

Application



AMENDED AND RESTATED

Application for Easement*

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

Application Fee: \$2,735.50

(includes \$310.00 advertising/noticing fee and \$110.25 fire review fee)

(\$551.25 for each additional easement for same parcel)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3764.

PROPERTY DESCRIPTION:

Site Address: 1500-1502 Vernon Avenue, Key West, FL 33040

Zoning District: HCT Real Estate (RE) #: 00037410-000200 & 00037410-000100

Property located within the Historic District? ☒ Yes ☐ No

APPLICANT: ☐ Owner ☒ Authorized Representative

Name: Smith Hawks, PL; Barton W. Smith, Esq. and Anthony J. Davila, Esq. Mailing

Address: 138 Simonton Street City: Key West

State: Florida Zip: 33040 Home/Mobile Phone: (305) 296-7227 Office:

Fax: _____

Email: Bart@SmithHawks.com; AJ@SmithHawks.com; Brandi@SmithHawks.com; Jen@SmithHawks.com

PROPERTY OWNER: (if different than above)

Name: The Honorary Conch Corporation Mailing

Address: c/o Agents City: c/o Agents

State: c/o Agents Zip: c/o Agents Home/Mobile Phone: c/o Agents Office:

Fax: _____

Email: c/o Agents

Description of requested easement and use: Two easements are being requested. The first is for a concrete block wall that extends the length of the property along Vernon Street and extends 218.5 sf beyond the property line.

The second requested easement is for a concrete slab that extends 14.8 sf beyond the property line onto Waddell Avenue.

SMITH / HAWKS

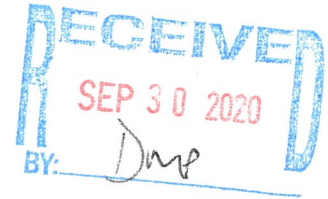
ATTORNEYS AT LAW

Chelsea Vanadia, Esq.
Telephone: (305) 296-7227
Facsimile: (305) 296-8448
Email: Chelsea@SmithHawks.com

VIA HAND DELIVERY

September 30, 2020

Katie Halloran, Planning Director
City of Key West
1300 White Street
Key West, FL 33040



RE: APPLICATION FOR EASEMENT
PROPERTY: 1500 - 1502 VERNON AVENUE

Dear Katie:

Enclosed please find The Honorary Conch Corporation's ("Owner") Application for Easement ("Application") for the properties located at 1500-1502 Vernon Avenue, Key West, Florida bearing Monroe County real estate numbers 00037410-000100 & 00037410-000200 (collectively the "Property").

There are no known easements, deed restrictions, or other encumbrances attached to the property that Owner is aware of.

Together with the following required supporting documents:

1. Check No. 1219 in the amount of \$2,900 for the application fee payable to City of Key West;
2. Notarized verification form signed by the property owner together with the Sunbiz Detail showing the signor as a member;
3. Notarized authorization form signed by the property owner;
4. Certificate of Liability Insurance listing City of Key West as an additional Certificate Holder;
5. Copy of recorded Warranty Deeds;
6. Monroe County property record cards;
7. Signed and sealed Specific Purpose Survey; and
8. Photographs showing the proposed areas.

Also enclosed is a complete copy set of the documents submitted, to be date stamped once received.

Please do not hesitate to contact me with any questions or comments. I look forward to working with you on this matter.

Sincerely,

CHELSEA C. VANADIA
For the Firm

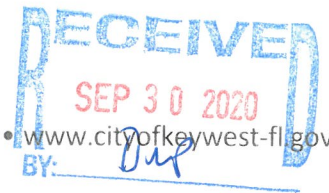
CV:kmt
Enclosures



Application for Easement

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov



Application Fee: \$2,400.00

(includes \$200.00 advertising/noticing fee and \$100.00 fire review fee)

(\$500.00 for each additional easement for same parcel)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3764.

PROPERTY DESCRIPTION:

Site Address: 1500-1502 Vernon Avenue, Key West, FL 33040

Zoning District: HCT Real Estate (RE) #: 00037410-000200 &

Property located within the Historic District? ☒ Yes ☐ No 00037410-000100

APPLICANT: ☐ Owner ☒ Authorized Representative

Name: Smith Hawks, PL; Barton W. Smith, Esq. and Chelsea Vanadia, Esq.

Mailing

City: 138 Simonton Street State: FL 33040 Address: _____ Zip: _____

Home/Mobile Phone: (305) 296-7227 Office: _____ Fax: _____

Email: Chelsea@SmithHawks.com

PROPERTY OWNER: (if different than above)

Name: The Honorary Conch Corporation

Mailing

City: c/o CRM Management, P.O. Box 778, New York, NY 10013 State: _____ Address: _____ Zip: _____

Home/Mobile Phone: (305) 304-5007 Office: _____ Fax: _____

Email: kat@jsjmail.com

Description of requested easement and use: Two easements are being requested. The first is for a concrete block wall that extends the length of the property along following Vernon Street and ranges from between approx. 1-2 feet . beyond the property line. The second requested easement is for a concrete slab that extends approx. 0.85 feet beyond the property line onto Wadell Avenue.

Are there any easements, deed restrictions or other encumbrances attached to the property? ☐ Yes ☒ No

If yes, please describe and attach relevant documents: _____

REQUIRED SUBMITTALS: *All of the materials listed below must be submitted in order to have a complete application. Applications will not be processed until all materials are provided. Please submit one (1) paper copy of the materials to the Planning Department along with one (1) electronic copy of materials on a flash drive.*

- ☒ Correct application fee. Check may be payable to "City of Key West."

- ☒ Notarized verification form signed by property owner or the authorized representative.

- ☒ Notarized authorization form signed by property owner, if applicant is not the owner.

- ☒ Certificate of Liability Insurance with the City of Key West listed as additional Certificate Holder.

- ☒ Copy of recorded warranty deed

- ☒ Monroe County Property record card

- ☒ Signed and sealed Specific Purpose Survey with the legal description of the easement area requested and naming the property owner and/or entity and the City of Key West on the document.

- ☒ Photographs showing the proposed area

Authorization Form

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Gregory Ozzimo as
Please Print Name of person with authority to execute documents on behalf of entity

Treasurer of The Honorary Conch, Inc.
Name of office (President, Managing Member) *Name of owner from deed*

authorize Smith Hawks, PL, Barton W. Smith, & Chelsea Vanadia
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

[Signature]
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 7/30/20
Date

by Gregory Ozzimo
Name of person with authority to execute documents on behalf on entity owner

He/She is personally known to me or has presented driver license as identification.

