

INFORMATION TO APPLY FOR RELEASE OF RESERVATIONS
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

Submit application for release of all Board of Trustees' reservations, along with check in the amount of \$300 to:

Department of Environmental Protection
Division of State Lands
Bureau of Public Land Administration
Post Office Box 3070
Tallahassee, Florida 32315-3070

OR

The Street Address for Overnight Mail:

Department of Environmental Protection
Division of State Lands, Carr Building
Bureau of Public Land Administration
3800 Commonwealth Boulevard
Tallahassee, Florida 32399-3000
ATTENTION: Mrs. Gloria C. Barber
Phone Number: (850) 245-2720 ext. 2729

Submit application for release of all Board of Education's reservations, along with check in the amount of \$300 to:

Florida Department of Education
Office of General Counsel
325 West Gaines Street
Suite 1244
Tallahassee, Florida 32399-3000
ATTENTION: Mrs. Deborah Kearney
Phone Number: (850) 245-0442

- 1) The application should be submitted by the current property owner or representative with a legible copy of current owner deed and a copy of the Certificate of Title by a Florida attorney (See Page Two of application form) or a recent Title Company title commitment policy.
- 2) A check in the amount of \$300 made payable to the Department of Environmental Protection (DEP) should accompany the application. The application fee is nonrefundable. Multiple deeds containing reservation and multiple legal descriptions may be combined into one release. Each ownership requires a separate release, application and fee.
- 3) Applications for release of canal reservation should first be sent to the respective water management district or applications for release of road reservation should first be sent to the respective Department of Transportation District Office for approval. The South Florida Water Management District (SFWMD) requires submittal of it's Application form along with DEP'S Application form and a check in the amount of \$250. When application is approved by SFWMD, send it to DEP with an application fee of \$300.
- 4) Pursuant to section 270.11(2)(b), Florida Statutes, all oil/mineral reservation on property less than 20 acres is automatically released and an application is not required. The interest is never released, ONLY the right of entry. If 20 acres or more, the property must be a building site. An affidavit certifying that the parcel will be a permanent building site or a time frame as to when the property will be built on the land and that it will not involve phosphate, mineral, metal, metal or petroleum extraction, in accordance with section 18-2.018(3) (e) 2, Florida Administrative Code.
- 5) Applicant should submit a legal description, including the section, township and rang of the property to be released.
- 6) If the reservation is in an Everglades Drainage District (EDD) deed, apply for release to the South Florida Water Management District. A statement in the first paragraph of one of the following Laws of Florida Chapter Numbers identifies EDD deeds: 6456, 6957, 4717 or 20658. Contact the SFWMD Real Estate Division for an application.
- 7) If you have any questions when applying to the Bureau of Public Land Administration, please call (850) 245-2720 and state that you are calling about a Release of Reservation.

APP-RE1

**APPLICATION FOR RELEASE OF RESERVATIONS
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA**

This application is to be used in order to apply for release of canal reservations, road right-of-way reservations or the release of right-of-entry and exploration for oil and mineral reservations, which are reserved in favor of either the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees) . All applications must be submitted to the following street address: DEPARTMENT ENVIRONMENTAL PROTECTION, DIVISION OF STATE LANDS, BUREAU OF PUBLIC LAND ADMINISTRATION, 3800 COMMONWEALTH BOULEVARD, TALLAHASSEE, FLORIDA 32399-3000.

OR

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF STATE LANDS
BUREAU OF PUBLIC LAND ADMINISTRATION
POST OFFICE BOX 3070
TALLAHASSEE, FLORIDA 32315-3070

If you are applying for release of canal reservations, road right-of-way reservations or the release of right-of-entry and exploration for oil and mineral reservations, which are reserved in favor of the State Board of Education, all applications must be submitted to the following address:

FLORIDA DEPARTMENT OF EDUCATION
OFFICE OF GENERAL COUNSEL
325 WEST GAINES STREET
SUITE 1244
TALLAHASSEE, FLORIDA 32399-0400
ATTENTION: MRS. DEBORAH KEARNEY

If you have any questions, after reading this application form, please call (850) 245-2720 for assistance.

PART I: RESPOND TO ITEMS 1 THROUGH 6 IN THEIR ENTIRETY

1. TYPE OF RELEASE REQUESTED:

- Oil and mineral reservation (Right-of-Entry and Exploration only)
- Road right-of-way reservation
- Canal reservation
- Corrective (Corrective releases will be processed as original applications unless an error was made by the Department.)

