

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 via email to Upland.Applications@dep.state.fl.us,

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: MR. STEPHEN FERST

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 # 267
Original Walter O. Johns
Date of Original Deed November 1, 1942
Number(s) Grantee

3. Present Owner of Record of Subject Property: Eileen Slater (now deceased)

4. Represented by: David S. Pressly, Esq.

Address: 251 Royal Palm Way, Ste. 300
Palm Beach, FL 33480
Phone: (561) 659-4440

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

Martin County; Section 27, Township 38, Range 40, Acreage (for oil/mineral)

6. Each application must contain the following:

- A legible copy of the original deed containing the reservation.
- A legible copy of present owner deed.
- A current survey and a legal description of the subject property, including the Section, Township, and Range.
(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 pages 4 and 5).
 - (3) When requesting the release of a canal reservation, a recommendation from the appropriate Water Management District (refer to Part IV on pages 5 and 6).
- e. An application fee (non-refundable) 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. An application fee is required for reactivation of an application.
- g. 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.
- h. Notarized signature of present owner(s) of record.

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 Martin County, Florida, to-wit: Tracts 8 and 9, less the South 361.41 feet of Tract 9, in Section 27, Township 38 South, Range 40 East, Palm City Farms, according to the Plat thereof recorded in Plat Book 6, Page 42, Public Records of Palm Beach County, Florida. and based, upon said examination, I certify that as of 9/24/2018 (current date), title to the afore described real property is vested in: Eileen Slater, deceased

David S. Pressly
Print Name of Attorney

David S. Pressly
Signature

Florida Bar Number 294624

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

I (We), Albert J. Slater II, as Personal Representative of Estate of Eileen Slater, the present owner(s) of record; hereby request a release of reservation on the above-referenced property.

STATE OF FLORIDA
COUNTY OF PALM BEACH
Subscribed and Sworn to before me

this 1st day of November, 20 18.

Albert J. Slater II, Pers. Rep.
Signature of present owner of record

Marlyn Gubin
Notary Public (Seal)
My Commission Expires:

Signature of present owner of record

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 (20) IN SIZE. THE RIGHT-OF-ENTRY AND EXPLORATION FOR OIL AND MINERAL RESERVATIONS ON PARCELS **UNDER** TWENTY ACRES (20) 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 (20) 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. (4)* The 4th District Office of the Florida Department of Transportation certifies that State Designated Road known as (**S.W. Moore Street**), DID exist on the date of the deed (November 1, 1942) 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 _____ from the centerline of S.R. #, also known as _____, since it is presently a State Road; or
- (3) (x) That this request is being forwarded to the applicable county or city for their recommendation, since former State Designated Road known as (**S.W. Moore Street**) is now under their jurisdiction.

b. ()* The 4th 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: Jeffrey D. Smith Title: District Surveyor Date: 01-03-19

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 Martin County Public Works Dept. (governmental authority) certifies that a state road DID exist on the date of the deed (12/08/42) 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 0 feet from the centerline of S.W. Moore Street, 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: Lisa A. Wichser Title: County Engineer Date: 12/26/19
Lisa A. Wichser
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 IF 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 (386)-329-4500

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 DISTRICT 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.