***The validity of the TDR Credit Certificate issued by the County shall be contingent upon the truthfulness and accuracy of the information included in this application.***

 **I. APPLICANT INFORMATION**

SENDING LAND OWNER (MUST BE COMPLETED):

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name** |  | | | | |
| **Address** |  | | | | |
| **City** |  | State |  | ZipCode |  |
| **Phone** |  | | | | |
| **Fax** |  | | | | |
| **Email** |  | | | | |

NAME OF AGENT (if applicable):

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name** |  | | | | |
| **Address** |  | | | | |
| **City** |  | **State** |  | **ZipCode** |  |
| **Phone** |  | | | | |
| **Fax** |  | | | | |
| **Email**    **II. STATEMENT OF INTENT** |  | | | | |

I wish to sever…

I want to retain…

I want…

I intend to…

TDRs from the entire property, *OR*

Portion of the property.

\_\_\_ (Number) dwelling unit(s) with the property for existing or future development

List TDRs for sale on the County’s website

Explore the possibility of obtaining the following TDR Bonus Credits

Environmental Restoration & Maintenance TDR Bonus Credits

Conveyance (to a public entity) TDR Bonus Credits

****

**III. SENDING PROPERTY INFORMATION** (attach additional listing as needed)

Folio Number/Parcel Number(s)\* – ALL PARCELS MUST BE CONTIGUOUS:

|  |  |  |  |
| --- | --- | --- | --- |
| **1.** |  | **6.** |  |
| **2.** |  | **7.** |  |
| **3.** |  | **8.** |  |
| **4.** |  | **9.** |  |
| **5.** |  | **10.** |  |

\*These numbers appear in the lower left corner of you Collier County Tax notice.

## FOLLOWING INFORMATION REQUIRED FOR EACH FOLIO NUMBER LISTED ABOVE (Attach additional Sheets as needed)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Folio No:** |  |  |  |  |
| **Total Acreage of Property:** |  |  |  |  |
| **Total Acreage for which you wish to sever TDR Credits:** |  |  |  |  |
|  | | **YES** | **NO** |  |
| **Are there any existing dwelling units located on the property or for which a valid building permit is in effect?** | |  |  |  |
| ***If YES, how many?*** | |  | |  |
| **Are there any other buildings on the property?** | |  |  |  |
| ***If YES, how many?*** | |  | |  |
| ***If YES, what uses?*** | |  | | |
|  | | | | |
|  | | | | |
| **Has there been clearing for agricultural purposes on the property since June 19, 2002? Provide affidavit signed by the property owner that the TDR(s) are not being severed in violation of LDC [2.03.07.D.4.c.vi.b.]** | |  |  |  |
| **Describe how the property is currently being used (e.g. agriculture, home site, etc):** | |  | | |
|  | | | | |
| **Are there any existing easements, deed restrictions or any other restrictions that prohibit residential development of this property? Provide affidavit signed by the property owner. [LDC 2.03.07.D.4.f.ii.a.iii] Also include in the affidavit there are no Mortgages or Liens on property, or Mortgagees consent to the Limitation of Development Rights Agreement. [LDC 2.03.07.D.f.ii.a.iii]** | |  |  |  |
| ***If so, please describe briefly:*** | |  | | |
|  | | | | |
|  | | | | |

****

**IV. NOTICES AND DISCLAIMER**

Any determination of TDR eligibility by the County in response to this application is only valid for the date of facsimile notification and is contingent upon verification of no change in land use or development order issuance prior to TDR Credit Certificate issuance and recording. Any determination of TDR Credits under this application procedure does not vest the applicant for the calculated numbers of TDR Credits until the TDR Credit Certificate is issued and recorded.

****

# V. BUYER’S CERTIFICATION OF TDR PURCHASE

FROM SENDING AREA SELLER (if applicable)

*\*Use only if Certificate is to be issued to third Party*

|  |  |
| --- | --- |
| Number of Credits that have or will be Sold, or Transferred: |  |
| Date of Transaction: |  |
| Consideration Paid\* or to be paid under contract: |  |

*\*(Must be a minimum value of $25,000 per TDR Base Credit if unrelated parties)*

Buyer/Grantee

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name** |  | | | | |
| **Address** |  | | | | |
| **City** |  | **State** |  | **ZipCode** |  |

Sending Area Seller/Grantor

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Name** |  | | | | |
| **Address** |  | | | | |
| **City** |  | **State** |  | **ZipCode** |  |

Attach written evidence of the transaction (e.g. Contract of Sale or Bill of Sale).