[Signature]
Notary's Signature and Seal

Gary S. Popkin
Name of Acknowledger typed, printed or stamped

GARY S. POPKIN
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN KINGS COUNTY
LIC. #01PO6058715
COMMISSION EXPIRES MAY 14, 2023

#01 PO 6058715
Commission Number, if any

Verification Form

City of Key West
Planning Department



Verification Form
(Where Applicant is an entity)

I, Gregory Ozzimo, in my capacity as Treasurer
(print name) (print position; president, managing member)
of The Honorary Conch Corporation
(print name of entity)

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

1500-
1502 Vernon Ave., Key West, FL 33040

Street address of subject property

I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

[Signature]
Signature of Applicant

Subscribed and sworn to (or affirmed) before me on this September 2, 2010 by
date
Gregory Ozzimo
Name of Applicant

He/She is personally known to me or has presented driver license as identification.

[Signature]
Notary's Signature and Seal

Gary S. Popkin
Name of Acknowledger typed, printed or stamped

GARY S. POPKIN
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN KINGS COUNTY
LIC. #01PO6058715
COMMISSION EXPIRES MAY 14, 2023

#01 PO 6058715
Commission Number, if any

Property Record Card

Disclaimer

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00037410-000200
 Account# 8574223
 Property ID 8574223
 Millage Group 10KW
 Location 1500 VERNON Ave, KEY WEST
 Address
 Legal KW KW INVESTMENT CO SUB PB1-69 PT LOT 1 SQR 10 TR 17 OR247-89/91
 Description OR764-1820 OR840-1995/98 OR840-1999/2004 OR879-785/86(EASEMENT) OR927-726/727 OR927-728 OR1212-1430/31 OR1212-1432/36 OR1380-1551/54
 (Note: Not to be used on legal documents.)
 Neighborhood 6131
 Property Class MULTI-FAMILY DUPLEX (0802)
 Subdivision Key West Investment Co's Sub
 Sec/Twp/Rng 05/68/25
 Affordable No
 Housing



8574223 1500 VERNON AVE 12/05/19

Owner

[HONORARY CONCH INC](#)
 C/O CRM MANAGEMENT LLC
 PO Box 778
 New York NY 10013

Valuation

	2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
+ Market Improvement Value	\$536,732	\$458,884	\$463,715	\$468,545
+ Market Misc Value	\$1,080	\$1,104	\$1,129	\$1,153
+ Market Land Value	\$556,933	\$465,740	\$452,712	\$452,712
= Just Market Value	\$1,094,745	\$925,728	\$917,556	\$922,410
= Total Assessed Value	\$1,018,301	\$925,728	\$917,556	\$849,131
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,094,745	\$925,728	\$917,556	\$922,410

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2021	\$465,740	\$458,884	\$1,104	\$925,728	\$925,728	\$0	\$925,728	\$0
2020	\$452,712	\$463,715	\$1,129	\$917,556	\$917,556	\$0	\$917,556	\$0
2019	\$452,712	\$468,545	\$1,153	\$922,410	\$849,131	\$0	\$922,410	\$0
2018	\$436,020	\$334,740	\$1,177	\$771,937	\$771,937	\$0	\$771,937	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES WATERFRONT (080W)	981.00	Square Foot	32.7	35.7

Buildings

Building ID	32257	Exterior Walls	ABOVE AVERAGE WOOD
Style	3 STORY ELEV FOUNDATION	Year Built	1995
Building Type	M.F. - R2 / R2	EffectiveYearBuilt	2014
Gross Sq Ft	3197	Foundation	CONC PILINGS
Finished Sq Ft	1961	Roof Type	IRR/CUSTOM
Stories	3 Floor	Roof Coverage	METAL
Condition	GOOD	Flooring Type	SFT/HD WD
Perimeter	312	Heating Type	FCD/AIR DUCTED with 0% NONE
Functional Obs	0	Bedrooms	2

Economic Obs 0
Depreciation % 7
Interior Walls WD PANL/CUSTOM

Full Bathrooms 3
Half Bathrooms 1
Grade 650
Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	1,961	1,961	0
OPU	OP PR UNFIN LL	504	0	0
OUU	OP PR UNFIN UL	417	0	0
OPF	OP PRCH FIN LL	84	0	0
OUF	OP PRCH FIN UL	231	0	0
TOTAL		3,197	1,961	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1969	1970	1	144 SF	3
CONC PATIO	1994	1995	1	120 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
5/1/1992	\$1,325,000	Warranty Deed		1212	1430	M - Unqualified	Improved		
11/1/1984	\$1	Warranty Deed		927	726	U - Unqualified	Improved		

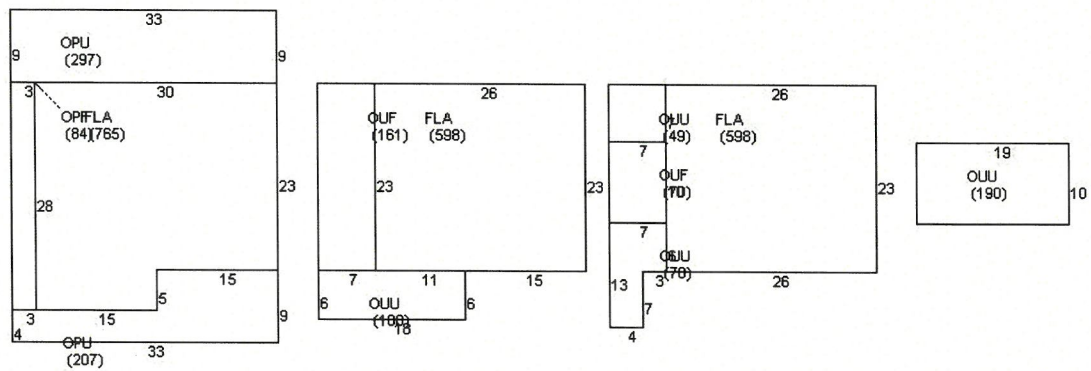
Permits

Number ↕	Date Issued ↕	Date Completed ↕	Amount ↕	Permit Type ↕	Notes ↕
E952245	7/1/1995	10/1/1995	\$16,000	Residential	ELECTRIC SERVICE
M952298	7/1/1995	10/1/1995	\$5,000	Residential	3-2TON A/C W/12 DROPS
E951922	6/1/1995	10/1/1995	\$3,100	Residential	ALARM SYSTEM
A950424	2/1/1995	10/1/1995	\$1,000	Residential	10 SQRS V-CRIMP ROOFING
B950504	2/1/1995	10/1/1995	\$2,785	Residential	STAIRS,REMOVE WALL &REPAE
B942190	7/1/1994	10/1/1995	\$56,000	Residential	RENOVATE 2 PORCHES
B923117	12/1/1992	10/1/1995	\$10,000	Residential	DEMO PORCHES,NEW FOUNDATI
B921439	6/1/1992	10/1/1995	\$300	Residential	INTERIOR DEMOLATION