2. INFORMATION FROM THE ORIGINAL DEED CONTAINING THE RESERVATION:

Original Deed Number(s) _____
Original Grantee _____
Date of Original Deed _____

3. Present Owner of Record of Subject Property: _____

4. Represented by: _____

Address: _____ Phone: _____

**5. The subject property is located in:
(PLEASE SUBMIT THIS INFORMATION)**

_____ County; Section _____, Township _____, Range _____, Acreage _____ (for oil/mineral)

6. Each application must contain the following:

- a. A legible copy of the original deed containing the reservation.
- b. A legible copy of present owner deed.
- c. A legal description of the subject property, including the Section, Township, and Range; and a survey, if requested.
(If applying for an oil/mineral release, the legal description must contain acreage of tract.)

- d. A recommendation by the appropriate agency for a canal or road right-of-way release or special requirements for release of right-of-entry for oil/mineral reservation:
- (1) When requesting the release of the right-of-entry for oil/mineral reservation, refer to Part II on page 4 for instructions.
 - (2) When requesting the release of a road right-of-way reservation, a recommendation from the appropriate Department of Transportation District office, and/or county Public Works Department (refer to Part III on page 4).
 - (3) When requesting the release of a canal reservation, a recommendation from the appropriate Water Management District (refer to Part IV on page 5).
- e. An application fee in the form of a check in the amount of \$300 per release requested made payable to the Department of Environmental Protection. Note: Please write "Release of Reservation" on the front of the check.
- f. Satisfactory evidence certifying that the applicant is the legal record owner of the subject land. Paragraph 18-2.017(53), Florida Administrative Code, defines satisfactory evidence of title to mean 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 an opinion of title prepared by a member of The Florida Bar covering title to the land described below. "Current" means no more than six months old.
- g. Notarized signature of present owner(s) of record.

FOR OFFICE USE ONLY

RESERVATIONS _____ ORIGINAL DEED NO. _____ COST \$ _____

CERTIFICATE OF TITLE

(PLEASE COMPLETE IN FULL, INCLUDING LEGAL DESCRIPTION AND DATE)

This is to advise that I am a member in good standing of The Florida Bar and that I have examined the public records, abstracts of title, title insurance policy, title insurance binder, or commitment relating to the title to the following described real property lying and being in _____ County, Florida, to-wit:

and based, upon said examination, I certify that as of _____ (current date), title to the afore described real property is vested in:

 Print Name of Attorney Signature

Florida Bar Number _____

SIGNATURE (S) OF PRESENT OWNER (S) OF RECORD

I (We), _____, the present owner(s) of
Print or Type in Name(s)
 record; hereby request a release of reservation on the above-referenced property.

STATE OF FLORIDA
 COUNTY OF _____
 Subscribed and Sworn to before me

this _____ day of _____, 20____.

 Signature of present owner of record

 Signature of present owner of record

 Notary Public (Seal)

My Commission Expires:

Signature of present owner of record

PART II: INSTRUCTIONS AND INFORMATION REQUIRED TO APPLY FOR A RELEASE OF RIGHT-OF-ENTRY AND EXPLORATION FOR AN OIL AND MINERAL RESERVATION

DO NOT SUBMIT AN APPLICATION TO THE BOARD OF TRUSTEES WHEN REQUESTING THE RELEASE OF RIGHT-OF-ENTRY AND EXPLORATION FOR AN OIL AND MINERAL RESERVATION ON PARCELS UNDER TWENTY ACRES IN SIZE. THE RIGHT-OF-ENTRY AND EXPLORATION FOR OIL AND MINERAL RESERVATIONS ON PARCELS UNDER TWENTY ACRES IN SIZE HAS BEEN RELEASED PURSUANT TO SECTION 270.11, FLORIDA STATUTES.

IN ORDER TO QUALIFY FOR A RELEASE OF THE RIGHT-OF-ENTRY AND EXPLORATION FOR AN OIL AND MINERAL RESERVATION ON PARCELS TWENTY ACRES OR GREATER IN SIZE, THE DEVELOPER MUST SUBMIT AN AFFIDAVIT CERTIFYING THAT EACH PARCEL WILL BE A PERMANENT BUILDING SITE, WHAT WILL BE BUILT, DATE OF CONSTRUCTION PROPOSED AND THE LAND USE WILL NOT INVOLVE PHOSPHATE MINERAL, METAL OR PETROLEUM EXTRACTION, AS SET FORTH IN PARAGRAPH 18-2.018(3)(E)(2), FLORIDA ADMINISTRATION CODE.

