

UTILITY EASEMENT ENCROACHMENT INSTRUCTIONS PACKET

1. Please obtain written consent from all five utility easement holders and beneficiaries referred to in [PBO-043](#) Form #100, Even if there is no gas or if there is a well, the easement is for the future use of the specific utility. The owner's signature is required to be notarized.

Potential easement holders are listed below (This list is not inclusive and other entities may have easement rights). *It is the permit applicant's responsibility to identify all easement holders.*

ELECTRIC:

FPL (Florida Power and Light Company)
Service Center Office
810 Charlotte Ave
West Palm Beach Florida 33401-6240
Phone: (561) 616-1601
Email: dcp-group.sharedmailbox@nexteraenergy.com
Note: Send Easement Consent Form AND a copy of your property survey

WATER/SEWER:

Contact the city hall office within the service area or refer to the water bill for the subject location

Palm Beach County Water Utilities
8100 Forest Hill Blvd.
West Palm Beach, Florida 33413
Phone 561-493-6000
Email: WUDPlanReview@pbcwater.com

CABLE TV:

COMCAST/XFINITY
Spec 2, Construction
1401 Northpoint Pkwy,
West Palm Beach, Florida 33407
Phone: 561-815-6659
Email: daniel_tiburcio2@comcast.com

TELEPHONE:

AT&T
Engineering Dept.
321 SE 2nd Street, 2nd Floor
Delray Beach, Florida 33483
Email: g44488@att.com

GAS:

Florida Public Utilities Company
P.O. Box 3395
West Palm Beach Florida 33402-3395
Email: engineering-wpb@fpuc.com

2. Please complete the Palm Beach County Removal Agreement [PBO-043](#) Form #25. ****Note – this form is not applicable to a fence or driveway proposed to encroach a utility easement****

The Removal Agreement Form, along with a survey or site sketch must be:

- Notarized
- Recorded with any **Clerk of the Circuit Court and Comptroller for Palm Beach County** location
- Once recorded, obtain a **certified copy** from Clerk of the Circuit Court location:

Main Courthouse
205 N. Dixie Hwy., Room 425
West Palm Beach

South County Courthouse
200 W. Atlantic Ave.
Delray Beach

North County Courthouse
3188 PGA Blvd.
Palm Beach Gardens

Midwestern Communities Service Center
200 Civic Center Way, Suite 500
Royal Palm Beach

West County Courthouse
2950 State Road 15, Room S-100
Belle Glade

Vista Center inside the Building Division Permit Center
2300 N. Jog Road
West Palm Beach

Documents may also be **recorded electronically** (and certified copy obtained) using an e-recording vendor via the Clerk of the Circuit Court website:

<https://www.mypalmbeachclerk.com/departments/recording/erecording>

Call 561-355-2991 or e-mail eRecordinfo@mypalmbeachclerk.com for more information.

3. After receiving the consents and recorded, certified copy of the Removal Agreement including the survey or site sketch, upload all five consent forms, the certified (or e-certified) copy of the **recorded** Removal Agreement Form in the ePZB Online Portal when applying for the subject building permit.



**Palm Beach County
Planning, Zoning & Building Department
BUILDING DIVISION PERMIT CENTER**

EASEMENT CONSENT FORM

TO: _____
(Name of easement holder)

SUBJECT PROPERTY ADDRESS:

I am the record title holder of the above property. I propose to apply for a building permit from Palm Beach County to construct or install a _____

_____ in the _____

easement on my property, the legal description of this property being:

Lot _____ Block _____ Subdivision _____

or Metes & Bounds _____

In the event that you have no objections to this improvement, please complete this form. I understand that you or your company will not be responsible in any way for repairs to, or replacement of, any portion of the above-referenced improvement and that any removal or replacement of this improvement, necessary for your use or access of this easement, will be done at the expense of the property owner or his/her successors in interest.

(Signature of Owner)

(Print Name)

**STATE OF FLORIDA
COUNTY OF _____
Sworn to (or affirmed) and subscribed before me this**

_____ day of _____ 20__ by:

(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 _____

ACKNOWLEDGMENT:

I agree to the proposed improvement, under the circumstances described above.

Name of easement holder

By: _____

Title: _____

Date: _____

Instrument Prepared By:

Name: _____

Address: _____



**PALM BEACH COUNTY
PLANNING, ZONING & BUILDING
BUILDING DIVISION**

PALM BEACH COUNTY REMOVAL AGREEMENT

Date: _____

PR #: _____

WHEREAS, _____

(hereinafter referred to as "Owner(s)") are desirous of constructing or installing a _____

in a portion of the _____ easement on Owner(s) property, the legal

description of this property being Lot _____ Block _____ Subdivision _____

or Metes & Bounds _____, as shown in the attached survey or site sketch.

WHEREAS, the Owner(s) do covenant that he/she is the fee simple owner of the property; and

WHEREAS, the above is to be erected for the use and enjoyment or proper functioning of the property and special aesthetics.

NOW, THEREFORE, in consideration of Palm Beach County ("County") issuing a building permit for construction of an improvement within an easement to Owner(s), the Owner(s) hereby agree to remove, at no expense to the County, the easement holders or the beneficiaries of the Easement, the above-described improvement from the property within thirty (30) days notice by the easement holder(s) that said improvement is inconsistent with the use of the Easement. It is agreed by the Owner(s) that the improvement shall be as depicted on the building permit application number _____, filed with Palm Beach County Planning, Zoning and Building Department, and that no other construction shall be in effect in said Easement. It is agreed by the Owner(s), that this Declaration shall be recorded at the Owner(s) expense in the Official Records of Palm Beach County, Florida, within ten (10) days of the date listed above, and that this Removal Agreement shall be a covenant running with the land and be binding upon the heirs, personal representatives, grantees, assigns and successors in interest of the Owner(s).

In the event that County and/or Owner(s) are challenged with respect to the placement of said improvement in the Easement, or a claim for damages is made as a result of the placement

of said improvement in the Easement, Owner(s) shall protect, defend, reimburse, indemnify and hold County, its agents, employees and elected officers harmless from and against all claims, liability, expense, loss, cost, damages or causes of action of every kind or character, including attorney's fees and costs, whether at trial or appellate levels or otherwise from said challenge.

Upon the vacation, abandonment or discontinuance of the Easement or the removal of the improvement within the Easement, this Removal Agreement shall immediately and automatically terminate and be of no further force and effect.

SIGNED, SEALED, EXECUTED AND ACKNOWLEDGED on this _____ day of _____ 20____.

Witness:

Owner Signature

Owner Signature

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this _____ Date

by _____, who is personally known to me or who has
Name of Person Acknowledging

produced _____ as identification and who **did** or **did not**
Type of I.D. not take an oath.

SEAL

(Signature of person taking
acknowledgement)

(Name of officer taking acknowledgement
typed, printed or stamped)

(Title or rank)

(Serial number, if any)