

### **Guidelines for Applying for an Owner Builder Building Permit on Behalf of a Trust**

The following guidelines have been developed in order to assist the public with the process of applying for building permits for property owned by a trust. These guidelines are intended only to serve as a general guide and should in no way be construed as offering legal advice or a legal opinion. To obtain legal advice or opinion, the applicant is advised to obtain the services of his or her own attorney.

To issue permits to individuals applying for single family home building permits on behalf of a property-owning trust, the Collier County Building Department must receive:

- An Affidavit of Authority Under Trust, which should contain the information appearing in the Collier County sample Affidavit of Authority Under Trust
- A copy of the recorded deed showing that the named trust owns the subject property.
- The Affidavit of Authority Under Trust must be signed, witnessed and notarized prior to submittal of the permit. Collier county staff is not authorized to complete, witness or notarize the form.

# AFFIDAVIT AS TO AUTHORITY UNDER TRUST

I, \_\_\_\_\_, THE UNDERSIGNED, first being duly sworn, deposes and states:

1. THAT I am the designated (write-in or check) \_\_\_\_\_

- |  |                                      |                                    |                                       |
|--|--------------------------------------|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Beneficiary;  | <input type="checkbox"/> Grantor;    | <input type="checkbox"/> Executor; | <input type="checkbox"/> Co-Executor; |
| <input type="checkbox"/> Sole Trustee; | <input type="checkbox"/> Co-Trustee; | <input type="checkbox"/> Settlor;  | <input type="checkbox"/> Co-Settlor   |

of the \_\_\_\_\_ (hereinafter the "Trust")  
and have personal knowledge of the facts set forth in this Affidavit.

2. THAT part of the Trust corpus includes real property located in Collier County, Florida (hereinafter the "Real Estate"), more particularly described as:

Folio Number(s): \_\_\_\_\_

Legal Description: \_\_\_\_\_

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

3. THAT the real estate was transferred to the Trust by means of the:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Quitclaim Deed; | <input type="checkbox"/> Special Warranty Deed;  | <input type="checkbox"/> Statutory Warranty Deed; |
| <input type="checkbox"/> Warranty Deed;  | <input type="checkbox"/> Other Instrument _____; | <input type="checkbox"/> Judgement _____          |

which was recorded on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, of the Public Records of Collier County, Florida.

4. THAT consistent with the foregoing, I, the undersigned, swear under penalty of perjury that under the Trust, said Trust's terms, and (if any) all amendments thereto, I (the undersigned) am duly authorized to execute in relation to the aforesaid real estate, all Collier County Building Division applications, forms, documents and instructions.

5. IN WITNESS WHEREOF, I have executed this Affidavit under penalty of perjury on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

WITNESSESS TO ALL:

AUTHORIZED TRUST OFFICIAL:

\_\_\_\_\_  
Witness No. 1 (Print Name)

\_\_\_\_\_  
Authorized Official (Print Name)

\_\_\_\_\_  
Witness No. 1 (Signature)

\_\_\_\_\_  
Authorized Official (Signature)

\_\_\_\_\_  
Witness No. 2 (Print Name)

\_\_\_\_\_  
Witness No. 2 (Signature)

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this:

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by (printed name of owner or qualifier) \_\_\_\_\_

Such person(s) Notary Public must check applicable box:

- ☐ Are personally known to me  
☐ Has produced a current driver's license \_\_\_\_\_  
☐ Has produced \_\_\_\_\_ as identification.

Notary Signature: \_\_\_\_\_

Must Comply with Notarial

Notary