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice

2022 TRIM Notice (PDF)

2022 Notices Only

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

Last Data Upload: 3/22/2023, 7:28:46 AM

Developed by
 Schneider
GEOSPATIAL

Version 2.3.253

Specific Purpose Survey - Concrete Block Wall

- ABBREVIATIONS:
- A = ARC
 - A/C = AIR CONDITIONER
 - BLDG. = BUILDING
 - CB = CATCH BASIN
 - CBS = CONCRETE, BLOCK, STUCCO
 - CH = CHORD
 - CH BR = CHORD BEARING.
 - C & G = CURB AND GUTTER.
 - CLF = CHAIN LINK FENCE
 - CLR = CLEAR
 - CONC = CONCRETE
 - CP = CONCRETE POST
 - D° = DEGREE
 - D = DELTA
 - DIP = DUCTILE IRON PIPE
 - E = EAST
 - EB = ENGINEERING BUSINESS NUMBER
 - ELEV = ELEVATION
 - ELECT = ELECTRIC
 - ENC = ENCROACHMENT
 - EP = EDGE OF PAVEMENT
 - FIP = FOUND IRON PIPE
 - FPL = FLUORESCENT POWER AND LIGHT
 - FND = FOUND
 - I.P. = IRON PIPE
 - L = LENGTH
 - LB = SURVEYOR BUSINESS NUMBER
 - M & R = MEASURED AND RECORD
 - MEAS = MEASURED
 - MH = MANHOLE
 - N = NORTH
 - NO = NUMBER
 - N & DISC = NAIL AND DISC
 - NO ID. = NO IDENTIFICATION NUMBER
 - N.T.S. = NOT TO SCALE
 - OBV = OBSERVED ANGLE
 - O/E = OVERHEAD ELECTRIC
 - O/E = OVERHEAD ELECTRIC
 - ORB = OFFICIAL RECORDS BOOK
 - O' = MINUTE OR FEET
 - O" = SECOND OR INCH
 - P = PLAT
 - PAV = PAVEMENT
 - PB = PLAT BOOK
 - PCC = POINT OF COMPOUND CURVATURE
 - PC = POINT OF CURVATURE
 - PG = PAGE
 - PL = PLANTER
 - PLS = PROFESSIONAL LAND SURVEYOR
 - PI = POINT OF INTERSECTION
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT
 - PT = POINT OF TERMINATION
 - PRC = POINT OF REVERSE CURVATURE
 - PSM = PROFESSIONAL SURVEYOR AND MAPPER
 - R = RADIUS OR RECORD
 - REG = REGULAR
 - RNG = RANGE
 - RLS = REGISTERED LAND SURVEYOR
 - R/W = RIGHT OF WAY
 - S = SOUTH
 - SEC = SECTION
 - STA = STATION
 - SWK = SIDEWALK
 - T = TANGENT
 - SS = SANITARY SEWER
 - TWP = TOWNSHIP
 - W = WEST
 - W = WITH
 - WF = WOOD FENCE
 - WM = WATER METER
 - WV = WATER VALVE
 - ZW = ZURWELLE-WHITTAKER, INC.

FLOOD INFORMATION:

COMMUNITY NUMBER : 120168

PANEL NUMBER : 12087C1516

SUFFIX : K

DATE OF FIRM : 02-18-2005

FIRM ZONE : AE/VE

BASE FLOOD ELEVATION : 9'10"

FIELD WORK INFORMATION:

DATE FIELD WORK : 04-23-2020

DATE DRAFTING : 06-17-2020

DATE SIGNED AND SEALED : 06-18-2020

REVISED FIELD SURVEY : N/A

SYMBOL LEGEND:

- ☼ LIGHT POLE
- CONC. POLE
- ⚡ ELECTRIC BOX
- 🚦 TRAFFIC SIGNAL BOX
- 🔥 FIRE HYDRANT
- 🚰 STORM SEWER/CATCH BASIN
- 📏 WATER METER
- 📶 SIGN
- 📞 TELEPHONE BOX
- ⛑ WATER VALVE
- EL. 7.05' ELEVATIONS
- ➡ TRAFFIC LANE FLOW
- ⊕ CENTER LINE
- ℳ MONUMENT LINE
- ∅ DIAMETER.



MONROE COUNTY SURVEYING & MAPPING, INC.
SURVEYORS & MAPPERS, CIVIL ENGINEERS
A DIVISION OF ZURWELLE-WHITTAKER, INC (ESTAB. 1926)

1100 TRUMAN AVENUE, KEY WEST, FL 33040 CERTIFICATE OF AUTHORIZATION NO. LB8236
PH: (305) 534-4668 OR (305) 293-0466 FAX (305) 531-4589 WWW.MCSMCO.COM
MEMBER: FLORIDA LAND SURVEYOR'S COUNCIL, FLORIDA SURVEYING AND MAPPING SOCIETY

HONORARY CONCH, INC.
1500 VERNON AVENUE
KEY WEST, FL 33040

Eddie A. Martinez
EDDIE A. MARTINEZ
PROFESSIONAL SURVEYOR AND
MAPPER NO. LS6755
STATE OF FLORIDA

JOB No. N/A
DRAWN: DRF
FIELD BOOK: N/A
REVISED: EAM
SCALE: 1"=20'
SHEET No. 1 OF 1

REVISIONS

SURVEYOR'S CERTIFICATE:

