

## **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 Real Estate 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. Road reservations are released upon review and approval by the affected county and the Florida Department of Transportation. 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, non-use commitments and approvals 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 and road reservations, issuance of a non-use commitment, and release of Trustees of the Internal Improvement Trust Fund canal reservations; providing an effective date.

**Prepared by:** \_\_\_\_\_  
Kathleen Massey, Senior Closing Specialist  
Title and Closing Unit, Real Estate Section  
Date \_\_\_\_\_

**Reviewed by:** \_\_\_\_\_  
Marcy Zehnder, Section Leader  
Title and Closing Unit, Real Estate Section  
Date \_\_\_\_\_

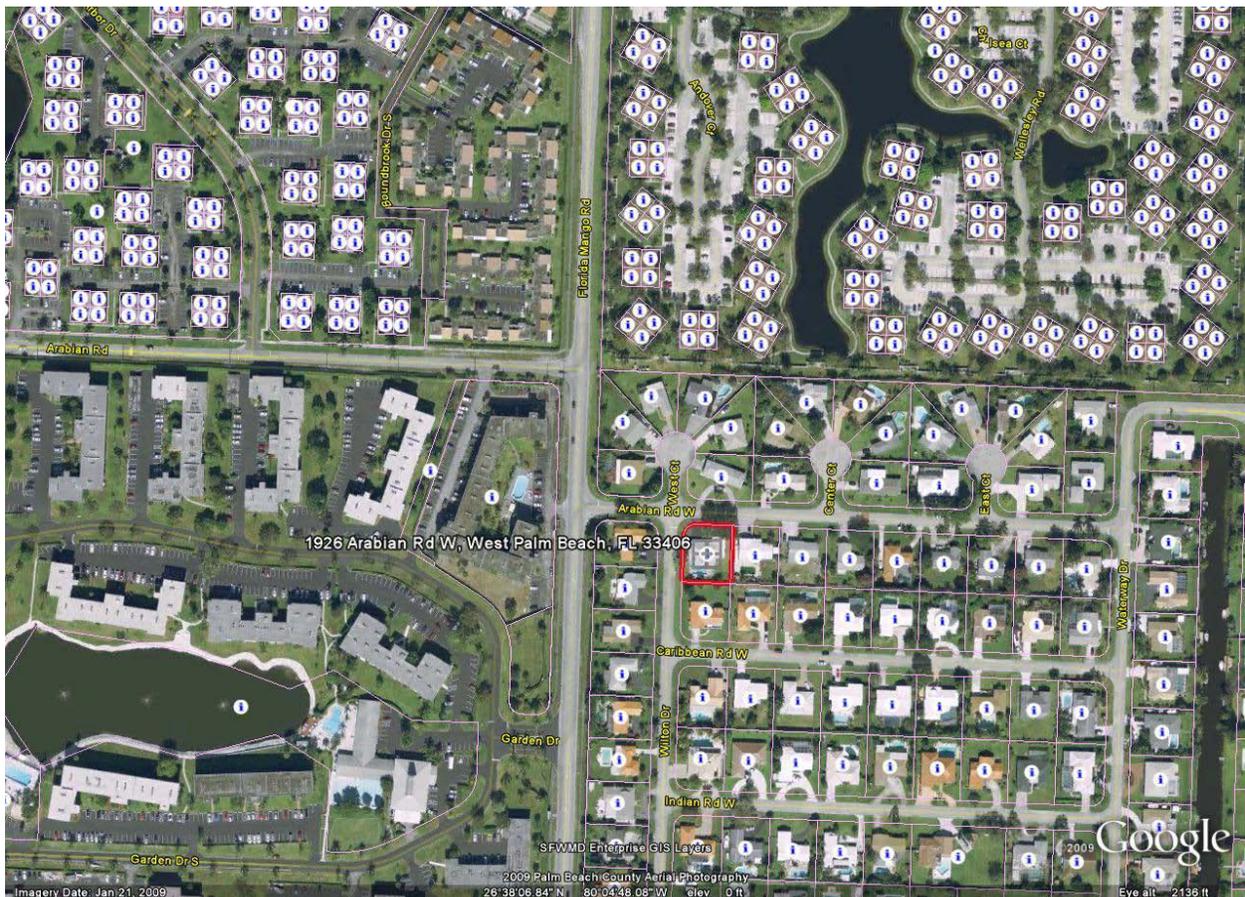
**Reviewed by:** \_\_\_\_\_  
Ray Palmer, Section Administrator  
Real Estate Section  
Date \_\_\_\_\_

