



## EASEMENT AFFIDAVIT

What is an easement?

**Easement Definition:** “A right of use or control of a section of property granted for a designated purpose.” Code of Ordinances of the City of Margate, §40.201(C).

What does this mean?

It means that there is a place on the property where someone has the right to use that part of it for the purpose that the easement was dedicated. Easements can be for access, drainage, canal maintenance, lake maintenance, or utilities. No accessory structures such as sheds or swimming pools may be located within a recorded easement.

Why is an easement affidavit required?

So that a property owner acknowledges their responsibility for constructing something in an easement and the easement holder's rights. If anything in the easement is damaged or what is built needs to be removed to use the easement, the expense falls on the property owner.

**Drainage, canal, or lake maintenance easements.** These are critical for flood control maintenance and permission is required from the easement holder before we can issue a permit. Below are the possible entities that permission is needed to construct anything in these types of easements.

- City of Margate, Florida (DEES): 901 NW 66<sup>th</sup> Ave., Suite A, Margate, FL 33063  
Email: [deesadmin@margatefl.com](mailto:deesadmin@margatefl.com)
- [Cocomar Water Control District](#): Susan Bodmann, PG, PMP [sbodmann@broward.org](mailto:sbodmann@broward.org)
- [South Florida Water Management District](#) • [Sunshine Water Control District](#)

## EASEMENT AFFIDAVIT SUBMISSION REQUIRMENTS

- ☐ **Survey:** Legible survey that is a minimum 300 dpi that shows the location of all existing structures, paved areas, and recorded easements on the property.
- ☐ **Proof of Owner Authorization:** If the property is owned by a corporation an authorized agent registered with the State of Florida as listed on [www.sunbiz.org](http://www.sunbiz.org) must be the person that signs and the record from [www.sunbiz.org](http://www.sunbiz.org) must be provided. If the person signing is not listed as an authorized agent, then a corporate resolution showing that person is authorized to sign on behalf of the corporation may be provided.
- ☐ **Easement Holder Signature:** Required only for construction in drainage, canal, or lake maintenance easements.



## EASEMENT AFFIDAVIT

I hereby certify that I am the owner or authorized signatory of the property located at \_\_\_\_\_,

and I propose to apply for a building permit to construct a \_\_\_\_\_

in the ☐ Utility Easement ☐ Drainage Easement ☐ Canal Maintenance Easement at my property shown on the attached survey. I understand that the City of Margate has no liability for issuing a building permit for this construction to take place, and that the utility provider or easement holder will not be responsible in any way for repairs to, or replacement of, any portion of it and that any removal and replacement of this construction necessary for the use of this easement will be done at the property owner's expense. Further understanding that the owner will assume full responsibility for any damage incurred to the utility provider's or easement holder's facilities during the construction.

\_\_\_\_\_  
Print owner's or authorized signatory name

\_\_\_\_\_  
Signature of owner or authorized signatory

\_\_\_\_\_  
Phone number

\_\_\_\_\_  
E-mail

STATE OF FLORIDA COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ (year), by \_\_\_\_\_ (print name of person making statement).

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

☐ Personally Known OR ☐ Produced Identification

Type of Identification Produced \_\_\_\_\_

### **Drainage, Canal or Lake Maintenance Easements:**

We ☐ agree ☐ disagree that the proposed construction may take place within the easement subject to these conditions: \_\_\_\_\_

Name of Easement Holder: \_\_\_\_\_

Date: \_\_\_\_\_

Representative: \_\_\_\_\_

Title: \_\_\_\_\_