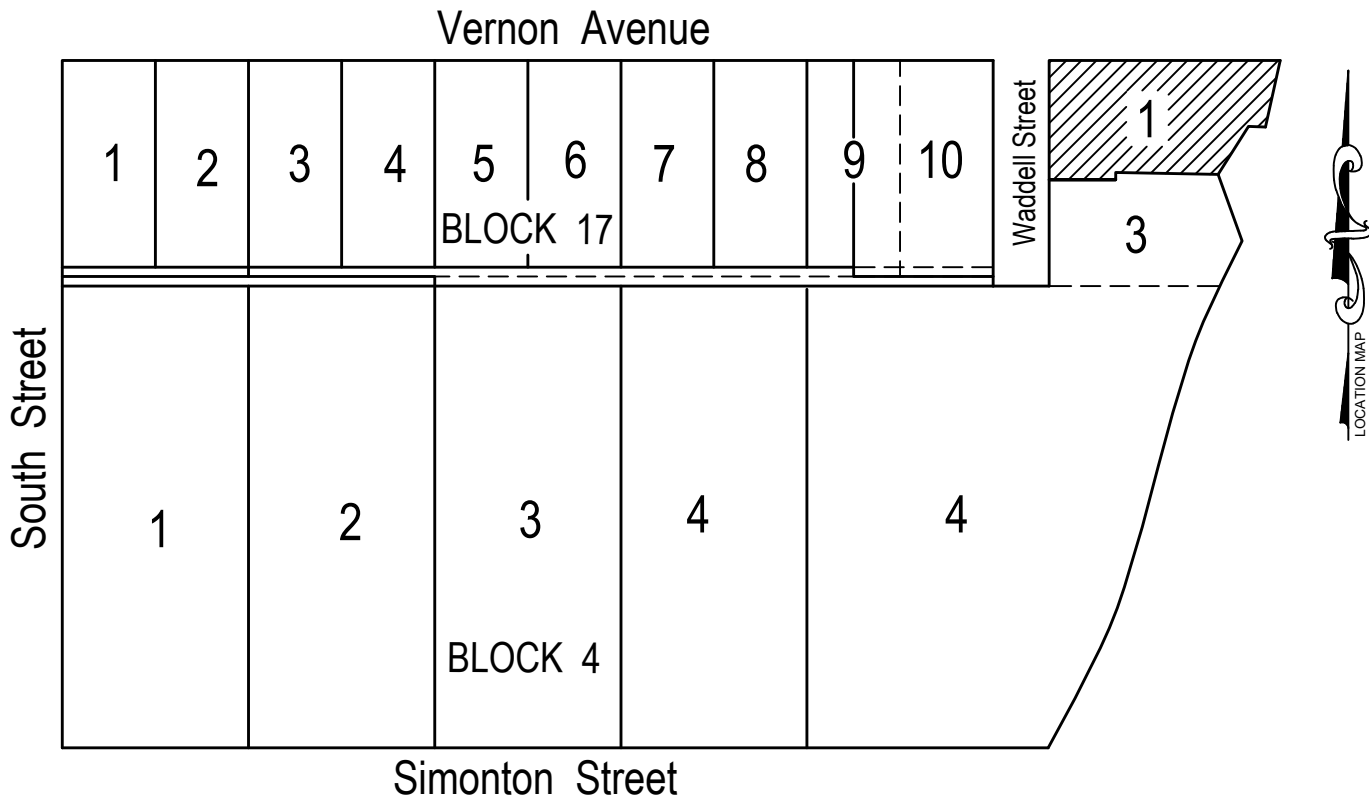
I HEREBY CERTIFY THAT THE ATTACHED "SPECIFIC PURPOSE SURVEY" WAS PREPARED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027.

CAD FILE:
\\Fred\Island Surveying Data\Data MCSMA\Drawings\Key West\Block 151\1502 vernon\1502 VERNON EASEMENT 1 CITY KEY WEST.dwg

SURVEYOR'S NOTES:

- EXAMINATION OF THE ABSTRACT OF THE TITLE WILL HAVE TO BE MADE TO DETERMINE RECORD INSTRUMENTS IF ANY, AFFECTING THE PROPERTY.
 - LOCATION AND IDENTIFICATION OF UNDERGROUND ENCROACHMENTS OR UTILITIES ON AND/OR ADJACENT TO THE PROPERTY WERE NOT SECURED AS SUCH INFORMATION WAS NOT REQUESTED
 - NO SEARCH OF PUBLIC RECORDS HAS BEEN MADE (BY THIS OFFICE) FOR ACCURACY AND OR OMISSIONS.
 - THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED, IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS, OR FREEDOM FROM ENCUMBRANCES, "TITLE" ABSTRACT NOT REVIEWED.
 - THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
 - THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF ENTITIES NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PARTY.
 - DIMENSIONS, BEARINGS OR ANGLES INDICATED HEREIN ARE MEASURED AND ARE THE SAME AS PLAT VALUES UNLESS OTHERWISE INDICATED BEARINGS ARE BASED ON SHOWN PLAT VALUES (IF ANY) OR AN ASSUMED VALUE.
 - ALL RIGHTS OF WAYS SHOWN ARE PUBLIC UNLESS OTHERWISE NOTED
 - UTILITY FACILITIES WITHIN UTILITY EASEMENTS NOT NOTED AS VIOLATIONS, DRIVEWAYS OR PORTIONS THEREOF WITHIN ROADWAYS NOT NOTED AS VIOLATIONS OR ENCROACHMENTS.
 - THE LEGAL DESCRIPTION WAS FURNISHED BY THE CLIENT
 - THIS DRAWING IS PROPERTY OF ZURWELLE-WHITTAKER, INC AND CANNOT BE REPRODUCED WITHOUT WRITTEN CONSENT
 - THE ELEVATION INFORMATION SHOWN HEREON (IF ANY) IS RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM, (N.G.V.D.), OF 1929 UNLESS OTHERWISE NOTED
 - BENCHMARK USED: NGS BENCHMARK & FPRN (SEE BENCHMARK INFO.)
 - COORDINATES SHOWN ARE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983/90 AS BASED ON THE STATE OF FLORIDA'S D.O.T. FLORIDA PERMANENT REFERENCE NETWORK (F.P.R.N.) A GPS/GNSS REFERENCE NETWORK, BASE STATION USED: FLKW (KEY WEST STATION)
 - COORDINATE CONVERSIONS (IF ANY) HAVE BEEN CONVERTED USING CORPSCON VERSION 6.6.1, FROM U.S. ARMY CORPS OF ENGINEERS, ALEXANDRIA, VIRGINIA.
 - UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, THIS DRAWING SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
 - ACCURACY OF HORIZONTAL CONTROL: (FOR EXPECTED USE OF LAND AS DEFINED BY (5J-17)) THE FIELD MEASUREMENTS VERIFIED BY CALCULATIONS OF A CLOSED GEOMETRIC FIGURE BASED UPON FIELD INFORMATION TAKEN IN THE FIELD BY TOTAL STATION AND OR GPS.
- COMMERCIAL/HIGH RISK LINEAR: 1 FOOT IN 10,000 FEET
SUBURBAN LINEAR: 1 FOOT IN 7,500 FEET
RURAL LINEAR: 1 FOOT IN 5,000 FEET

LOCATION MAP (N.T.S.)



