

A photograph of a two-story white building with green shutters and a palm tree in front. The building has a flat roof and a decorative green trim along the eaves. The ground floor features large display windows and a central entrance. An American flag is visible near the entrance. The scene is set on a street corner with a sidewalk and a clear blue sky.

210 Duval Street, LLC

Section 108-991(3) – Key West Code

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- g. Documentation for the Monroe County Property Appraiser's Office for the time on or about April 1, 2010, (Green Card); and
- h. Similar documentation as listed above.

Provision of affidavits to support the existence of a unit is allowed, but cannot be the sole record upon which a decision is based. Provision of documents is the responsibility of the applicant. The city planner's decision shall be rendered to the department of economic opportunity for a determination of consistency with the principals for guiding development.

Historic Aerial



Recent Aerial



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LEASE

ARTICLE I. FUNDAMENTAL LEASE PROVISIONS; EXHIBITS; DEFINITIONS

Section 1.1 Fundamental Lease Provisions. These are the provisions of the Lease except as they may be modified hereafter.

PROPERTY: 210 - 216 Duval Street/ 8 Charles Street, Key West, Florida

DATE OF LEASE: July 1, 2004

LANDLORD: Walter Price Trust
ADDRESS OF LANDLORD: P.O. Box 2068, Key West, FL 33045

TENANT: Elysse of Key West, Inc.
ADDRESS OF TENANT: 19707 Turnberry Way, 5J-5K
Aventura, FL 33180

TENANT'S TRADE NAME: Beach Club

LEASE TERM: Seven years beginning July 1, 2004 and ending June 30, 2011

MONTHLY RENT: \$26,071.88 plus Florida Sales Tax

Elysse of Key West, Inc. leased whole property and subleased residences

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6 Keys Energy Meters



(305) 295-1080
1001 James Street
PO Box 8100
Key West, FL 33040-8100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

February 28, 2020

Mr. Anthony Davila
Smith/Hawks Attorneys At Law
138 Simonton Street
Key West, FL 33040

RE: Electrical Service for:
210 Duval Street, Up, Key West, Florida

Dear Mr. Davila:

As requested, we have reviewed our records, and it has been determined that electrical service is available for the above referenced property. Keys Energy Services records indicate that this account is currently active and there has been residential electrical service with one (1) meter at the above mentioned address since January 6, 1993.

Should you have any questions or concerns, please contact me at (305) 295-1080.

Sincerely,

A handwritten signature in blue ink that reads "ZGonzalez".

