

Easement Use Agreement (EUA) – Minor Structures

For minor structures, on 1&2 family residential properties, encroaching into an easement that has been dedicated to Collier County. Minor structures include fences, air conditioning equipment/concrete pad, pool equipment/concrete pad, generators, sidewalks, and other minor structures as determined by GMCD staff. Walls, buildings, screen enclosures, pools, spas, and other structures are not allowed on Minor EUAs. Commercial & Multi-family parcels do not qualify for minor EUAs.

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.

If the entire package is not submitted, the permit will be subject to rejection/insufficiency comments and/or delays in review. Packages are reviewed by the County Attorney’s office for completeness.

Submittals

Fence Permits:

The Easement Use Agreement submittal package must be uploaded to the “Easement Use Agreement Request” condition. See [Minor Easement Use Agreement Condition Job Aid](#) for more information.

Other Permit Types:

The Easement Use Agreement submittal package can be submitted during the original submittal or as part of the corrections process.

Recording

The approved, signed document can be found under documents and images. Please take the approved, signed EUA document with blue signature to the Clerk of Courts for recording. Once recorded, upload the recorded EUA to the “Easement Use Agreement Inspection Hold” condition.

Easement Use Agreement submittal package:

1. **Easement Use Agreement (EUA):** required to be executed accurately and completely.
 - 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, must provide evidence of authorization with either a Letter of Authorization or a [sunbiz detail](#).
 - [1 owner](#)
 - [2 owners](#)
 - [3 owners](#)
 - [Trust/LLC](#)

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

2. **Recorded Deed:** via [Collier County Property Appraiser website](#)
 - Search the property. All real property deeds will be filed under “Latest Sales History”.
 - The deed will list the Legal Name, Legal Address, Plat, including Book (OR) and Page (PG) numbers.

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.

3. **Plat Map:** via [Collier County Clerk of Courts, Official Land Records Search](#)
 - Locate recorded plat
 - Select Modern
 - Select Map Search in sidebar
 - Search by Book and Page number on deed.
 - 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.

Map Search					
Property Name/Subdivision	<input type="text" value="START TYPING THE PROPERTY NAME..."/>				
Book Type	<input type="text"/>				
Book & Page	<table border="0"> <tr> <td>Book</td> <td>Page</td> </tr> <tr> <td><input type="text" value="1"/></td> <td><input type="text" value="106"/></td> </tr> </table>	Book	Page	<input type="text" value="1"/>	<input type="text" value="106"/>
Book	Page				
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4. **Letter(s) of No Objection.** If the plat dedicates easement(s) to a registered entity other than Collier County (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.
 - 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.
5. **Letter of Authorization.** Letter of Authorization or Sunbiz detail, if applicable.
 - 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.