(PROPOSED EASEMENT BETWEEN CITY OF KEY WEST AND HONORARY CONCH, INC.)

On the Island of Key West and and being a part of Lot 1, Square 10, "Key West Investment Company's Subdivision" of part of Tract 17, as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described as by metes and bounds as follows:

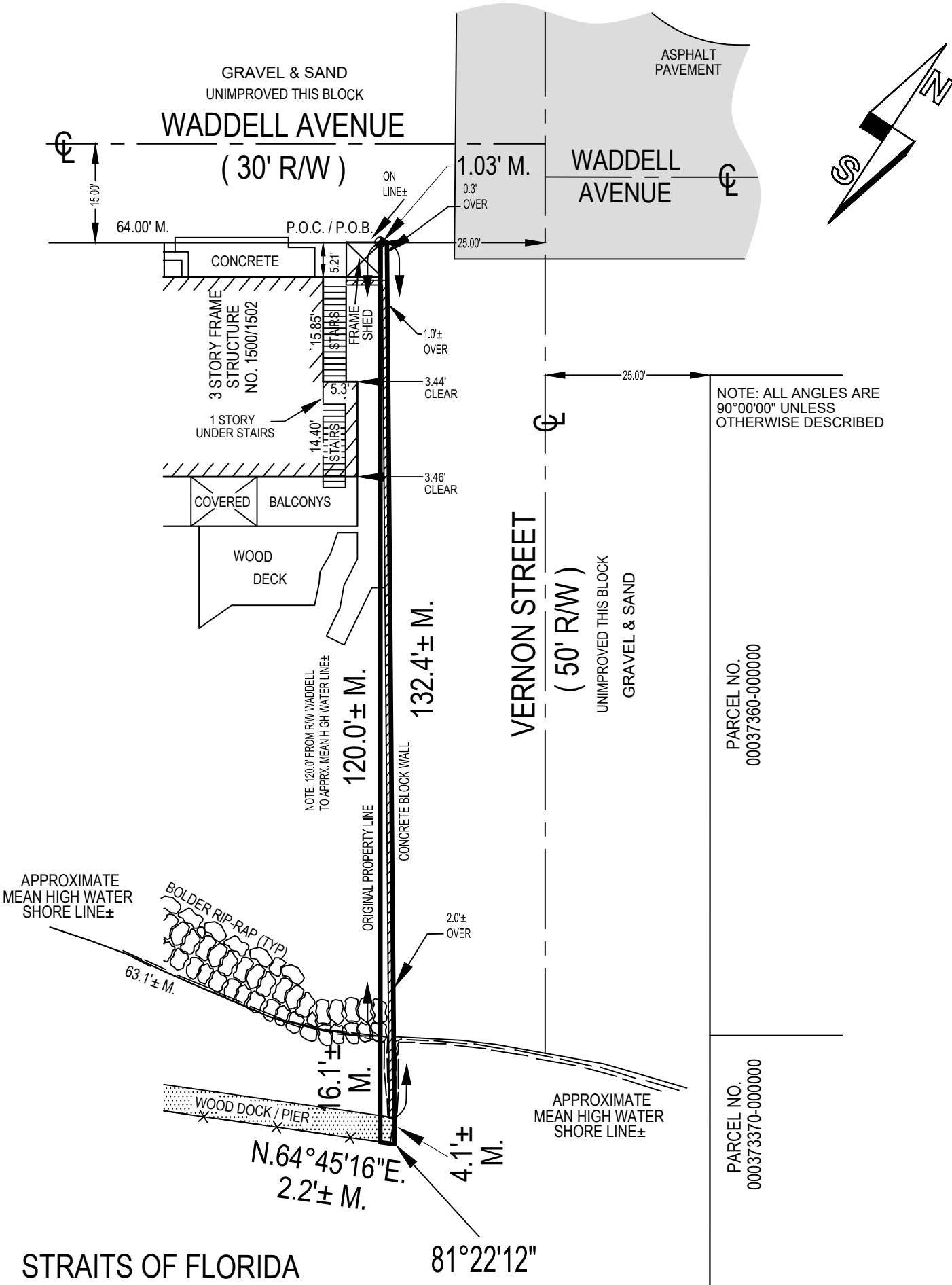
Commencing at the Northeast corner of said Lot 1, Square 10 and the Southwesterly Right-of-Way Line of Vernon Street and thence in a Southeasterly direction along the the Easterly boundary line of said Lot 1 and the Westerly Right-of-Way Line of Vernon Street for a distance of 120 feet more or less to the approximate Mean High Water Line; thence continue in a Southeasterly direction and is the extension of the Easterly boundary line of said Lot 1 and the Southwesterly Right-of-Way Line of Vernon Street for a distance of 16.1 feet more or less to the outside edge of a existing wood dock/pier; thence N.64°45'16"E. and along the outside edge of said dock/pier and extension thereof for a distance of 2.2 feet more or less; thence turn an angle of 81°22'12" in a Northwesterly direction for a distance of 4.1 feet more or less and is the extension of a existing concrete block wall along Vernon Street; thence continue in a Northwesterly direction and along the the face of said concrete block wall and extension thereof for a distance of 132.4 feet more or less; thence in a Southwesterly direction and along the Right-of-Way Line of Waddell Avenue for a distance of 1.03 feet back to the Point of Beginning.

Containing 218.5 square feet more or less.

Note: Bearings are derived from field observations on 04-23-2020 using the State of Florida's FDOT/FPRN, GPS/GNSS Network (NAO 83/90).