Zahny Gonzalez
Customer Service Staff Assistant

ZG/zg

RE: Electrical Service for:
210 Duval Street, Up, Key West, Florida

RE: Electrical Service for:
210 Duval Street, Down, Key West, Florida

RE: Electrical Service for:
212 Duval Street, Key West, Florida

RE: Electrical Service for:
216 Duval Street, Key West, Florida

RE: Electrical Service for:
8 Charles Street, Key West, Florida

RE: Electrical Service for:
8 Charles Street, Rear, Key West, Florida

Section 108-991(3) – Key West Code

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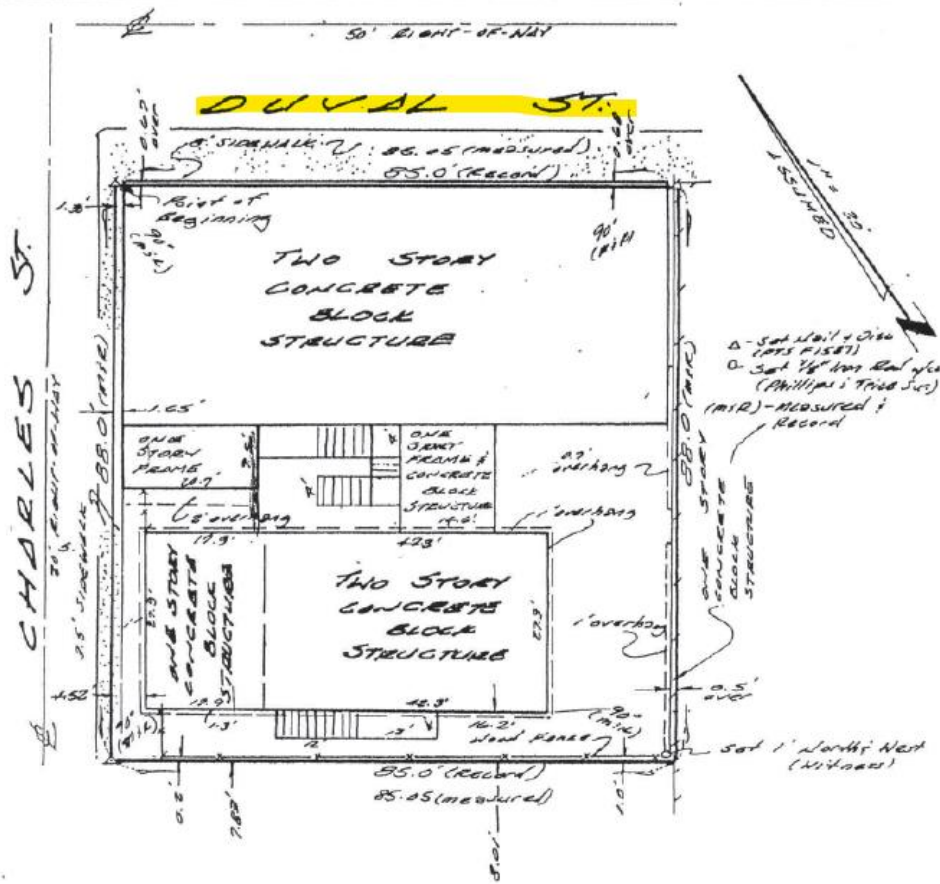
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Survey and Building Layouts

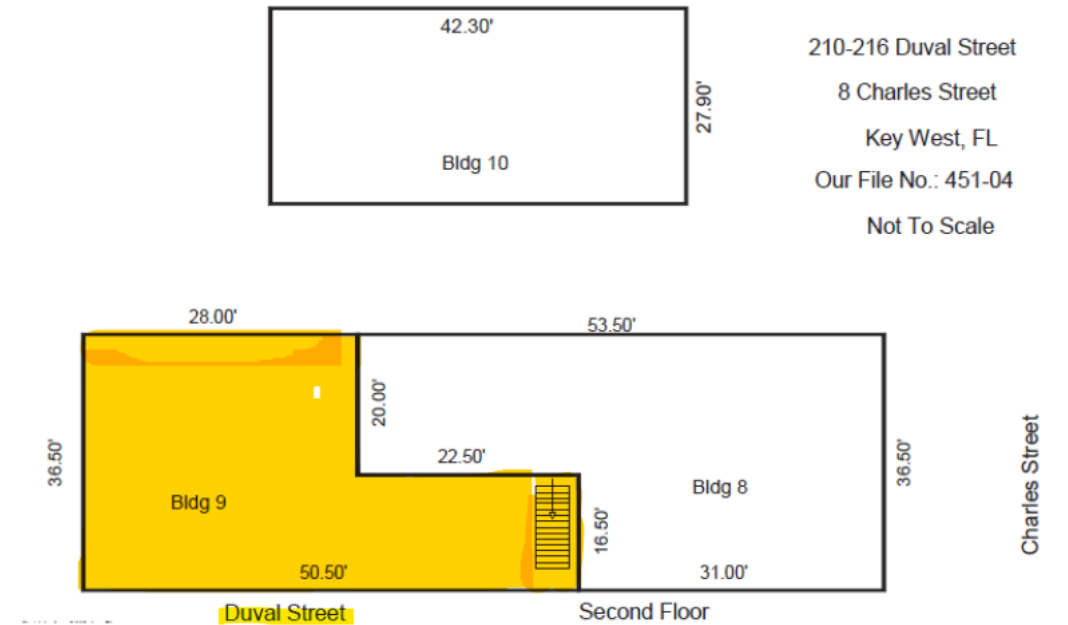


Professional Land Surveyors
 1204 Simonton Street
 Key West, Florida 33040
 (305) 294-4747

