

**LAKE WORTH DRAINAGE DISTRICT  
OPERATING POLICIES**

**Chapter 3: Engineering & Permitting Requirements**

**3.10 Signs**

**Requests for Use of LWDD's Right-of-Way for Sign Construction**

All requests must be considered by the Board of Supervisors on an individual basis. If approval is granted, the following guidelines apply:

**3.10.1 Application for Permit**

A drawing showing the proposed location of the sign related to the right-of-way and a cross section of the canal shall be provided. This sign location canal cross-section is to show, label and dimension the required canal right-of-way lines(s) and the existing channel top-of-bank(s) closest to the proposed sign, along with an existing land line (such as a section line, quarter-section line, or platted block line or tract line within a platted subdivision, such as THE PALM BEACH FARMS CO. PLAT NO. 3). The drawing shall show all dimensions of the sign, including height, and shall also state materials the sign is to be made from and any other pertinent construction details.

**3.10.2 Proof of Permit from Other Agencies**

Prior to commencement of any construction, the Permittee must acquire any building permits required by Palm Beach County or any other applicable municipality.

**3.10.3 Time Limit**

Any sign permit issued by LWDD will be a temporary permit that may be terminated at any time by LWDD. If no substantial construction has begun within one (1) year of issuance, the permit shall be automatically revoked.

**3.10.4 Removal**

The owner of any sign within the LWDD's right-of-way shall pay all expenses incurred with the removal of the sign.

**3.10.5 Fees - See Chapter 2.0**

**3.10.6 Liability Protection**

The Permittee shall execute a Permit containing an indemnification and hold harmless clause in favor of LWDD, and furnish proof of liability insurance in the minimum amount of \$1,000,000.00, and that such insurance policy shall be kept in full force and effect during the term of this Permit and the expenses of same shall be borne by the Permittee or its successors and/or assigns. The required insurance coverage shall be provided to LWDD upon the full execution of this Permit. Proof of such coverage shall be delivered to LWDD within 30 days prior to the annual renewal date of the policy. In the event Permittee allows said insurance policy to expire, the Permit shall be in default and LWDD shall have the right to terminate this Permit. The required insurance coverage shall be provided to LWDD prior to the commencement of any improvement to LWDD right-of-way.

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**3.10.7 Certification of Title**

The Permittee shall furnish proper certification of title of ownership, signed by an attorney licensed to practice in the State of Florida, or by the President or Vice-President of a title company authorized to do business in the State of Florida, and containing a complete legal description of the property and the owner's name(s) as it appears in the public records. The certification of title must be dated within six (6) months of the date of receipt by LWDD and provided on the letterhead of the applicable attorney firm or title company. See the end of this section for sample certification of title.

**3.10.8 Notification of Adjacent Property Owners**

The permittee shall provide proof of notification of all property owners within one hundred fifty feet (150') of the proposed sign.

**3.10.9 Denial**

LWDD reserves the right to deny any and all requests for sign permits.

**3.10.10 Possible Permit Conditions**

[Note: These conditions are not totally inclusive. Additional conditions may be required based upon the circumstances of the project.]

**3.10.10.1**

LWDD may at any time in the future, by giving written notice to have the sign(s) removed within 30 days, demand upon the Permittee or its successors and/or assigns, for the immediate removal of the sign(s), the same to be accomplished at the sole expense of the Permittee, which expense shall include legal expenses and costs that LWDD may incur to enforce its rights involved herein. In the event it should become necessary for LWDD to remove the subject sign(s), LWDD shall have the right to remove the sign(s) and to place a lien upon the property owned by the Permittee and its successors and/or assigns for the expenses incurred by LWDD, which shall include but not be limited to legal costs and court costs. LWDD shall have the right to enforce collection on the subject lien in accordance with Florida Law.

**3.10.10.2**

Permittee or Permittee's representative shall notify the LWDD Engineering Department forty-eight (48) hours prior to any work within LWDD rights of way or easements to coordinate the extent of work to be completed. All underground installations must be inspected prior to backfilling.

**3.10.10.3**

Permittee will restore right-of-way to its original or better conditions where disturbed by construction activity.

**3.10.10.4**

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It shall be the responsibility of the Permittee to locate and protect the underground facilities of LWDD or those of others prior to construction.