BENCHMARK INFORMATION:
NOT REQUESTED

SURVEYORS NOTE:
SHEET SIZE 13"X19"


















NOTE: THE INTENT OF THIS SPECIFIC PURPOSE SURVEY IS FOR
A EASEMENT ALONG VERNON STREET AS SHOWN ON SKETCH
BETWEEN THE CITY OF KEY WEST AND HONORARY CONCH, INC.

Specific Purpose Survey - Concrete Slab

ABBREVIATIONS:	
A	= ARC
A/C	= AIR CONDITIONER
BLDG.	= BUILDING
CB	= CATCH BASIN
CBS	= CONCRETE, BLOCK, STUCCO
CH	= CHORD
CH BR	= CHORD BEARING.
C & G	= CURB AND GUTTER.
CLF	= CHAIN LINK FENCE
CLR	= CLEAR
CONC	= CONCRETE
CP	= CONCRETE POST
D°	= DEGREE
D	= DELTA
DIP	= DUCTILE IRON PIPE
E	= EAST
EB	= ENGINEERING BUSINESS NUMBER
ELEV	= ELEVATION
ELECT	= ELECTRIC
ENC	= ENCROACHMENT
EP	= EDGE OF PAVEMENT
FIP	= FOUND IRON PIPE
FPL	= FLORIDA POWER AND LIGHT
FND	= FOUND
I.P.	= IRON PIPE.
L	= LENGTH
LB	= SURVEYOR BUSINESS NUMBER
M & R	= MEASURED AND RECORD
MEAS	= MEASURED
MH	= MANHOLE
N	= NORTH
NO.	= NUMBER
N & DISC	= NAIL AND DISC
NO ID.	= NO IDENTIFICATION NUMBER
N.T.S.	= NOT TO SCALE
OBV	= OBSERVED ANGLE
O/E	= OVERHEAD ELECTRIC
O/E	= OVERHEAD ELECTRIC
ORB	= OFFICIAL RECORDS BOOK
O'	= MINUTE OR FEET
O"	= SECOND OR INCH
P	= PLAT
PAV	= PAVEMENT
PB	= PLAT BOOK
PCC	= POINT OF COMPOUND CURVATURE
PC	= POINT OF CURVATURE
PG	= PAGE
PL	= PLANTER
PLS	= PROFESSIONAL LAND SURVEYOR
PI	= POINT OF INTERSECTION
POB	= POINT OF BEGINNING
POC	= POINT OF COMMENCE
PT	= POINT OF TERMINATION
PRC	= POINT OF REVERSE CURVATURE
PSM	= PROFESSIONAL SURVEYOR AND MAPPER
R	= RADIUS OR RECORD
REG	= REGULAR
RNG	= RANGE
RLS	= REGISTERED LAND SURVEYOR
R/W	= RIGHT OF WAY
S	= SOUTH
SEC	= SECTION
STA	= STATION
SWK	= SIDEWALK
T	= TANGENT
SS	= SANITARY SEWER
TWP	= TOWNSHIP
W	= WEST
W	= WITH
WF	= WOOD FENCE
WM	= WATER METER
WV	= WATER VALVE
ZW	= ZURWELLE-WHITTAKER, INC.

FLOOD INFORMATION:	
COMMUNITY NUMBER	: 120168
PANEL NUMBER	: 12087C1516
SUFFIX	: K
DATE OF FIRM	: 02-18-2005
FIRM ZONE	: AE/VE
BASE FLOOD ELEVATION	: 9'10'

FIELD WORK INFORMATION:	
DATE FIELD WORK	: 04-23-2020
DATE DRAFTING	: 06-17-2020
DATE SIGNED AND SEALED	: 06-18-2020
REVISED FIELD SURVEY	: N/A

SYMBOL LEGEND:	
	LIGHT POLE
	CONC. POLE
	ELECTRIC BOX
	TRAFFIC SIGNAL BOX
	FIRE HYDRANT
	STORM SEWER/CATCH BASIN
	WATER METER
	SIGN
	TELEPHONE BOX
	WATER VALVE
	ELEVATIONS
	TRAFFIC LANE FLOW
	CENTER LINE
	MONUMENT LINE
	DIAMETER.



MONROE COUNTY SURVEYING & MAPPING, INC
SURVEYORS & MAPPERS, CIVIL ENGINEERS
A DIVISION OF ZURWELLE-WHITTAKER, INC (ESTAB. 1926)
1100 TRUMAN AVENUE, KEY WEST, FL 33040 CERTIFICATE OF AUTHORIZATION NO. LB8236
PH: (305) 534-4668 OR (305) 293-0466 FAX (305) 531-4589 WWW.MCSMCO.COM
MEMBER: FLORIDA LAND SURVEYOR'S COUNCIL, FLORIDA SURVEYING AND MAPPING SOCIETY

