

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF STATE LANDS

APPLICATION FOR DISCLAIMER FOR LANDS LOST DUE TO AVULSION

“Avulsion” means the sudden or perceptible loss of or addition to land by the action of water or the sudden or perceptible change in the bed of a lake or the course of a stream.

Applications for disclaimer for lands lost due to avulsion must be supported by documentary evidence acceptable to the Department including the following:

1. Applicant's name _____
Address _____
City, State, Zip Code _____
Telephone Number (____) _____
2. Name, address and title of Applicant's authorized agent for application coordination:

Telephone Number (____) _____
3. Name of Waterbody _____
4. Location of Parcel:
Street/Road _____
Section _____, Township _____, Range _____
Town/City _____ County _____
Subdivision _____ Lot _____ Block _____
5. Satisfactory evidence that the owner of the lands adjacent to the land lost due to avulsion is the person in whose name the disclaimer is to be issued. Such evidence may consist of a current title insurance policy issued by a title insurance company authorized to do business in Florida, an opinion of title prepared by a member of the Florida Bar, or an affidavit of ownership.
6. Satisfactory evidence that the land for which the disclaimer is sought was located above the line of mean or ordinary high water on a date not more than five years prior to the date the application is filed with the Board of Trustees. Such evidence shall include a survey, and may also include photographs, aerial photography, newspaper articles and affidavits indicating the previous location of the mean or ordinary high water line. For survey instructions, please call (904) 488-2427.

7. Satisfactory evidence that the land for which the disclaimer is sought was lost due to an avulsive event. Such evidence may consist of photographs, aerial photography, newspaper articles and affidavits. Affidavits shall include, at a minimum, the name, address and telephone number of the affiant, the reason the affiant is familiar with the property, the approximate dates and nature of the avulsive event, reference to the former and current shoreline, and a statement indicating that the affiant has no financial interest in the disclaimer.
8. Satisfactory evidence of the location of the mean or ordinary high water line prior to the avulsive event. Such evidence shall include a survey indicating the pre-event location of the mean or ordinary high water line or other evidence, such as newspaper articles, photography, or affidavits supporting such location. For survey instructions, please call (904) 488-2427.
9. A legal description including the quantity of land for which a disclaimer is requested.
10. Does a dock or other structure exist on the land for which the disclaimer is sought? YES: _____, NO: _____. If "YES", this application will be coordinated with the local Department of Environmental Protection district office.
11. If the applicant desires to construct any type of structure or facility or alter wetland resources in Florida waters in any way other than applied for in this application, an evaluation of such activity must be made using the Department of Environmental Protection/United States Army Corps of Engineers joint application form. These forms are available from the local Department of Environmental Protection district offices.
12. A non-refundable application processing fee of \$500 shall accompany each application. Fees shall be made payable to the Department of Environmental Protection.

SEND APPLICATION AND CHECK TO:

Florida Department of Environmental Protection
 Division of State Lands
 Bureau of Survey and Mapping
 Title and Land Records Section
 Mail Station #108
 3900 Commonwealth Boulevard
 Tallahassee, Florida 32399-3000

Telephone: (904) 488-8123

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of Applicant or Agent

Date