FLORIDA CERTIFICATE NO. 1410
 JOE M. TRICE, P.L.S.
 FLORIDA CERTIFICATE NO. 2310



Second Floor:



*subject area highlighted ("Building 9")

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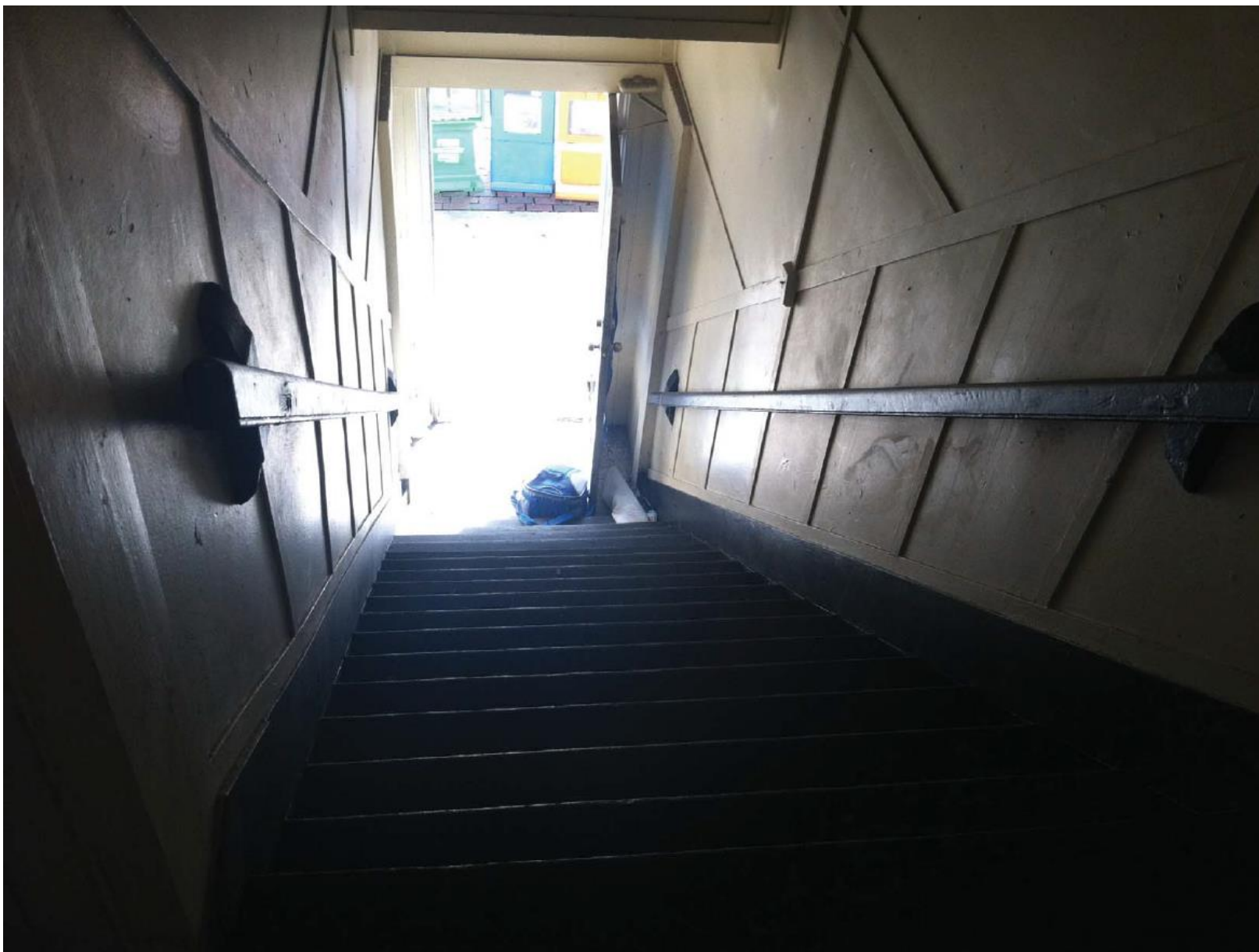
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Only Entrance/Exit to/from Building 9