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the Buyer/Grantee identified above, certify that the

information provided herein is true and correct.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Signature

NOTICE – BE AWARE THAT:

Florida Statute Section 837.06 – False Official Statements Law states that:

“Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided by a fine to a maximum of $500.00 and/or maximum of a sixty day jail term.”

****

# VI. PROPERTY OWNER CERTIFICATION

**I hereby certify that the information furnished on this application and the attachments are true and correct, that I am the legal owner of the property described above, that I have marketable title to the property, and that I have legal right to sever the residential development rights from the property. I agree that notice to any mortgagee who may have an interest in the property is the sole responsibility of the owner.**

**IMPORTANT NOTICE: SEVERANCE OF A TDR FROM THE SUBJECT PROPERTY AND PLACEMENT OF THE PROPERTY UNDER A CONSERVATION EASEMENT OR A LIMITATION OF DEVELOPMENT RIGHTS AGREEMENT IS IN PERPETUITY AND IS IRREVERSIBLE.**

*Signature of Owner*  *Date*

*Signature of Co-Owner*  *Date*

State of Florida

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_

Day Month Year

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who is personally known to me or who has produced

Name of person acknowledging

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_as identification.

Type of Identification

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Notary Public

Signature of Notary Public

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Notary Typed, Printed or Stamped including Commission No.

NOTICE – BE AWARE THAT:

Florida Statute Section 837.06 – False Official Statements Law states that:

“Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided by a fine to a maximum of $500.00 and/or maximum of a sixty day jail term.”

****

# vii. APPLICATION CHECKLIST *Is the following information attached?*

|  |  |
| --- | --- |
|  | A copy of the Warranty Deed for each lot or parcel as recorded in the public records of the Clerk of |
|  | Courts of Collier County, Florida per the folio number(s) above |
|  | A legal description and legal sketch of the acreage from which the TDRs are being severed. |
|  | *Note: More than one lot or parcel may be identified by a single folio number.* |
|  | A title search, or other evidence, (current date, or within the past 6 months) establishing that prior to the severance of the TDR Credits from the Sending Lands, such Sending Lands were not subject to any |
|  | Conservation easement, deed restrictions or any other restrictions, item or covenant that could prohibit residential development.Provide affidavit signed by the Owner. [LDC 2.03.07.D.4.f.ii.a.iii]  Requested “Affidavits” per page 2 of 6. |
|  | Completed and executed original "LIMITATION OF DEVELOPMENT RIGHTS AGREEMENT" (County |
|  | Form TDR2).  [The County recommends that you consult an attorney prior to executing Form TDR2]. |
|  | Application fee: $250 non-refundable due with application. |
|  | NOTE: An additional $25 per TDR, not to exceed $2500, will be due upon facsimile notification of TDR(s) approved, prior to issuance and recordation. |

****

# viiI. ADDITIONAL NOTES OR INFORMATION (Optional)

|  |
| --- |
|  |
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|  |

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IX. LETTER OF AUTHORIZATION FOR TDR APPLICATION

(Required if owner is represented by an agent)

**TO WHOM IT MAY CONCERN:**

I hereby authorize \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to serve as my Agent

(Name of Agent – typed or printed)

in an application for the severance of TDR Credits from property identified in the Application.

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

(Name of Owner(s) of Record)

I hereby certify that I have the authority to make the foregoing application, and that the application is true, correct and complete to the best of my knowledge.

AGENT:

|  |  |
| --- | --- |
| Signature:: |  |
| Print Name: |  |
| Date: |  |

OWNER:

|  |  |
| --- | --- |
| Signature:: |  |
| Print Name: |  |

(Applicable to signature of Owner only)

|  |  |
| --- | --- |
| State of: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| County of: |  |

The foregoing instrument was acknowledged before me this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_ Day Month Year

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who is personally known to me or

Name of person acknowledging

who has produced the following:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_as identification.

Type of Identification

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Notary Public

Signature of Notary Public

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Notary Typed, Printed or Stamped including Commission No.

NOTICE – BE AWARE THAT:

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“Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided by a fine to a maximum of $500.00 and/or maximum of a sixty day jail term.”