

1 SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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3 RESOLUTION NO. 2010-\_\_\_\_\_

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5 A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA  
6 WATER MANAGEMENT DISTRICT APPROVING THE RELEASE OF EASEMENT  
7 INTERESTS CONTAINING 0.35 ACRES, MORE OR LESS, OVER A PORTION OF  
8 LOT 4, TIERRA DEL-REY SOUTH (PB: 35-64), LYING IN SECTION 24, TOWNSHIP  
9 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; SUBJECT TO  
10 SATISFACTION OF CERTAIN REQUIREMENTS; PROVIDING AN EFFECTIVE  
11 DATE.  
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13 WHEREAS, pursuant to a request from the applicants, Kevin A. Doyle and  
14 Venessa Doyle, the District has determined that it is in the public interest to release a  
15 portion of that certain easement recorded in Official Records Book 2714, at page  
16 1524, of the Public Records of Palm Beach County, containing 0.35 acres, more or  
17 less, that encumbers the applicants' property located in Section 24, Township 46  
18 South, Range 41 East, Palm Beach County; and

19 WHEREAS, upon the satisfaction of certain terms, conditions and  
20 requirements, the Governing Board has determined that the 0.35 acre, more or less,  
21 access easement interest is not required by the District for present or future use; and

22 WHEREAS, the applicants have paid a \$1,000.00 non-refundable application  
23 fee and shall pay all costs associated with this transaction, including but not limited to  
24 the cost of an appraisal, the appraised value of the interest, and recording the deed in  
25 the public records; and

26 WHEREAS, the Governing Board, pursuant to Section 373.096, Florida  
27 Statutes, may release any easement interests conveyed to it for which it has no  
28 present or apparent future use under terms and conditions determined by the  
29 Governing Board.

30 NOW THEREFORE, BE IT RESOLVED by the Governing Board of the South  
31 Florida Water Management District:

32 **Section 1:** The Governing Board of the South Florida Water Management District  
33 has determined that the release of the subject easement interests is in the best  
34 interest of the District and therefore hereby approves releasing the 0.35 acre, more or  
35 less, easement interest over property located in Section 24, Township 46 South,  
36 Range 41 East, Palm Beach County, Florida, to the underlying fee owners, provided

37 all of the following terms, conditions, and requirements are satisfied to the satisfaction  
38 of the District, in its sole and absolute discretion:

39 a. The applicants shall pay no less than appraised value for the interest to be  
40 released and must pay all costs associated with the transaction, including but  
41 not limited to appraisal fees and all recording costs. The District shall not be  
42 obligated to pay any amount to the applicants.

43 b. The applicants shall provide, at applicants' sole cost and expense, a sketch  
44 and legal description of the area to be released, acceptable to the District, to  
45 be attached as Exhibit "A" to the release instrument.

46 **Section 2:** The Governing Board of the South Florida Water Management District  
47 hereby authorizes the Chairman to execute the release document upon satisfaction of  
48 all of the foregoing terms, conditions and requirements to the satisfaction of the  
49 District in its sole and absolute discretion. No release instrument shall be delivered to  
50 the applicants, or shall be effective, until all of the foregoing requirements have been  
51 fully completed and fulfilled to the District's satisfaction, in the District's sole and  
52 absolute discretion. Furthermore, such release will not be effective until it has been  
53 recorded in the Public Records of Palm Beach County, Florida.

54 **Section 3:** This Resolution shall take effect immediately upon adoption.

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56 **PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

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By: \_\_\_\_\_  
Eric Buermann, Chairman

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68 ATTEST:

Legal Form Approved:

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71 By: \_\_\_\_\_  
District Clerk/Secretary

By: \_\_\_\_\_  
Office of Counsel

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