**3.10.10.5**

Permittee shall take all reasonable precautions necessary to prevent turbidity or silting upstream or downstream during construction.

**3.10.10.6**

All unpermitted facilities installed before or during construction must be removed prior to the project's final acceptance.

**3.10.10.7**

Permittee agrees that significant construction must start within one (1) year from the date of permit issuance or this permit will become void and a new permit must be issued prior to any construction activity on site.

**3.10.10.8**

The Permittee, LWDD approved assignees, and/or successors in title agree to operate and maintain the system/facility in perpetuity.

**3.10.10.9**

The Permittee shall furnish continuing proof of insurance in the minimum amount of \$1,000,000.00, listing LWDD as an additional named insured, and such insurance policy shall be kept in full force and effect during the term of this Permit and the expenses of same shall be borne by the Permittee or its successors and/or assigns. The required insurance coverage shall be provided to LWDD upon the full execution of this Permit. Proof of such coverage shall be delivered to LWDD within 30 days prior to the annual renewal date of the policy.

In the event Permittee allows said insurance policy to expire, the Permit shall be in default and LWDD shall have the right to terminate this Permit. The required insurance coverage shall be provided to LWDD prior to the commencement of any improvement to LWDD right-of-way.

LWDD GENERAL PERMIT APPLICATION

1. Project Name/Description: \_\_\_\_\_  
 \_\_\_\_\_

Check all that apply:

Type:  Drainage Master  Drainage Phase  Roadway or Pathway  Bridge  
 Culvert Crossing  Piping of Canal  
 Permit Modification (Permit Number being modified: LWDD Permit Number \_\_\_\_\_)

Utility Installation:  Aerial Crossing  Subaqueous Crossing  Directional Bore Crossing  
 Pole to Pole  Underground Crossing  Parallel Installation  
 Attached to Bridge

R/W Encroachment:  Sign  Utility Pole  Monitoring Well

Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2a. Project Location (Including Address) Note: Legal description of project or property survey with legal description must be attached to this application: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Drainage Basin:  C-51  C-16  C-15  Hillsboro  
 (Please check all that apply)

2b. On applications for Drainage Outfalls, Roadways, Pathways, Bridges, Culvert Crossings, Piping of Canals, Utility Lines, Utility Poles and Monitoring Wells provide Florida State Plane Grid Coordinates (U.S. Survey Feet) based upon the North American Datum of 1983, 1990 Adjustment (NAD 83/90), or better for the proposed improvements, as follows:

Begin Construction Centerline Coordinates: N \_\_\_\_\_ E \_\_\_\_\_

and

End Construction Centerline Coordinates: N \_\_\_\_\_ E \_\_\_\_\_

or

Location Coordinates: N \_\_\_\_\_ E \_\_\_\_\_

**LWDD PERMIT APPLICATION**

**Project Name/Description** \_\_\_\_\_

**2c. Property Control Number (for applicable parcels)** \_\_\_\_\_

**2d. Job, Agent or Government Project Number** \_\_\_\_\_

**2e. Receiving/Adjacent Canal(s):** \_\_\_\_\_ **2f. Project Acreage:** \_\_\_\_\_

**3. Agent\*:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip** \_\_\_\_\_ **Code:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **Job #:** \_\_\_\_\_

**Project Engineer:** \_\_\_\_\_ **Phone #** \_\_\_\_\_

**Project Engineer's email address:** \_\_\_\_\_

I hereby certify that I am an authorized agent of the owner.

\_\_\_\_\_  
Signature & Printed Name of Agent

\_\_\_\_\_  
Date

\* Agent must provide letter of authorization from owner.

