



South Florida Water Management District
 3301 Gun Club Road • West Palm Beach, Florida 33406
 561-686-8800 • FL WATS 1-800-432-2045 • www.sfwmd.gov
 MAILING ADDRESS: P.O. Box 24680 • West Palm Beach, FL 33416-4680



Form #0108 - Rev. 4/07

DO NOT ALTER FORM

Application for Release of Mineral, Canal, and Road Reservations Reserved
UNDER CHAPTER 6456, 6957, 7305, 14717 and 20658, LAW OF FLORIDA

RESERVATIONS REQUESTED TO BE RELEASED CANAL: _____ COUNTY ROAD: _____ STATE ROAD: _____ MINERAL: _____
 (if parcel is 1.25 acres or less) OR (if parcel is more than 1.25 acres, all land uses EXCEPT agricultural) MINERAL - NON USE COMMITMENT: _____

REQUIREMENTS FOR PROCESSING TO BE PROVIDED BY APPLICANT* (submit one copy, attach exhibits when applicable - facsimile transmissions and/or paper NOT ACCEPTABLE):

1. Accurate legal description of subject property: (Lengthy and/or metes and bounds legal description must be submitted in a legible and recordable form for attachment as exhibit to release instrument) _____

Section _____, Township _____ South, Range _____ East.

2. Property Address or Street Location of vacant land (including city): _____

3. Size of parcel to be released: _____ acres; or _____ square feet

4. Name of municipality and/or drainage district or county water management in which property is located _____

5. **LEGIBLE** survey, sketch of property, or copy of plat (Subdivision **MUST** show relationship of land described in application to land described in Reserving Deed. Underlying tracts must be indicated when replat(s) exist.) **NOTE: DO NOT SEND PALM BEACH FARMS CO. PLAT NO. 3, or any other Plat in Dade/Broward.**

6. ZONING CODE:

- a) Current Zoning Code: _____
- b) Proposed Zoning Code: _____
- c) Current Land Use: _____

- d) Proposed Land Use: _____
- e) Number of Units: _____
- f) Describe property improvements: _____

Section _____, Township _____ South, Range _____ East.

Applicant File No. _____

District File No. _____

*** FAILURE TO SUBMIT A COMPLETED APPLICATION WILL DELAY PROCESSING AND/OR RESULT IN YOUR APPLICATION BEING RETURNED.**

7. RESERVING DEED(S): All applicable deeds must be attached. Multiple applications are not necessary if one owner. If there are more deeds than space allows, please submit as an attached exhibit to this application.

a) **EVERGLADES DRAINAGE DISTRICT** (For reservations under Chapters 6456, 14717, 20658)

Deed No. _____ dated _____ Deed Book _____ at Page _____ County _____ Grantee: _____
Deed No. _____ dated _____ Deed Book _____ at Page _____ County _____ Grantee: _____

b) **TRUSTEES OF THE INTERNAL IMPROVEMENT FUND** (For reservations under Chapters 6456, 6957, 7305)

Deed No. _____ dated _____ Deed Book _____ at Page _____ County _____ Grantee: _____
Deed No. _____ dated _____ Deed Book _____ at Page _____ County _____ Grantee: _____

c) **APPROVAL for TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND/STATE BOARD OF EDUCATION/THIRD PARTY DEEDS** (For reservations under Florida Statutes 253.03 and 270.11)

Deed No. _____ dated _____ Deed Book _____ at Page _____ County _____ Grantee: _____
Deed No. _____ dated _____ Deed Book _____ at Page _____ County _____ Grantee: _____

(SFWMMD has no interest in Trustees/Murphy Act Mineral or Road Reservations. Call Dept. of Environmental Protection at 850-245-2720 for more info.)

8. I hereby certify that title to the above described real property is vested in (attached Beneficial Interest and Disclosure Affidavit is required if owned by a Corporation, Partnership or Trust): _____

CERTIFICATE OF OWNERSHIP: Satisfactory evidence certifying that the applicant is the legal record owner of the subject property. Definition of satisfactory evidence of title: a current title insurance policy; current title binder; or, title commitment issued by a title insurance company authorized to do business in the State of Florida; or a current Opinion of Title prepared by a member of the Florida Bar covering title to the land. **Current** means no more than six (6) months old.

Signature (Owner or Applicant) Title Date

9. NAME AND ADDRESS TO WHOM RELEASE/APPROVAL IS TO BE SENT: _____

Telephone No.: () _____

An initial payment is not required with this application. You will be advised of the charges when the application is processed. Make checks payable to **SOUTH FLORIDA WATER MANAGEMENT DISTRICT.**

FOR DISTRICT USE:

SERVICE CENTERS:

____ Release upon local approval. ____ Do not release. Remarks: _____
Signed by: _____ Date: _____

OPERATIONS & MAINTENANCE DEPARTMENT:

____ Release upon local approval. ____ Do not release. Remarks: _____
Signed by: _____ Date: _____

WATER SUPPLY & DEVELOPMENT DEPARTMENT:

____ Release upon local approval. ____ Do not release. Remarks: _____
Signed by: _____ Date: _____

CERTP/ECP, Project Implementation, Land Acquisition:

____ Release upon local approval. ____ Do not release. Remarks: _____
Signed by: _____ Date: _____

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South Florida Water Management District *Fee Schedule*

