



## Florida Department of Environmental Protection Bureau of Public Land Administration

### APPLICATION INSTRUCTIONS FOR RELEASE OF RESERVATIONS

The application is to be used 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 reservation**, which are served in favor of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (*Board of Trustees*).

*Note: If you are applying for State Board of Education release of canal reservation, road right-of-way reservations or the release of right-of-entry and exploration for oil and mineral reservation, which are reserved in favor of the Board of Education, applications must be submitted to the Florida Department of Education. See page 2 for contact information.*

**Each application must be submitted to DEP with the following:**

Application Type	Section A: Application	Section B: FDOT/City/County Certification	Section C: WMD Certification	Section D: Oil & Mineral Affidavit
Canal Reservation	<b>X</b>		<b>X</b>	
Right of Entry for Oil, Mineral & Gas Reservation	<b>X</b>			<b>X</b>
Right of Way Reservation	<b>X</b>	<b>X</b>		

- A legible copy of the original Board of Trustees deed containing the reservation.
- A legible copy of present owners' deed.
- A current survey and legal description, on 8 ½" x 11" page size, 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.)*
- 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.
  - 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 is required.
  - When requesting the release of canal reservation, a recommendation from the appropriate Water Management District is required.
- Application fee of \$300 (*non-refundable*) in the form of check per release and/or reactivation of an existing application.
- Satisfactory evidence certifying that the applicant is the legal record owner of the subject land.
  - *Satisfactory evidence of title shall mean a current title insurance policy or current title insurance binder or commitment, not more than 6 months old, 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 lands involved and indicating any mineral or other interest.*
- Signature of present owner(s) record

## **ADDITIONAL INFORMATION FOR RELEASE OF RESERVATIONS APPLICATIONS**

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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 or a recent Title Company title commitment policy.

Applicant should submit a legal description, including the section, township, and range of the property to be released.

**Application fee** should be submitted in the form of a check in the amount of **\$300** made payable to The Department of Environmental Protection. The application fee is nonrefundable.

*\*Multiple deeds titled to the same owner and/or multiple legal descriptions affected by the reservation may be combined into one release of reservation application.*

If you have any questions when applying, please contact:

**The Bureau of Public Land Administration**

**Phone: (850) 245-2720.**

For express processing, please email your completed application to [Upland.Applications@dep.state.fl.us](mailto:Upland.Applications@dep.state.fl.us) and mail your application fee along with referenced completed application to:

Please submit fee with referenced application to:

**Department of Environmental Protection**  
**Division of State Lands**  
**Bureau of Public Land Administration**  
3800 Commonwealth Blvd.  
Tallahassee, Florida 32399-3000  
**ATTENTION: BPLA**

\*Note: ALL **Board of Education Reservations** applications and fees should be submitted to:

**Florida Department of Education**  
**Office of General Counsel**  
**325 West Gaines St., STE 1244**  
**Tallahassee, Florida 32399-0400**

Phone Number: (850) 245-0442

## **OIL & MINERAL RELEASE OF RESERVATIONS**

Pursuant to section 270.11(2)(b), Florida Statutes, all Oil/Mineral Reservations 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 current owner(s) must submit an application (Section A) and an affidavit (Section d) 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 Administrative Code. See Section D for example affidavit.

## **RELEASE OF CANAL RESERVATIONS**

For applications for Release of **Canal Reservations**, Section A and C should first be sent to the respective Water Management District. The Water Management District Office should return the application with its recommendation to the applicant prior to the applicant submitting it to DEP. For contact information for each respective District [CLICK HERE](#).

- The South Florida Water Management District (SFWMD) requires submittal of the SFWMD Application along with DEP's Application as well as the SFWMD application fee.
- **If the reservation is in an Everglades Drainage District (EDD) deed**, apply for release to the SFWMD. 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.

## **RELEASE OF ROAD RESERVATIONS**

For application for release of **Road Reservation**, Section A and B should first be sent to the respective Department of Transportation District Office for approval. Submit the completed DEP 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). 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. For contact information for each respective District [CLICK HERE](#).

The Department of Transportation should return the application with its recommendation to the applicant prior to the applicant submitting it to DEP.