (sized 8.5 in. x 11 in.) must be in **Adobe pdf format ONLY**.

Please keep in mind that if corrections and/or updates are requested, the six week time frame commences from the time the correction is made. Please be sure to submit your corrections to the Engineering Division's Senior Administrative Assistant; Caroline Yeakel at DEngineeringAdmin@fortlauderdale.gov.

To Avoid Delays:

DO NOT HAND DELIVER THE DOCUMENTS.

DO NOT send your corrections to any City staff outside of the Engineering Department, until otherwise instructed.

After approval and execution by the assistant city attorney, the applicant will be notified that the documents are ready for pickup. The applicant will then record the documents at the Broward County Records Department and return the recorded documents (in Adobe pdf format) via e-mail to the Engineering Division's Senior Administrative Assistant; Caroline Yeakel to DEngineeringAdmin@fortlauderdale.gov.

We are available to help you through this process. Please address any questions to Caroline Yeakel at 954-828-6159. Secondary contact: Barbara Camparscone at 954-828-5232.