

## **RELEASE OF RESERVATIONS EXECUTIVE SUMMARY**

**BACKGROUND INFORMATION:** Canal reservations evolved from efforts to provide infrastructure, without cost to the taxpayers, to carry out drainage and reclamation projects, and provide roads. Many, but not all, conveyances of land by the State of Florida through the Trustees of the Internal Improvement Trust Fund (TIITF) and the Everglades Drainage District (EDD), a predecessor to the South Florida Water Management District, reserved rights to construct future water control works, percentages of the mineral rights, together with the right of ingress, egress and exploration, and reservations for State and County road rights-of-way.

The District routinely receives applications for releases of these reservations from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects; applications are processed by the Land Management Section. Applications are reviewed by appropriate District personnel and applicable local governmental agencies to determine that there is no present or future need for the canal reservation. Also, TIITF requires the District to review and issue a written approval to the Department of Environmental Protection (DEP) prior to releasing TIITF canal reservations. Mineral reservations are released for parcels containing 1.25+/- acres or less, and non-use commitments are issued for parcels greater than 1.25+/- acres. When a non-use commitment is issued, the District agrees not to exercise its right of ingress and egress for the exploration of minerals, provided the landowner does not explore for the same. The District retains its interest in the mineral estate and is entitled to any future proceeds should exploration occur.

**CONSIDERATIONS:** See Exhibit "A" attached hereto and made a part hereof, which contains the details of releases, approvals and non-use commitments to be approved and issued.

**AUTHORIZATION:** Pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any reservation for which it has no present or apparent use under terms and conditions determined by the Board.

**FISCAL IMPACT:** None; reservations were acquired at no cost to the District

**RECOMMENDATION:** A Resolution of the Governing Board of the South Florida Water Management District approving release of District canal, road and mineral reservations, issuance of non-use commitments, and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date.

**EXHIBIT "A"**

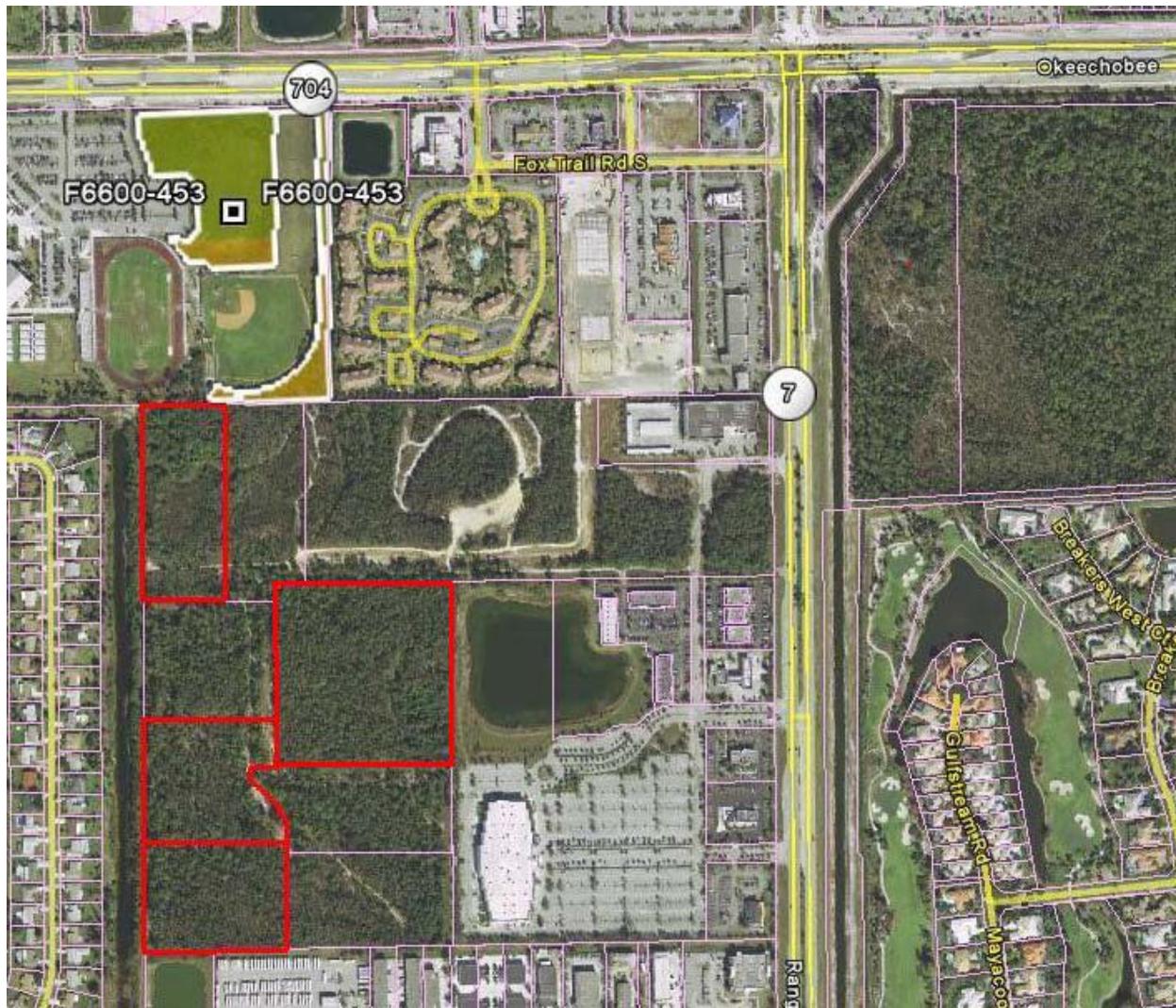
File Nos.: 18510, 18511, NUC 1615 and 5-12-2  
Applicant: Nexus Homes, LLC, a Florida liability company  
Reserving Deeds: E-2228 (DB 470-322, 1/16/1945); T-1476 (DB 67-313, 6/18/1925), and  
TIITF 16198 (DB 46-240 (M-D), 12/24/1908)  
Fee paid: \$900.00  
Action: Release District canal and road reservations, issue non-use commitment,  
and approve release of TIITF canal reservations  
Acres: 16.64 acres, more or less  
Legal Description: Tract 34 and W ½ of Tract 33, FLORIDA FRUIT LANDS COMPANY'S  
SUBDIVISION NO. 1, PB 2-17 (M-D), Section 31, Township 50 South,  
Range 41 East  
Location: SW 106<sup>th</sup> Avenue, South of Griffin Road, Cooper City, Broward County  
Exception: Central Broward WCD - LESS the East 50 feet of Tract 34 (canal)  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental  
Resource Permitting Bureau, Survey Section, Office of Everglades Policy  
and Coordination, City of Cooper City, Central Broward WCD, Broward  
County Public Works and Florida Department of Transportation