**Reviewed by:** \_\_\_\_\_  
Ruth Clements, Chief Real Estate Specialist  
Executive Office  
Date \_\_\_\_\_

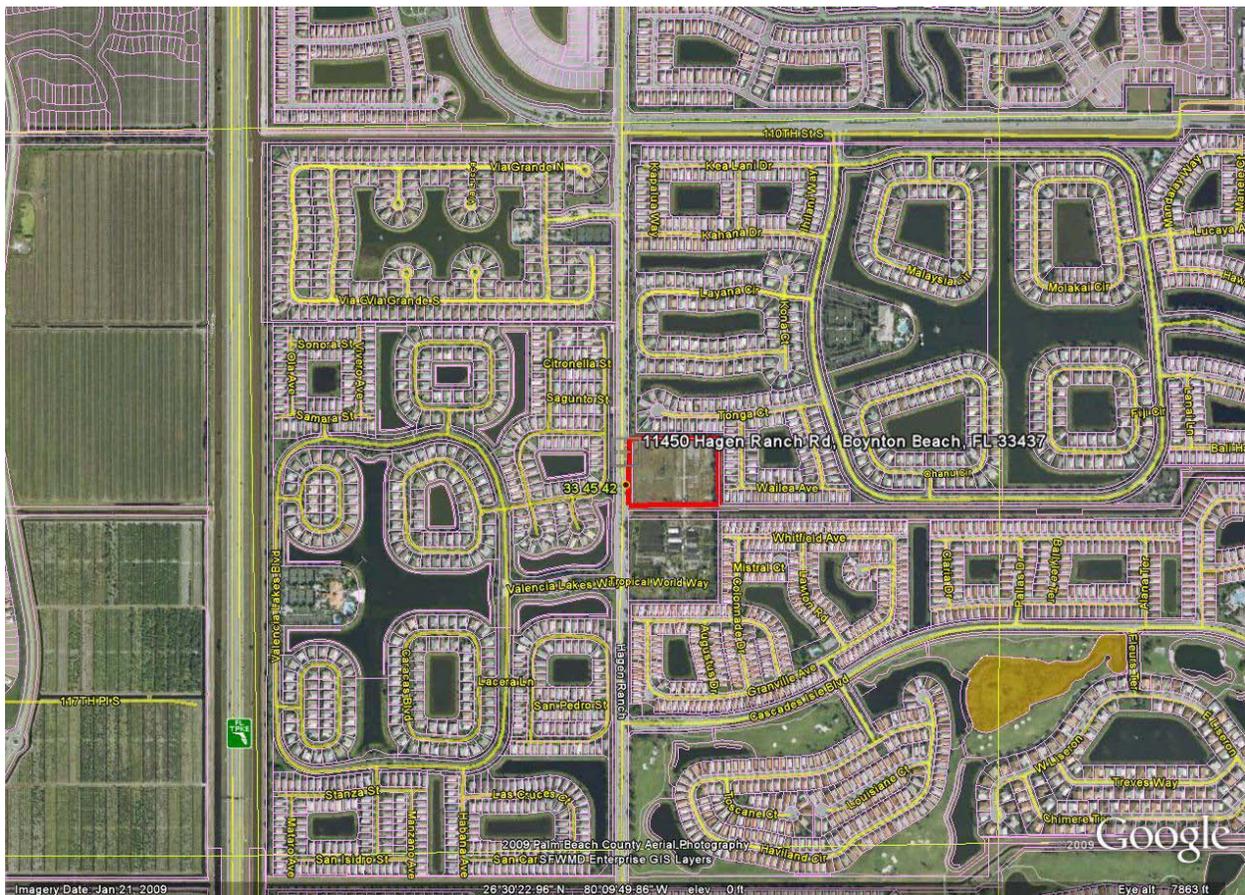
**Approved by:** \_\_\_\_\_  
Tommy B. Strowd, P.E., Director  
Operation, Maintenance and Construction Division  
Date \_\_\_\_\_

**EXHIBIT "A"**

File No.: 18496  
Applicant: Michael Goudron and Ines Goudron, husband and wife  
Reserving Deed: E-1029, DB 693-460, dated July 18, 1944  
Fee paid: \$250.00  
Action: Release of District canal and road reservations  
Acres: 0.26, more or less  
Brief Description: Lot 20, PLAT NUMBER ONE OF PALM RIDGE ESTATES, PB 27-120  
Location: Section 17, Township 44 South, Range 43 East, Palm Beach County  
Address: 1926 Arabian Road West, West Palm Beach  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, Palm Beach County Right of Way Acquisition Section, and Florida Department of Transportation



File Nos.: 18502 and NUC 1609  
Applicant: Gardens Park Assisted Living, LLC, a Florida limited liability company  
Reserving Deed: E-5332, DB 772-243, dated July 5, 1946  
Fee paid: \$425.00  
Action: Release of District canal reservations and issuance of non-use commitment  
Acres: 7.50, more or less  
Brief Description: All of the plat of RARE SPECIES NURSERY, PB 84-154  
Location: Section 33, Township 45 South, Range 42 East, Palm Beach County  
Address: 11450 Hagen Ranch Road, Boynton Beach  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Lake Worth Drainage District



File No.: 11-11-1  
Applicant: Saddleridge Holdings, LLC, a Florida limited liability company  
Reserving Deed: TIITF 16199, DB 27-302, dated January 6, 1909  
Fee paid: \$250.00  
Action: Approval of release of TIITF canal reservations  
Acres: 7.51, more or less  
Brief Descriptions: Tracts A, B and C, FLORIDA INTERNATIONAL PLAZA, PB 131-43; and Tract A, BURGER KING RESTAURANT TRACT, PB 110-42; and Portion of Tract 6, Block 2, RICHARDSON-KELLETT COMPANY'S PLAT, PB 4-101  
Location: Section 8, Township 54 South, Range 40 East, Miami-Dade County  
Addresses: 10520 SW 8<sup>th</sup> Street, Miami; and 869, 915 and 955 SW 107<sup>th</sup> Avenue, Miami  
Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County Water Control Section