PART III: INSTRUCTIONS TO APPLY FOR THE RELEASE OF A ROAD RESERVATION

Submit the completed application along with all exhibits pertaining to the road right-of-way reservation, including a plat, sketch, or survey of the land proposed for release and a copy of Murphy Act deed containing road reservation directly to the appropriate district office of the Florida Department of Transportation (FDOT) listed below. Do **NOT** send \$300 check to FDOT. The district office will determine whether the subject road right-of-way reservation is valid and make its recommendation as to whether the road right-of-way reservation or any part thereof should be released. The application will not be considered without a recommendation from the Department of Transportation.

DEPARTMENT OF TRANSPORTATION DISTRICTS

FIRST DISTRICT - Post Office Box 1249, Bartow, Florida 33830 Attn: Right-of-Way 1-800-292-3368 Charlotte, Collier, Desoto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Polk, and Sarasota Counties

SECOND DISTRICT - 1109 South Marion Avenue, Mail Station 2020, Lake City, Florida 32025-5874, Attn: Right-of-Way (386) 961-7476 OR 1-800-749-2967, Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Gilchrist, Hamilton, Lafayette, Levy, Madison, Nassau, Putnam, St. Johns, Suwannee, Taylor, and Union Counties

THIRD DISTRICT - Post Office Box 607, Chipley, Florida 32428 Attn: Right-of-Way (850) 638-0250 Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties

FOURTH DISTRICT - 3400 West Commercial Boulevard, Ft. Lauderdale, Florida 33309 Attn: Mapping 1-866-336-8435, (954) 777-4550 Broward, Indian River, Martin, Palm Beach, and St. Lucie Counties

FIFTH DISTRICT - 719 South Woodland Boulevard, Deland, Florida 32720 Attn: Right-of-Way (386) 943-5000 Brevard, Citrus, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia Counties

SIXTH DISTRICT - 1000 Northwest 111th Avenue, Miami, Florida 33172 Attn: Right-of-Way (305) 470-5185 Dade and Monroe Counties

SEVENTH DISTRICT - 11201 North Malcolm McKinley Drive, Tampa, Florida 33612 Attn: Property Management (813) 975-6020 Hernando, Hillsborough, Pasco, and Pinellas Counties

FDOT DISTRICT OFFICE: Please refer to ALL roads adjacent to property and complete either a or b:

a. ()* The _____ District Office of the Florida Department of Transportation certifies that State Road #_____, also known as _____, DID exist on the date of the deed (/ /) in which the reservation was made and it recommends to the Board of Trustees one of the following:

- (1) () Retain ALL of the reservation, since it is presently a State Road and we will need 100 feet from the centerline of S.R. _____ for road improvement; or
- (2) () Retain _____ feet from the centerline of S.R. _____, also known as _____, since it is presently a State Road; or
- (3) () That this request is being forwarded to the applicable county or city for their recommendation, since former S.R. _____ is now under their jurisdiction.

b. ()* The _____ District Office of the Florida Department of Transportation certifies that its records reflect that a state road DID NOT exist on the date of the old deed affecting the subject property and that a full release of reservation should be given. However, this application will be forwarded to the applicable county public works department for a final determination as to the validity of the reservation.

By: _____ Title: _____ Date: _____

Signature (FDOT official)

*The FDOT District Office is to forward this application to the county or city authority for its review and concurrence with this recommendation 1) when the road is now under county or city jurisdiction or 2) when FDOT states that a state road did NOT exist and we then ask for county or city's verification of validity.

COUNTY OR CITY PUBLIC WORKS DEPT: Please complete either a or b:

a. () The _____ (governmental authority) certifies that a state road DID exist on the date of the deed (/ /) in which the reservation was made and it recommends to the Board of Trustees one of the following:

- (1) Retain ALL of the reservation, since it is presently a (county/city) road and we will need 100 feet from the centerline of _____, also known as _____, for road improvement; or
- (2) Retain _____ feet from the centerline of _____, also known as _____, which is presently a (county/city) road.

b. () The _____ (governmental authority) certifies that its records reflect that a state road DID NOT exist on the date of the old deed affecting the subject property and that a full release of reservation should be given.

