

**EXHIBIT A  
Required  
COUNTY CHECKLIST  
for review of**

**Infrastructure Maintenance / Property Owner Association Documents**

Plat Name: \_\_\_\_\_  
Plat No. PLT \_\_\_\_\_ Development Order No.: \_\_\_\_\_

Checklist Prepared by: \_\_\_\_\_  
Business Phone No.: \_\_\_\_\_ Date Prepared: \_\_\_\_\_

**DIRECTIONS:**

From the County perspective, the purpose of the Property Owners Association Documents is to provide for the maintenance of all infrastructure necessary to the proper functioning of the development approved for construction under County regulations. For purposes of this review, infrastructure includes, but is not limited to, drainage easements, roads, landscaping, utility easements, open space, development signs, conservation areas/easements, preservation areas/easements, common areas, lighting, recreational areas, golf course areas, lakes, and the surface water management system.

**A final plat will not be approved by the County unless the developer establishes that all elements of the infrastructure will be maintained in accordance with applicable regulations, permits and approvals.** Maintenance can be accomplished through the coordinated efforts of more than one entity. However, the entity responsible must be specifically identified and have the required power and authority to carry out the maintenance over the life of the development. In general, the entity that will be responsible for the maintenance of the infrastructure will be a Property Owners Association, duly incorporated under Florida Law, or, a Community Development District created in accordance with Florida Statutes Chapter 190. Please note, the developer and individual property owners are NOT proper entities for purposes of providing infrastructure maintenance.

If ownership or maintenance responsibilities are shared between entities (e.g., a master association and a neighborhood or community association, or CDD) the entity primarily responsible for the maintenance must be identified in the checklist. If more than one entity receives a dedicated interest in the same property (e.g., a drainage easement), then the respective maintenance responsibility must be clearly delineated in the documents providing the power and authority to maintain the subject infrastructure component.

This checklist is designed to expedite approval of your client's plat by precisely locating the pertinent provisions in the respective documents. A properly completed checklist must accompany the documents submitted for review and approval. A complete set of property owners documents includes: The Declaration, the Articles of Incorporation, and the Bylaws. Review will be delayed if a full set is not provided for review.

**Please Note:**

Developments within CDD's are encouraged to contact the County Attorney's Office for further direction prior to submission of this checklist as, generally, a legally sufficient resolution from the CDD's Board of Supervisors will be required.

**Full Name of Responsible Entity**

Association Name (required): \_\_\_\_\_

Master Association Name (if applicable): \_\_\_\_\_

CDD Name (if applicable): \_\_\_\_\_

**Please identify the document and location of the provision that specifically addresses each item outlined below.**

Note: A full set of property owners documents must accompany the checklist. These include: Declaration, Articles of Incorporation and Bylaws.

	Document	Page	Article/Section
1.	establishes that the entity will exist in perpetuity.		
2.	provides the entity with the power and authority to: <ul style="list-style-type: none"> <li>a. own and convey property,</li> <li>b. establish rules and regulations,</li> <li>c. assess members and enforce assessments,</li> <li>d. sue and be sued, and</li> <li>e. contract for services necessary to operate and maintain property dedicated to the entity and any corresponding infrastructure.</li> </ul>		
3.	indicates that membership in the entity is comprised of <u>all</u> homeowners, lot owners, property owners or unit owners.		
4	For plats encompassing a golf course or golf course tracts, the provision establishing the owner/operator of a golf course as a member of the entity. If elements of the infrastructure, for example surface water management or roads, are included in the golf course, then the golf course property must be either be included as part of the property subject to the Declaration establishing maintenance responsibility or of the association documents applicable to the golf course property maintenance must be reviewed and approved prior to final plat approval.		
5.	establishes an initial effective period of at least 25 years, with automatic renewal periods thereafter.		

	Document	Page	Article/Section
6. provides that in the event the entity is dissolved, the dedicated property and corresponding infrastructure will be conveyed or dedicated to a similar non-profit organization or entity to assure continued maintenance and operation.			
7. establishes that the entity receiving the dedicated interest in the tract or easement has the power, authority and responsibility for maintenance and operation of.			
a. the surface/storm water management system, including dedicated lake tracts, lake maintenance or drainage easements, and corresponding infrastructure.			
b. rights-of-way, roads, street or access easements.			
c. utility easements/tracts or facilities.			
d. conservation or preservation easements/areas.			
e. common landscape areas.			
f. recreational areas.			
g. common areas.			
8. requires any amendment to the Declaration that will affect the water management portions of common areas must receive prior approval from South Florida Water Management District.			
9. provides a method of assessing and collecting assessments for maintenance and operation of dedicated property and corresponding infrastructure.			
10. grants individual property owners within the subdivision a meaningful legal right to take action against the responsible entity (ie. Association) to enforce the maintenance covenants.			