

[Date]

[Client Name]

[Client Address]

[City, State, Zip Code]

RE: Strategy Opinion - Waterfront Development Easement Rights for [Property Address/Project Name]

Dear [Client Name],

At your request, we have reviewed the title documents and local regulations regarding the waterfront easement rights for the above-referenced property. This letter outlines our strategic opinion for the development of the site.

1. Identification of Existing Easements

Based on our review, the property is subject to the following recorded easements: [List easements, e.g., public access, utility, or conservation easements]. Our analysis indicates that these encumbrances impact approximately [Percentage/Square Footage] of the shoreline frontage.

2. Riparian Rights and Regulatory Framework

The proposed development must align with [State/Local Agency] regulations governing riparian rights. Specifically, the right to construct piers, wharves, or bulkheads is subject to [Specific Law or Statute]. We have identified [Number] potential conflicts between existing public access easements and the proposed private docking facilities.

3. Proposed Strategy

To maximize development potential while mitigating legal risk, we recommend the following strategy:

- **Easement Modification:** Seek a formal vacation or relocation of the [Name] easement to move public access to the perimeter of the property.
- **Permitting Alignment:** Synchronize the Joint Permit Application with the easement boundaries to avoid encroachment disputes.
- **Title Insurance Endorsement:** Secure specific endorsements to protect against claims arising from implied easements or historical public use.

4. Risk Assessment

The primary risk remains [State Risk, e.g., prescriptive easement claims by neighbors or environmental group challenges]. However, by implementing the relocation strategy outlined above, the probability of successful site utilization increases significantly.

5. Conclusion

We recommend proceeding with a formal survey to peg the exact mean high-water mark before

initiating negotiations with easement holders. Please contact us to discuss the next steps in the filing process.

Sincerely,

[Your Name]

[Your Title/Firm Name]