



Community Development Department
Building Services Division

160 Lake Avenue
Palm Coast, FL 32164
386-986-3780

AGREEMENT PROCESS

An agreement with the city is required when an improvement is installed on city property. This includes docks on saltwater or freshwater canals and driveway pavers located in the city's right-of-way. This agreement holds the city harmless for any damage or replacement of improvements located on city property. If at any time the city performs work that requires the removal of the improvements, the city shall not be responsible for repairing or replacing the improvements.

Types of Agreements

- Right-of-Way Utilization Agreement – pavers within the city right-of-way
- Saltwater License Agreement – dock / boathouse/lift
- Freshwater License Agreement – dock/boathouse/lift
- 2 ft. Encroachment license agreement - mechanical equipment or walkway within the setback and easement

There are two forms to choose from depending on ownership, it is important to choose the correct form.

- Deed in Trust
- Deed NOT in Trust

Steps for Processing

1. The form is to be completed and uploaded to the permit through the portal
2. Staff will review the form for correctness
3. If form is correct, staff will advise and the original document is to be submitted to the building department
4. If form is incorrect, staff will advise where corrections are necessary
5. Once accepted, staff will record the Agreement with the Flagler County Clerk of Court.
6. Recording fees will be collected at the time of permit issuance.

Agreements and Affidavits - Owner and Signature Requirements

Personal ownership

- Owner(s) signature must match exactly the names identified on the recorded deed. A recorded deed must be provided with the agreement.
- Printed name and signature must match name on deed – EVERYTHING must match.
- All owner(s) names are required to be in the agreement.
- All owner(s) must sign the agreement.



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Do not add/remove anything from the name.

Examples: (even if the deed includes the examples below – or more, do not add it to signatures (ONLY THE LEGAL NAMES OF THE PROPERTY OWNER(S))

- Husband and wife
- H & W
- A married couple
- AMC
- Joint Tenancy
- Tenants

Trust

When the property is owned by a Trust, the entire name of the Trust is to be written as the legal owner.

Examples:

- The John Doe Revocable Living Trust dated January 15, 2026
- The John and Jane Doe Family Trust
- The Doe Family Charitable Trust
- The Smith Family Trust

Signature Proof

- Certification of Trust – notarized summary of trust, lists active trustees
- Signature pages – section of agreement that name the current or successor trustee
- Powers pages – section of agreement grants trustee authority to sign

LLC, INC, etc. other types of ownership (business)

- Signature must be signed by an authorized signer designated in a Resolution is required.
- Articles of Organization may be accepted if it's clear on the authorized signer.
- SUNBIZ is NOT authorization

Deceased Owner(s)

If an owner is deceased, a death certificate is to accompany the agreement. (photocopy is acceptable)

The agreement is to be signed by the remaining owners.

If ALL owners are deceased, legal documentation giving rights to the property is to be submitted.

This may include

- signed court order appointing a 'personal representative/executor
- successor trustee named in the trust documents
- designated beneficiaries - example, a lady bird deed will name beneficiaries, those individuals may sign. Or a transfer on death deed.

Power of Attorney

A person may sign as the power of attorney if the paperwork is submitted to support the POA authority. The POA may say ALL properties owned by XXX or it may be specific.

Example for signature: John Doe (printed) , by *Jane Smith*, Jane Smith (printed), POA

Notary Requirements

Printed names notary is attesting to should match identical to the signatures. (middle initials, etc.)

Notary may be from any state.

Witness

The notary may not be a witness.

Family members may not be a witness

Witness address must be completed on the form