The following schedule of non-refundable fees (as authorized by Rule **40E-9.965** Florida Administrative Code) shall apply to all applications:

<u>TYPE OF APPLICATION</u>	<u>FEE</u>
(a) Sale of surplus lands	\$1,000.00
(b) Exchange of surplus lands	1,000.00
(c) Leases	1,000.00
(d) Easements	1,000.00
(e) Releases and Non Use Commitments	
1. Releases	
a. canal reservations (EDD, TIIF)	250.00
b. road reservations (EDD only)	250.00
c. mineral reservations (EDD only; 1.25 acres or less)	250.00
d. multiple releases combined into one instrument (EDD only)	250.00
2. Non Use Commitments (Parcels in excess of 1.25 acres)	
a. residential (single sites)	*250.00
b. commercial, industrial, residential and governmental development	
	*250.00
	*\$250.00 for first acre and \$25.00 for each additional acre or portion thereof
(f) Miscellaneous	
1. Approval of release of TIIF or BOE canal reservations	250.00
2. Quit Claim Deeds	200.00
3. Reissue or corrective deed	150.00
4. Disclaimers	200.00

NOTE: More than one type of reserving deed on a property may result in multiple fees.

Effective: March 3, 1991

PROCEDURES OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Release of Reservations and Issuance of Non-Use Commitments

- (1) **General** - The District may release or agree not to exercise any easement, reservation or right of way interest or may sell or exchange easements as surplus lands.
- (2) **Application** - Applications for Releases and Non-Use Commitments shall be made on forms provided by the District, accompanied by the fee required in **Rule 40E-9.965**, and shall include the following information:
 - (a) The applicant's name and address;
 - (b) An accurate legal description, including the acreage, of the land;
 - (c) A survey, sketch or recorded plat;
 - (d) The name of any unit of local government within which the land is located. Units of local government include counties, municipalities and drainage or county water management districts;
 - (e) The current and proposed land uses;
 - (f) The current and proposed zoning, including a description of the pertinent zoning classifications;
 - (g) Certificate of ownership, and signed Beneficial Interest and Disclosure Affidavit if owner is a corporation, partnership or trust, and
 - (h) A copy of the reserving deed, or information relating to the reserving deed, including deed number, date, recording data and grantee.
- (3) **Terms and Conditions - Canal Reservations**
 - (a) **District Canal Reservations** - The District may release District Canal Reservations in whole or in part under the following circumstances:
 1. The District determines that the lands in the requested release are not required in the overall flood control project, or any District project, or for use in an area in which there is not an existing secondary plan of water control, or
 2. The requested release is in an area with a secondary plan of water control that has been designed and approved and the right of way requested to be released is not required in said plan.
 - (b) **Trustees of the Internal Improvement Trust Fund and State Board of Education Canal Reservations** - **Rule 15Q.011(2)** require District approval prior to releases of canal reservations reserved by the Trustees of the Internal Improvement Trust Fund or the State School Board. Upon receipt of a copy of a Department of Environmental Protection release application, accompanied by the fee required in **Rule 40E-9.965**, the District will process it in the same manner and with the same criteria as an application for release of District canal reservations.

(c) Upon receipt of an application, the District will seek the concurrence of appropriate governmental entities having a possible use for the canal reservations. The governmental entities shall have 30 days from date of notice to respond.

(4) Terms and Conditions - **Road Reservations**

The District may release road reservations, as reserved in Everglades Drainage District Deeds, in whole or in part under the following conditions:

(a) State road reservations - The Florida Department of Transportation has approved the requested release.

(b) County road reservations - The County Engineer of the affected County has approved the requested release.

(5) Terms and Conditions - **Oil, Gas and Mineral Reservations**

(a) The District may release oil, gas and mineral reservations under the following conditions:

1. The lands will be used for residential purposes.

2. The surface area is 1.25 acres or less.

(b) **Non-Use Commitments** - The District may agree not to exercise rights of ingress and egress reserved with oil, gas and mineral reservations if the lands do not qualify for a release under paragraph (a). The District may issue a non-use commitment under the following conditions:

1. The landowner agrees not to lease for exploration or explore for oil, gas and minerals.

2. The lands are to be used for residential, industrial, commercial, or governmental purposes.

(6) Terms and Conditions - **Easements**

Easements acquired by the District other than by canal reservations, a Trustee of the Internal Improvement Trust Fund and State Board of Education canal reservations, road reservations, oil, gas and mineral reservations as are set forth in Rule 40E-9.959(2) through (5), may be sold or exchanged in the same manner and procedure as set forth in Rule 40E-9.955.

NOTE: Releases and Non Use Commitments will only be issued to the fee owner of record on properties within a Section-Township-Range or Platted Subdivision. **The Beneficial Interest and Disclosure Affidavit is required for those properties that are owned by a corporation, partnership or trust. Any owner with a 5% or greater interest must be disclosed on this affidavit.**

FURTHER AFFIANT SAYETH NOT.

AFFIANT

By: _____

SWORN TO and subscribed before me this _____ day of _____, 20____, by _____ Such person(s). (Notary Public must check applicable box):

- is/are personally known to me.
- produced a current driver license(s).
- produced _____ as identification.

(NOTARY PUBLIC SEAL)

Notary Public

(Print, Type or Stamp Name of Notary Public)

Exhibit "A"