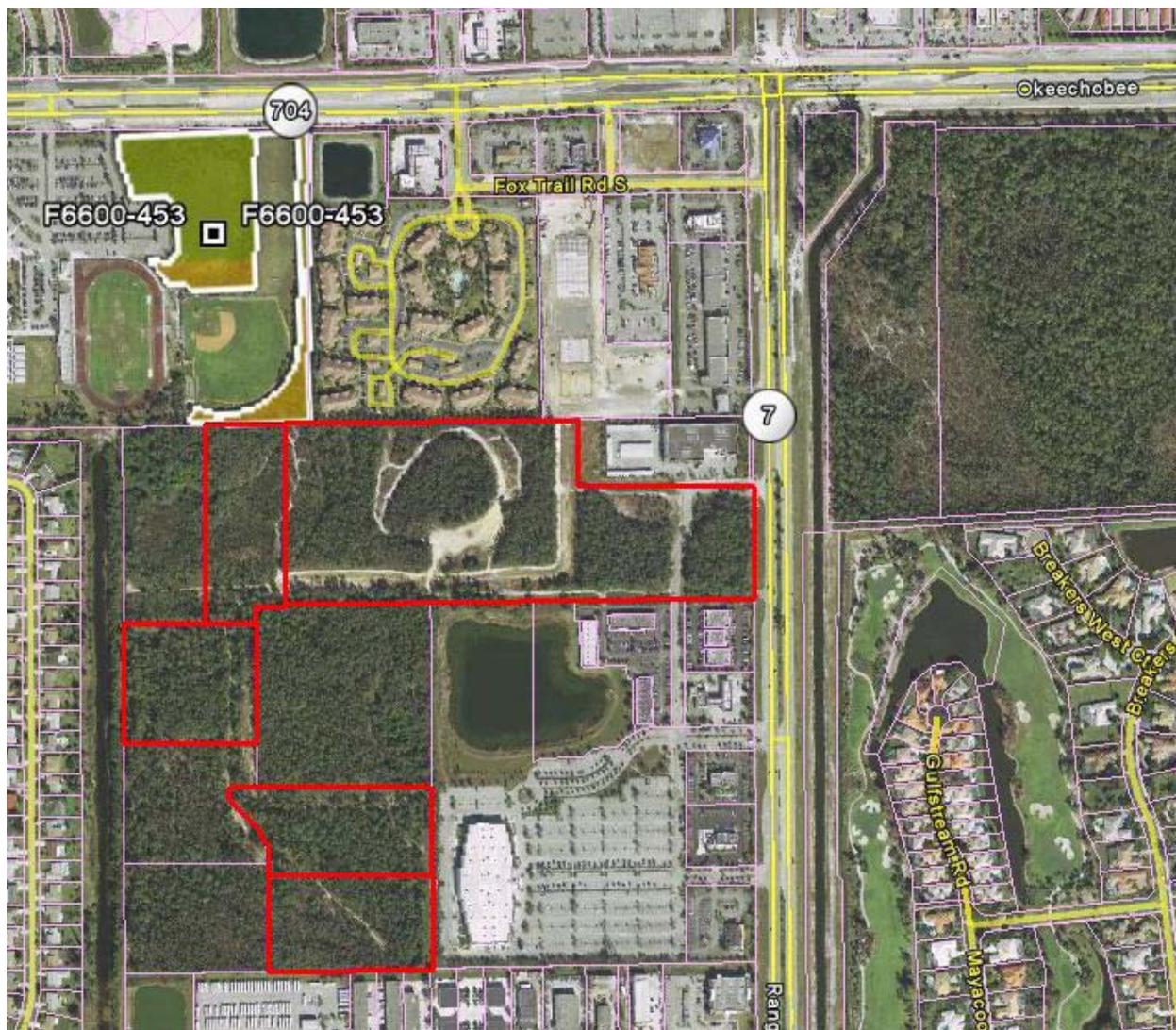
File Nos.: 18512 and NUC 1617  
Applicant: CubeSmart, LP, a Delaware limited partnership  
Reserving Deed: E-7129 (DB 944-466, 5/5/1951)  
Fee paid: \$325.00  
Action: Release District canal reservations and issue non-use commitment  
Acres: 3.76 acres, more or less  
Legal Description: Portion of Tract A, COUNTRY WEST, PB 40-179, Section 25, Township 43 South, Range 41 East  
Location: SR 7/US 441, South of Okeechobee Boulevard, Village of Royal Palm Beach, Palm Beach County  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Village of Royal Palm Beach



