

EASEMENT USE AGREEMENT & EUA SUBMITTAL PACKAGE

For minor structures encroaching upon an easement with dedications to Collier County

An Easement Use Agreement and EUA Submittal Package is required to be provided for review and approval of any minor structure within a drainage, access, utility, lake maintenance, or landscape buffer easement to which Collier County has certain rights.

* Any Easement Use Agreement submitted without an EUA Submittal Package will result in an Insufficiency Letter.

• **Easement Use Agreement:**

[*Upload to "Easement Use Agreement" Submittal Item.](#)

- The **Easement Use Agreement** (EUA) is required to be executed accurately. Assemble the **EUA Submittal Package** prior to executing the agreement in order to obtain the necessary information for completion of the document.

Owner(s): Owner #1 Legal Name (as specified on Deed) _____ and Owner #2 Legal Name (as specified on Deed) _____
Address: Property Address (include City, State, ZIP) _____
Permit Number: Permit Number _____

EASEMENT USE AGREEMENT

This EASEMENT USE AGREEMENT ("Agreement") is made as of this DD day of MM, 20##, by and between Owner #1 Legal Name (as specified on Deed) ("Owner") and Owner #2 Legal Name (as specified on Deed) ("Owner"), and Collier County ("County").

WHEREAS, Owner is the current fee owner of that certain real property known as Legal Address (as specified on Deed) _____ according to the plat thereof as recorded in Plat Book OR#, Page(s) PG#, of the Public Records of Collier County, Florida (hereinafter "Subject Property"); and

WHEREAS, as set forth in Plat Book, OR#, Page PG#, the County is record owner of certain non-exclusive dedicated easement type(s) easement rights, as referenced in paragraph # of the Plat dedications, a portion of which encumbers the Subject Property (hereinafter "Easement Area"); and

WHEREAS, Owner has or wishes to construct or install a type of structure (e.g. fence, slab) (the "Encroachment") in a portion of the County's easement located on Owner's property; and

- The notary acknowledgement requires two witnesses to the agreement. All legal owner(s) identified on the Deed or an authorized individual must sign in the presence of a Notary Public. *If signed by an authorized individual, substantiate authorization in the EUA Submittal Package.*

• **EUA Submittal Package:**

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1. Recorded Deed

- The recorded Deed is obtainable via [Collier County Property Appraiser Search](#) for property. All real property deeds will be filed under "Latest Sales History". Open the deed to view the Legal Name, Legal Address, Plat Book (OR) and Page (PG).

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10 and other valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all its interest in that certain land situated in Collier County, Florida, and described as:

Lot 36, Block 3, Naples Park, Unit No. 1 according to the plat thereof recorded in Plat Book 1, Page 106; Public Records of Collier County, Florida.

2. Plat Map

- Locate the Plat Map as recorded via [Official Land Records Search](#).
- Select **Map Search** in the sidebar.
- Select **Book Type**: PB : Subdivision Plat and SURVEY : Survey and Location.
- Enter the referenced Plat **Book & Page**.

Read the Dedications within the Plat Map to determine whether the easement is dedicated to Collier County. Note the referenced paragraph number.

If the plat dedicates easement(s) to Collier County, the Easement Use Agreement is required.

3. Letter(s) of No Objection

If the plat dedicates easement(s) to a registered entity (e.g., Home Owner, Property Owner, or Master Associations; Community Development Districts): Letter(s) of No Objection will need to be provided from all dedicated interest holders. [Please review the following page for more information.](#)

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The following letters are required to be included with the EUA Submittal Package upon determined applicability.

Letter of No Objection:

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- When dedicated interestholder(s) to the easement are identified on the Plat Map, an Officer must provide a Letter of No Objection to the encroachment within the applicable easement(s). The letter must be on letterhead and contain the following information, at minimum:

- Property Address
- Reference to all easements the improvement encroaches upon
- Statement of no objection to the improvement within the easement(s)
- A formal signature block:

Example: Entity Name,
By: [Signature]
Name of person signing, Title
Date

- Provide the [Sunbiz Detail](#) referencing the Officer/Registered Agent signing the Letter of No Objection.

Letter of Authorization:

[*Upload to "EUA Submittal Package" Submittal Item.](#)

- When an authorized agent is signing on behalf of an entity, this can be authorized by providing a Letter of Authorization from an Officer/Registered Agent. The letter must be on letterhead and contain a formal signature block.
- Provide the [Sunbiz Detail](#) referencing the Officer/Registered Agent signing the Letter of Authorization.