Through the Door





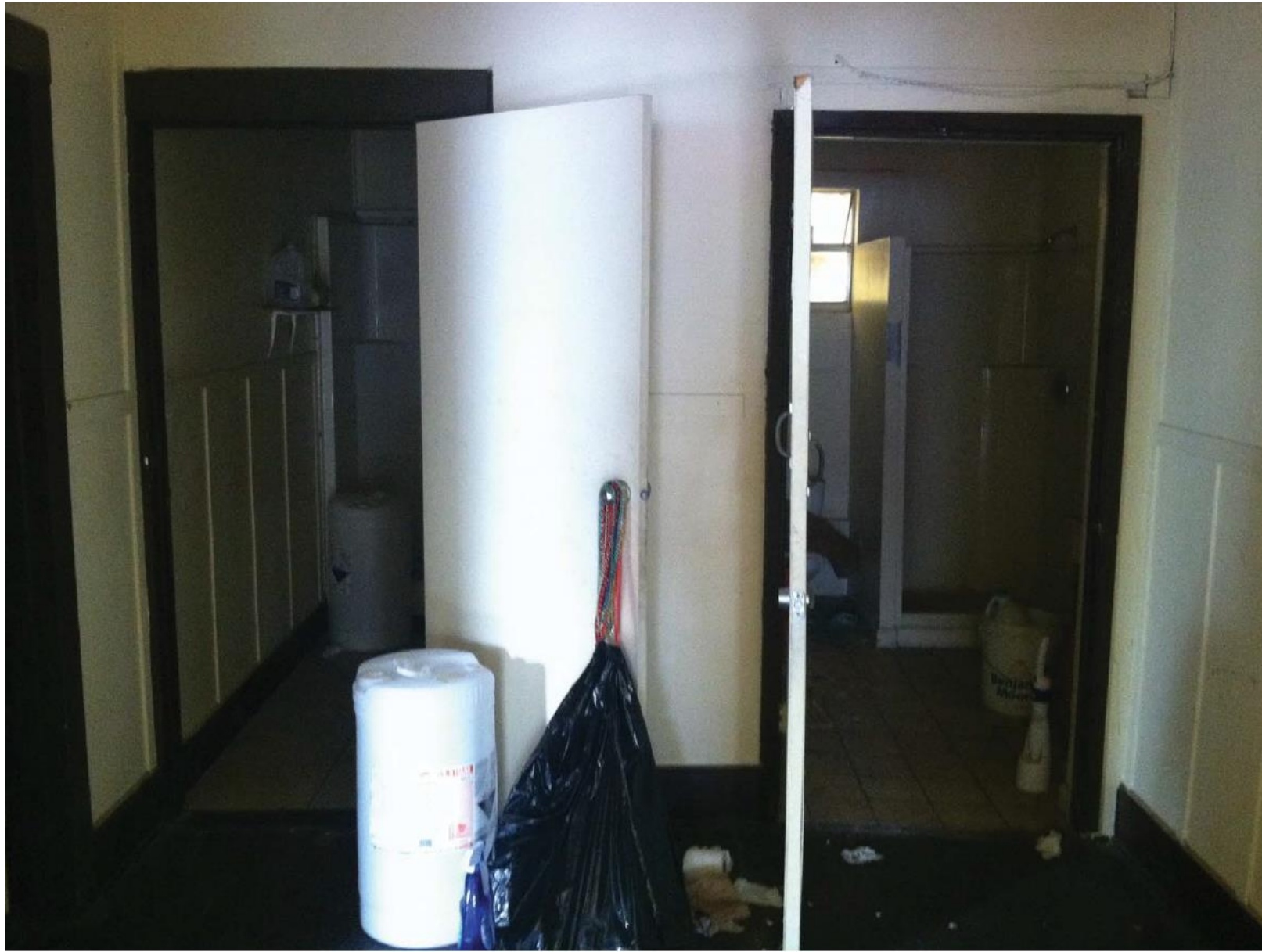








2 Full Bathrooms





Utilities



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Subj: **Re: Re Rent**
Date: **7/18/2009** 10:08:27 PM Central Standard Time
From:
To:
CC:

Dear Nancy,

Thank you for your email.
I am truly sorry to hear that you had to mentally get ready for surgery and then have it canceled at the last moment. That must have been very distressing.