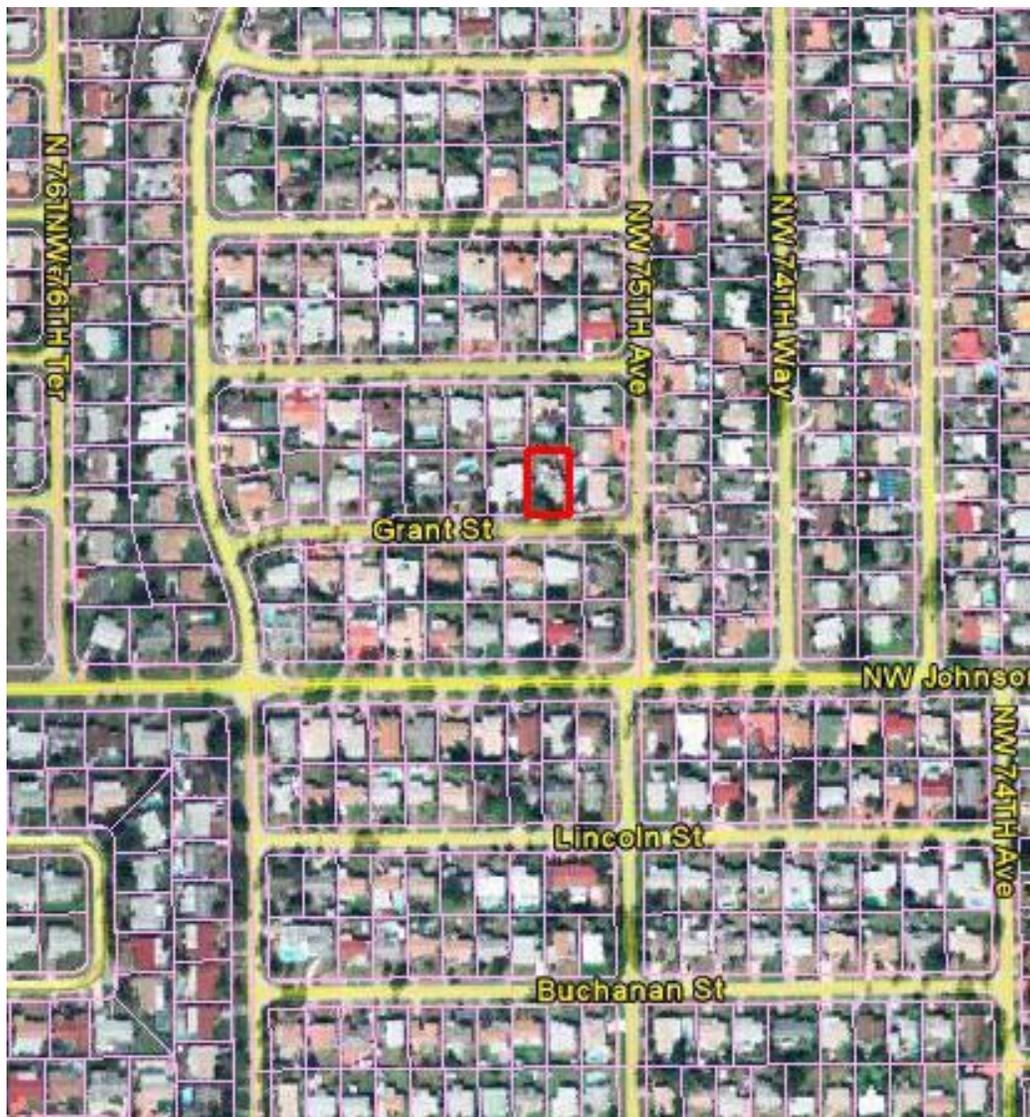
File Nos.: 18513 and NUC 1618  
Applicant: Lake Wellington Professional Center, LLC, a Florida limited liability company  
Reserving Deeds: E-2960 (DB 717-285, 5/16/1945) and E-7129 (DB 944-466, 5/5/1951)  
Fee paid: \$1,100.00  
Action: Release District canal and road reservations, and issue non-use commitment  
Acres: 25.25 acres, more or less  
Brief Legal: Lots 1, 4 and 5, COUNTRY WEST, PB 40-179, and the SE ¼ of the NW ¼ of the NE ¼ of Section 25, Township 43 South, Range 41 East  
Location: SR 7/US 441, South of Okeechobee Boulevard, Village of Royal Palm Beach, Palm Beach County  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, Village of Royal Palm Beach, Palm Beach County Public Works and Florida Department of Transportation