HONORARY CONCH, INC.
1500 VERNON AVENUE
KEY WEST, FL 33040

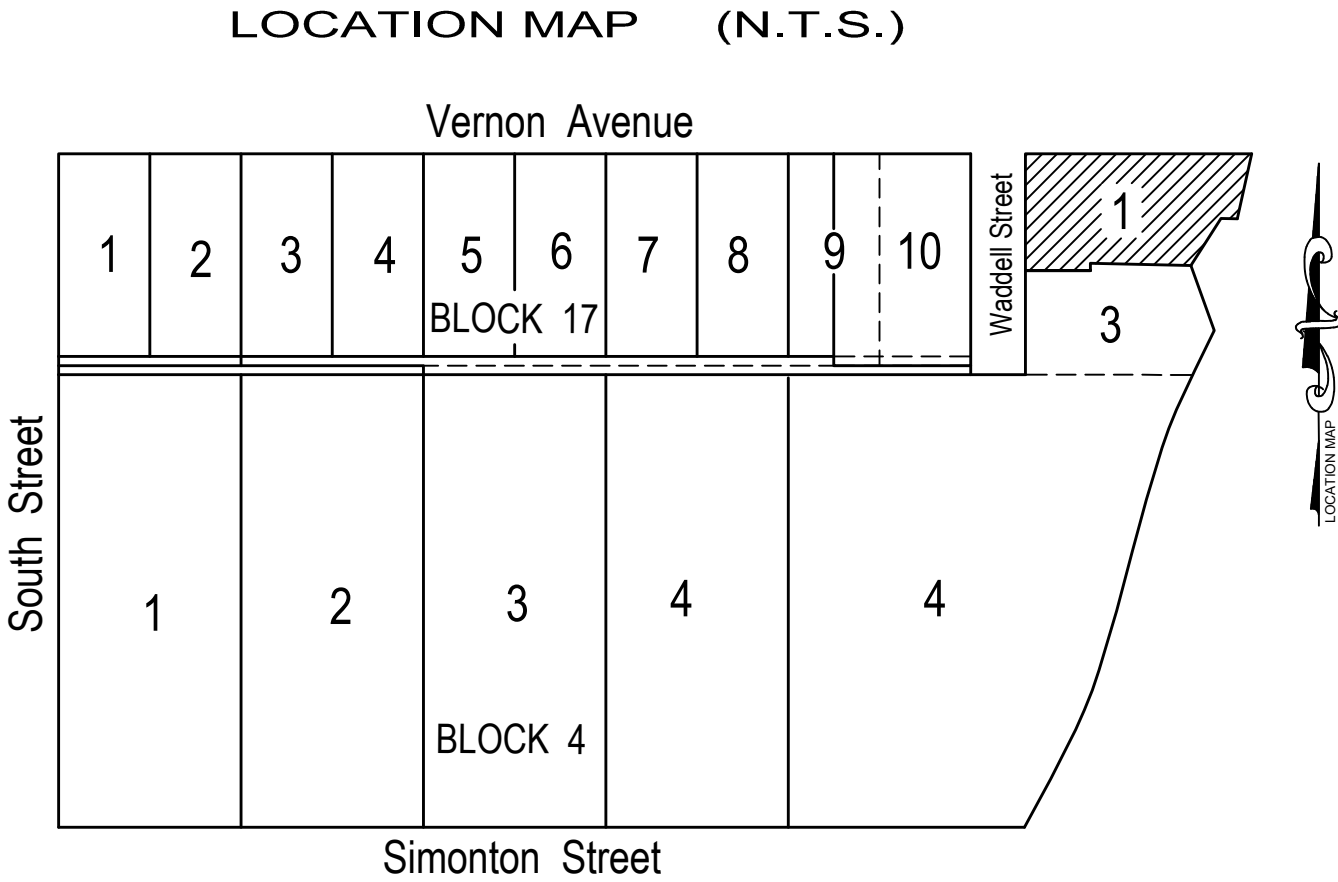
Eddie Martinez
EDDIE A. MARTINEZ
PROFESSIONAL SURVEYOR AND
MAPPER NO. LS6755
STATE OF FLORIDA

JOB No.	N/A	DRAWN:	DRF
FIELD BOOK:	N/A	REVISED:	EAM
SCALE:	1"=20'	SHEET No.	1 OF 1

REVISIONS	SURVEYOR'S CERTIFICATE:
	I HEREBY CERTIFY THAT THE ATTACHED "SPECIFIC PURPOSE SURVEY" WAS PREPARED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027.
	CAD FILE: \\Fred\Island Surveying Data\Data MCSM\Drawings\Key West\Block 15\1502 vernon\1502 VERNON EASEMENT 2 CITY KEY WEST.dwg

SURVEYOR'S NOTES:

- EXAMINATION OF THE ABSTRACT OF THE TITLE WILL HAVE TO BE MADE TO DETERMINE RECORD INSTRUMENTS IF ANY, AFFECTING THE PROPERTY.
- LOCATION AND IDENTIFICATION OF UNDERGROUND ENCROACHMENTS OR UTILITIES ON AND/OR ADJACENT TO THE PROPERTY WERE NOT SECURED AS SUCH INFORMATION WAS NOT REQUESTED
- NO SEARCH OF PUBLIC RECORDS HAS BEEN MADE (BY THIS OFFICE) FOR ACCURACY AND OR OMISSIONS.
- THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED, IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS, OR FREEDOM FROM ENCUMBRANCES, "TITLE" ABSTRACT NOT REVIEWED.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF ENTITIES NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PARTY.
- DIMENSIONS, BEARINGS OR ANGLES INDICATED HEREIN ARE MEASURED AND ARE THE SAME AS PLAT VALUES UNLESS OTHERWISE INDICATED BEARINGS ARE BASED ON SHOWN PLAT VALUES (IF ANY) OR AN ASSUMED VALUE.
- ALL RIGHTS OF WAYS SHOWN ARE PUBLIC UNLESS OTHERWISE NOTED
- UTILITY FACILITIES WITHIN UTILITY EASEMENTS NOT NOTED AS VIOLATIONS, DRIVEWAYS OR PORTIONS THEREOF WITHIN ROADWAYS NOT NOTED AS VIOLATIONS OR ENCROACHMENTS.
- THE LEGAL DESCRIPTION WAS FURNISHED BY THE CLIENT
- THIS DRAWING IS PROPERTY OF ZURWELLE-WHITTAKER, INC AND CANNOT BE REPRODUCED WITHOUT WRITTEN CONSENT
- THE ELEVATION INFORMATION SHOWN HEREON (IF ANY) IS RELATIVE TO THE NATIONAL GEODETIC VERTICAL DATUM, (N.G.V.D.), OF 1929 UNLESS OTHER WISE NOTED
- BENCHMARK USED: NGS BENCHMARK & FPRN (SEE BENCHMARK INFO.)
- COORDINATES SHOWN ARE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983/90 AS BASED ON THE STATE OF FLORIDA'S D.O.T. FLORIDA PERMANENT REFERENCE NETWORK (F.P.R.N.) A GPS/GNSS REFERENCE NETWORK. BASE STATION USED: FLKW (KEY WEST STATION)
- COORDINATE CONVERSIONS (IF ANY) HAVE BEEN CONVERTED USING CORPSCON VERSION 6.6.1, FROM U.S. ARMY CORPS OF ENGINEERS. ALEXANDRIA,VIRGINA.
- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, THIS DRAWING SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
- ACCURACY OF HORIZONTAL CONTROL:(FOR EXPECTED USE OF LAND AS DEFINED BY (5J-17)) THE FIELD MEASUREMENTS VERIFIED BY CALCULATIONS OF A CLOSED GEOMETRIC FIGURE BASED UPON FIELD INFORMATION TAKEN IN THE FIELD BY TOTAL STATION AND OR GPS.
COMMERCIAL/HIGH RISK LINEAR: 1 FOOT IN 10,000 FEET
☒ SUBURBAN LINEAR: 1 FOOT IN 7,500 FEET
RURAL LINEAR: 1 FOOT IN 5,000 FEET