**4. Owner/Applicant:** \_\_\_\_\_ **Phone #:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

\_\_\_\_\_  
Signature & Printed Name of Owner/Applicant

\_\_\_\_\_  
Date

## LWDD PERMIT APPLICATION

Project Name/Description \_\_\_\_\_

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### Checklist of items (if applicable) to be included with a Permit Application (Please check each item that is included with your permit application)

- Two (2) sets of signed & sealed design plans.
- One (1) set of signed & sealed drainage calculations for the appropriate frequency design storm event.
- Control structure(s) shown on the detail sheet of design plans shall be a fixed metal plate or wall, moveable metal plate or a combination of both. All dimensions and elevations shall be shown on design plans.
- Discharge pipe and/or endwall shown on detail sheet of the design plans shall meet LWDD & FDOT standards and specifications.
- Existing canal cross section with canal design section overlay, if applicable.
- Check for inspection/administrative fees if required, including itemization of fees. **See Chapter 2 – Fees, of LWDD Operating Policies manual.**
- Map of Survey and/or sketch of description (signed and sealed)
- Drawing describing the proposed use or facilities (to scale if possible)
- Copy of other Agency permits (if applicable)
- Other information pertinent to the application
- A benchmark shall be provided on the discharge control structure.

# SAMPLE CERTIFICATION OF TITLE

**THE CERTIFICATION OF TITLE MUST BE PROVIDED ON THE TITLE COMPANY'S  
LETTERHEAD OR THE ATTORNEY'S LETTERHEAD**

Lake Worth Drainage District (LWDD) requires a Certification of Title in conjunction with conveyances to and from LWDD, agreements, releases, and annexation within the boundaries of LWDD. A Certification of Title must be addressed to:

LAKE WORTH DRAINAGE DISTRICT  
Attn: Legal Department  
13081 Military Trail  
Delray Beach, FL 33484-1105

I hereby certify that I have examined the Public Records of Palm Beach County, Florida regarding the following described property:

**Provide Full Legal Description and  
Property Control Number**

and as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, find the last owner of record to be \_\_\_\_\_

\_\_\_\_\_ whose  
mailing

address is \_\_\_\_\_.

**Please identify any encumbrances, mortgages and any petroleum, phosphate, minerals and/or metals affecting the property.**

**(Name of Law Firm or Name of Title Company)**

By: \_\_\_\_\_

\_\_\_\_\_  
Attorney's Name if prepared by Law Firm

Name of President/Vice-President if prepared by Title Company

## SAMPLE CERTIFICATION OF TITLE

### Additional Requirements

If you are required to convey right-of-way to Lake Worth Drainage District, you must provide the following information:

**Existing Easements:** If there are existing easements or agreements that affect the parcel to be conveyed to LWDD, please identify them on the sketch of description required by LWDD for the proposed conveyance document. If there are no existing easements or agreements, please confirm that in the certification of title.

**Mortgage Holder:** If the parcel to be conveyed to LWDD is encumbered, it will be necessary to provide a Consent and Subordination of Mortgage. A sample form is provided herewith. Please provide the mortgage information in the certification.

If you are requesting a release of reservations from LWDD, you must provide the following information:

**Existing Easements:** If there are existing easements and or agreements that affect the parcel to be released by LWDD, please provide a boundary survey with all easements and/or agreements plotted thereon. In addition, please provide copies of the corresponding documents.



**SAMPLE FORM - THIS MUST BE PREPARED ON LENDER STATIONERY**

**CONSENT AND SUBORDINATION OF MORTGAGE**

\_\_\_\_\_, whose address is \_\_\_\_\_  
\_\_\_\_\_, pursuant to that Mortgage dated \_\_\_\_\_  
\_\_\_\_\_ and recorded in Official Record Book \_\_\_\_\_, Page \_\_\_\_\_, of the  
Public Records of Palm Beach County, Florida, (the "Mortgage"), which Mortgage  
encumbers the property described on Exhibit "A" attached hereto, consents to the Easement  
Deed dated \_\_\_\_\_ from \_\_\_\_\_  
\_\_\_\_\_, to LAKE WORTH DRAINAGE DISTRICT, to which this Consent and  
Subordination is attached (the "Easement), and subordinates the lien of the Mortgage to  
the Easement.

IN WITNESS WHEREOF, the Mortgagee has executed this Consent and Subordination as  
of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Name of Mortgagee

By: \_\_\_\_\_  
President

\_\_\_\_\_  
Address

STATE OF \_\_\_\_\_ :  
COUNTY OF \_\_\_\_\_ :

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ as President of \_\_\_\_\_  
\_\_\_\_\_. He/She (\_\_\_\_) is personally known  
to me or (\_\_\_\_) produced \_\_\_\_\_ as  
identification.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Stamp or Seal