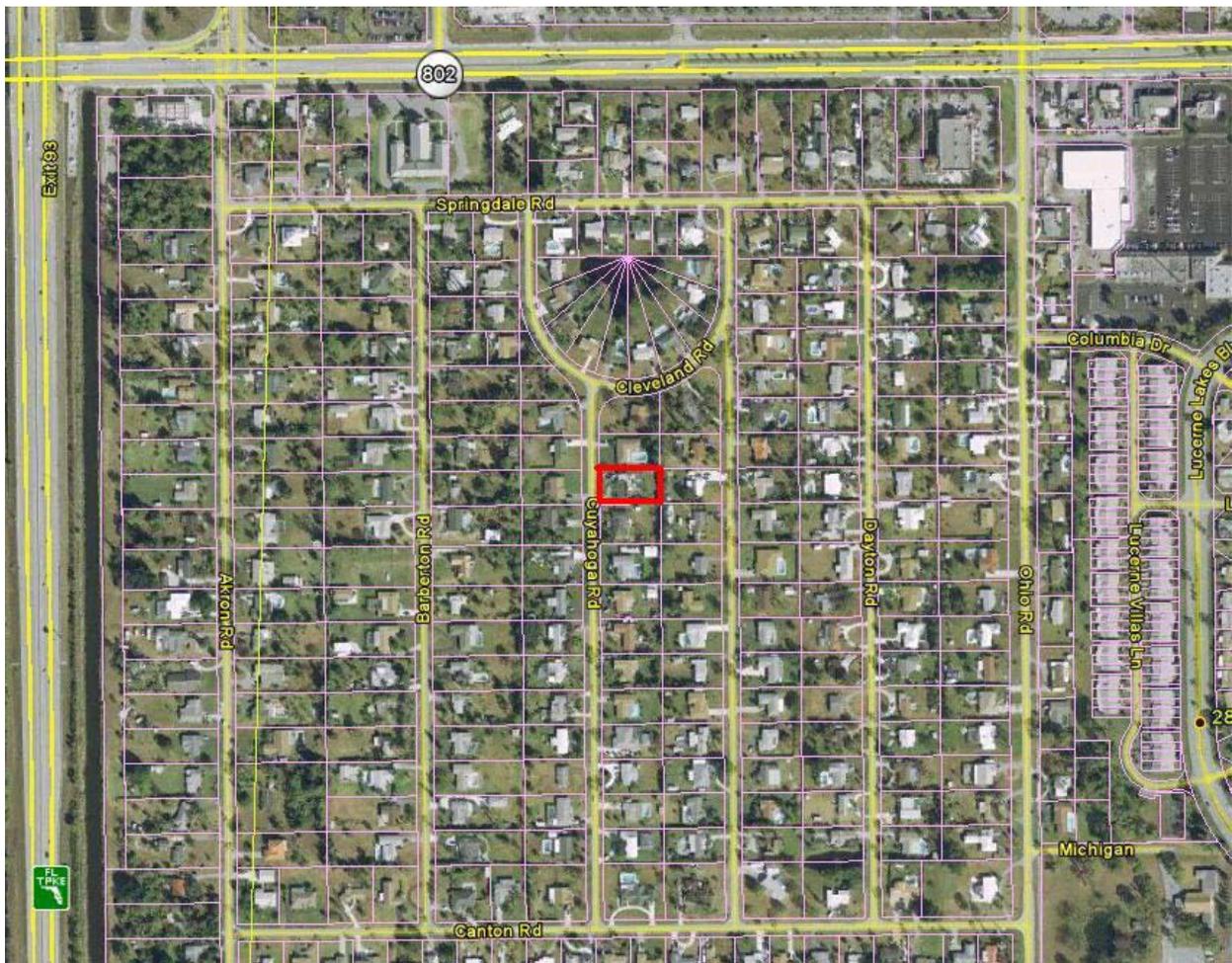
File Nos.: 18514 and NUC 1619  
Applicant: Absolute Holdings of South Florida, LLC, a Florida limited liability company  
Reserving Deed: E-7129 (DB 944-466, 5/5/1951)  
Fee paid: \$1,300.00  
Action: Release District canal reservations and issue non-use commitment  
Acres: 43.54 acres, more or less  
Brief Legal: Lots 2, 3, 6 and 7, and a portion of Tract "A", COUNTRY WEST, PB 40-179, and the S ½ of the NE ¼ of the NE ¼ and N ½ of the SE ¼ of the NE ¼ of Section 25, Township 43 South, Range 41 East  
Location: SR 7/US 441, South of Okeechobee Boulevard, Village of Royal Palm Beach, Palm Beach County  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination and Village of Royal Palm Beach