Re the rent situation - Thanks to both Robert and yourself for always being willing to work with us. I agree that in these trying times, that we should search to find a happy medium that both sides can live with.

I mailed out the rent check late Friday so it should be received Monday.

If the check is received Monday I would hope that Robert or yourself could wait until Tuesday to deposit it so that we have a chance to get the weekend money into the account.

As soon as I know my schedule I will let you know. But I do hope to be coming down next week for a day or two and I would like to meet with Robert and yourself to try to sort out things so that each month I don't have to approach you regarding the rent.

My 6/15 email I thought explained about the upstairs. Here is what I had said then:

Note that the large, new three bedroom, three bath apartments that we built over 117 Duval Street rented for only \$2500 a month when things were good and I believe they are currently renting for less than that.

When rentals were hard to get, we started letting staff stay upstairs over Beach Club as an accommodation for them. The units are relatively small and the kitchen facilities are limited and today rentals are pretty easy to find so rent income for the upstairs is really much below the \$6262.54 I calculate that we are paying for the upstairs. Plus we are paying the water and electric for those units.

In truth the amount we are paying for the second floor really exceeds what it is worth and I hope we can discuss this when I meet with you during the week. I can check around to figure out some comps - or maybe you can - but I can't imagine that the upstairs is worth even \$4000 on the open market and maybe much less than that.

2009 Correspondence Describing Units

When rentals were hard to get, we started letting staff stay upstairs over Beach Club as an accommodation for them. **The units are relatively small and the kitchen facilities are limited** and today rentals are pretty easy to find so rent income for the upstairs is really much below the \$6262.54 I calculate that we are paying for the upstairs. Plus we are paying the water and electric for those units.

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IN THE CIRCUIT COURT OF THE
SIXTEENTH JUDICIAL CIRCUIT IN
AND FOR MONROE COUNTY,
FLORIDA

CASE NO. 2011-CA-1205-K

210 DUVAL STREET, LLC,

Plaintiff,

v.

ELYSSE OF KEY WEST, INC.,
a Florida corporation,

Defendant.

SETTLEMENT AGREEMENT

Plaintiff, 210 DUVAL STREET, LLC (“Landlord”), and Defendant,
ELYSSE OF KEY WEST, INC. (“Tenant”), have agreed to resolve the issues in
this case pursuant to the following terms:

1. Landlord stipulates and agrees that the lease renewal option in Article
XII of the parties’ July 12, 2004 Lease (“Lease”) was validly exercised, and
Tenant’s tenancy in the leased premises (as adjusted per ¶¶4 and 5, below) shall
continue through and until June 30, 2014.

2. Landlord stipulates and agrees that, as soon as Landlord receives the
funds from the Court Registry and settlement amount as outlined in ¶¶10 and 11,

2012 Settlement Agreement

4. No later than October 15, 2012, the leased premises shall include only
the 5,575 square foot retail area at 210 – 216 Duval Street and 8 Charles Street.

5. The second floor apartments currently rented (i.e. the 210 Duval
Street Apartment and the 8 Charles Street Apartment, which apartments comprise
2,755 square feet — collectively referred to herein as “Apartments”) shall no
longer be part of Tenant’s tenancy. Prior to October 15, 2012, Tenant shall notify
Landlord, in writing, that the Apartments are not damaged, vacant, broom clean
and have been removed of all appliances. If the second floor is not vacated
pursuant to this paragraph, and Tenant has failed to cure any default within five (5)
days of Landlord’s written notice of such default, then the primary Lease between
the parties shall be canceled.

6. Effective September 1, 2012, the Lease is amended so that Tenant’s
obligation to pay Tenant’s proportionate share of *ad valorem* real estate taxes shall
be 56.55%, rather than the 84.50% referenced in the Lease.

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Settlement Agreement requiring vacating residences ✓

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We respectfully request that the Board of Adjustment recognize 2 additional non-transient units, or, 1 additional non-transient unit on the property located at 210-216 Duval Street and 8 Charles Street

Thank You