By: _____ Title: _____ Date: _____

Signature (county or city official)

NOTE: The local governmental authority should return this application with its recommendation to the applicant so that the applicant may decide whether to apply to the Board of Trustees for a release of reservation.

PART IV: INSTRUCTIONS AND INFORMATION REQUIRED TO APPLY FOR THE RELEASE OF A CANAL RESERVATION

EVERGLADES DRAINAGE DISTRICT DEEDS

DO NOT SUBMIT AN APPLICATION TO THE BOARD OF TRUSTEES WHEN REQUESTING THE RELEASE OF A CANAL RESERVATION CONTAINED IN AN EVERGLADES DRAINAGE DISTRICT DEED OF DEEDS STATES CHAPTER 6456, 6957, 14717, OR 20658, LAWS OF FLORIDA IN FIRST PARAGRAPH. SUBMIT REQUESTS TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, POST OFFICE BOX 24680, WEST PALM BEACH, FLORIDA 33416-4680 AND. THE EVERGLADES DRAINAGE DISTRICT WILL ISSUE RELEASE OF RESERVATION.

ALL OTHER DEEDS

SUBMIT ALL OTHER REQUESTS FOR THE RELEASE OF A CANAL RESERVATION ALONG WITH ALL EXHIBITS PERTAINING TO THE CANAL RESERVATION AND THE COMPLETED APPLICATION DIRECTLY TO THE APPROPRIATE WATER MANAGEMENT DISTRICT OFFICE LISTED BELOW. DO NOT SEND DEP CHECK TO WATER MANAGEMENT DISTRICT THE WATER MANAGEMENT DISTRICT WILL DETERMINE WHETHER THE RESERVATION OR ANY PART THEREOF SHOULD BE RELEASED. THE APPLICATION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION WILL NOT BE CONSIDERED WITHOUT A RECOMMENDATION FROM THE APPROPRIATE WATER MANAGEMENT DISTRICT.

WATER MANAGEMENT DISTRICTS

NORTHWEST FLORIDA - Route 1, Box 3100, Havana, Florida 32333 850/539-5999 Attn: Land Management and Acquisition; Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, Washington.

SUWANNEE RIVER - Route 3, Box 64, Live Oak, Florida 32060 904/362-1001
Attn: Land Acquisition and Management; Alachua (part), Baker (part), Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Suwannee, Taylor, Union.

ST. JOHNS RIVER - 4049 Reid Street, Palatka, Florida 32177-1429
904/386329-4500 Attn: Department of Land Acquisition; Alachua (part), Baker (part), Brevard, Clay, Duval, Flagler, Indian River, Lake, Marion (part), Nassau, Okeechobee (part), Orange (part), Osceola (part), Putnam, Seminole, St. Johns, Volusia.

SOUTHWEST FLORIDA - 2379 Broad Street, Brooksville, Florida 34609-6899, 352/796-7211,
1-800-423-1476 Attn: Land Resources Department; Charlotte (part), Citrus, DeSoto, Hardee, Hernando, Hillsborough, Levy, Manatee, Marion (part), Pasco, Pinellas, Polk (part), Sarasota, Sumter.

SOUTH FLORIDA - Post Office Box 24680, West Palm Beach, Florida 33416-4680 561/686-8800, 1-800-432-2045(ext 6836)
Attn: Real Estate Division; Broward, Charlotte (part), Collier, Dade, Glades, Hendry, Highlands, Lee, Martin, Monroe, Okeechobee (part), Orange (part), Osceola (part), Palm Beach, St. Lucie (CALL SOUTH FLORIDA WATER MANAGEMENT DRISTICT FOR APPLICATION AND FEE.

The _____ Water Management District Office hereby

a. objects to the release of any portion of the canal reservation for the following reason

b. objects only to the release of the following portion of the canal reservation:

c. has no objection to the release of the entire canal reservation for the following reason:

By: _____ Title: _____ Date: _____
(Print Name)

Agency: _____ Signature _____

NOTE: The Water Management District Office should return this application with its recommendation to the applicant so that the applicant may decide whether to apply for a release of reservation from the Department of Environmental Protection.

(R6/2007)