File Nos.: 18515 and 7-12-1  
Applicant: Gary P. Murphy and Juanita Bell Murphy, husband and wife  
Reserving Deeds: E-1612 (DB 463-347, 9/15/1944) and TIITF 16160 (DB 49-213 (M-D), 7/20/1909)  
Fee paid: \$500.00  
Action: Release District canal, road and mineral reservations, and approve release of TIITF canal reservations  
Acres: 0.18 acre, more or less  
Legal Description: Lot 12, Block 3, REPLAT OF BOULEVARD HEIGHTS SECTION 14, PB 61-23, Section 10, Township 51 South, Range 41 East  
Location: 7505 Grant Street, Hollywood, Broward County  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, City of Hollywood, South Broward Drainage District, Broward County Public Works and Florida Department of Transportation



File No.: 18516  
Applicant: Evelio Herrera and Milagros Herrera, husband and wife  
Reserving Deed: QCD (DB 910-675, 5/27/1950)  
Fee paid: \$250.00  
Action: Release District mineral reservations  
Acres: 0.40 acre, more or less  
Legal Description: Portion of Lot 21, Block 29, PALM BEACH FARMS CO. PLAT NO. 1, PB 2-45, Section 28, Township 44 South, Range 42 East  
Location: 69 Cuyahoga Road, Lake Worth, Palm Beach County  
Reviewed by: No routing required for mineral releases on parcels containing 1 acre or less



File No.: 5-12-3  
Applicant: Solon Crews Mills, Jr., and Peggy L. Mills, as Co-Successor Trustees of the Addie C. Mills Revocable Trust Agreement dated August 18, 1995  
Reserving Deed: TIITF 19138-B (DB 25-168, 10/11/1949)  
Fee paid: \$250.00  
Action: Approve release of TIITF canal reservations  
Acres: 1,163.54 acres, more or less  
Legal Description: Portion of Sections 19 and 20, Township 45 South, Range 34 East  
Location: 20300 CR 835, approximately 13+/- miles South of State Road 80, Labelle, Hendry County  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Hendry County