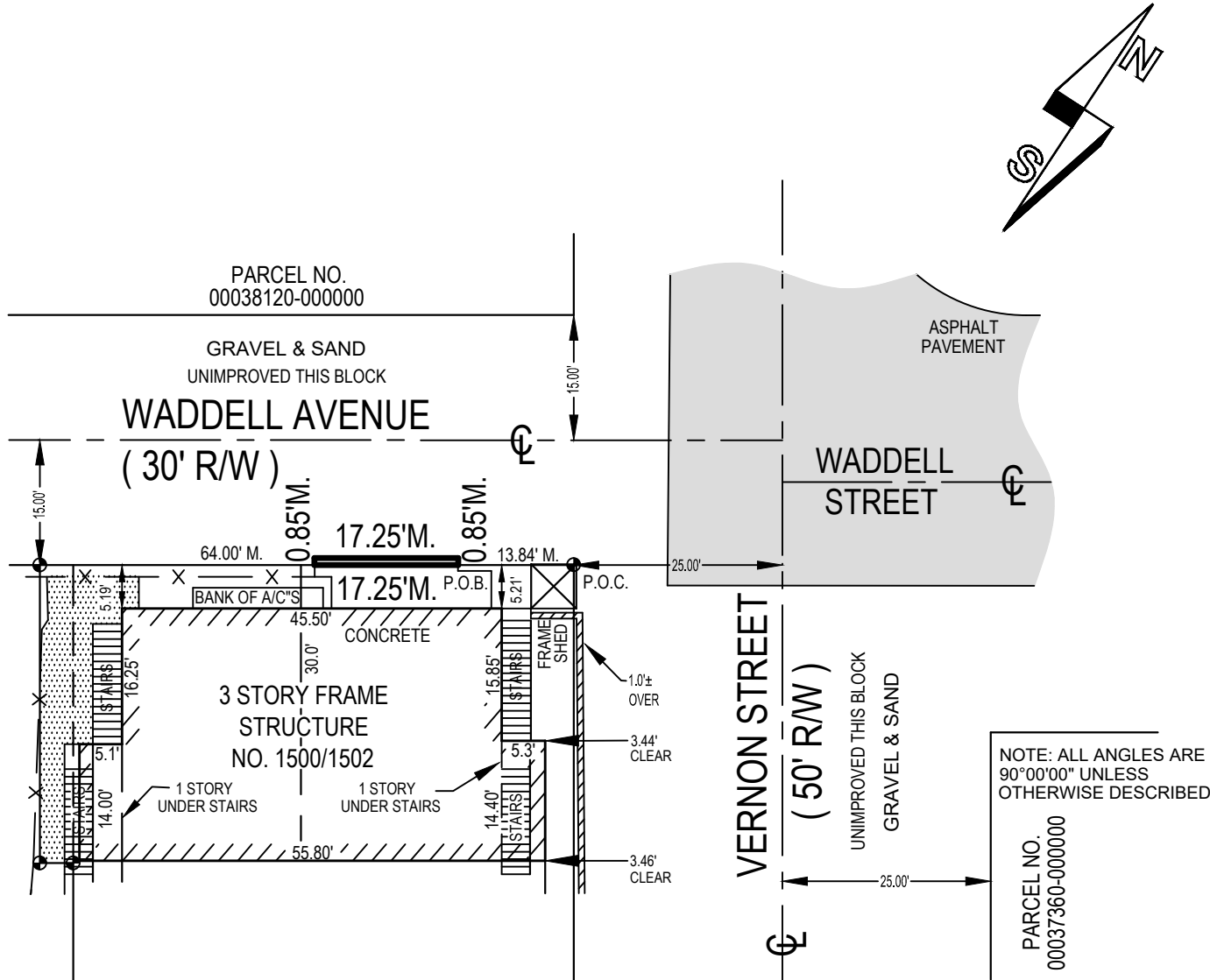


(PROPOSED EASEMENT BETWEEN CITY OF KEY WEST AND HONORARY CONCH, INC.)
On the Island of Key West and and being a part of Lot 1, Square 10, "Key West Investment Company's Subdivision" of part of Tract 17, as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described as by metes and bounds as follows:
Commencing at the Northeast corner of said Lot 1, Square 10 and the Southerly Right-of-Way Line of Waddell Avenue and thence in a Southwesterly direction along the the Northerly boundary line of said Lot 1 and the Southerly Right-of-Way Line of Waddell Avenue for a distance of 13.84 to the edge of a concrete slab and said point being the Point of Beginning; thence at right angles in a Northwesterly direction and along said concrete slab for a distance of 0.85 feet; thence at right angles in a Southwesterly direction and along said concrete slab for a distance of 17.25; thence at right angles in a Southeasterly direction and along said concrete slab for a distance of 0.85 feet; thence at right angles in a Northeasterly direction and along said concrete slab for a distance of 17 .25 feet back to the Point of Beginning.
Containing 14.8 square feet more of less.

BENCHMARK INFORMATION:
NOT REQUESTED

SURVEYORS NOTE:
SHEET SIZE 13"x19"

NOTE: THE INTENT OF THIS SPECIFIC PURPOSE SURVEY IS FOR
A EASEMENT ALONG WADDELL AVENUE AS SHOWN ON SKETCH
BETWEEN THE CITY OF KEY WEST AND HONORARY CONCH, INC.



Site Visit Photos



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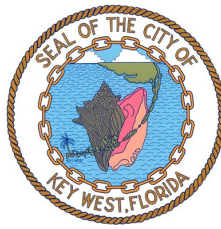
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Development Review Committee Comments



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

1500 Vernon Avenue – Easement agreement

DRC – November 18, 2020

Engineering: Does the applicant have proof of permit approvals for the wall? What is below the mean high water is not the City's jurisdiction.

Tree: We cannot issue any permits within the mean high-water line. You will need the Division of State Land and/or the Army Core of Engineers.

Flood Plain Coordinator: Remove any debris.

Utilities: No comment.

HARC: No comment.

GIS: One of the RE numbers is incorrect in the application. It should be RE# 00037410-00000 and the 200 parcels.



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

Development Review Committee

June 23, 2022

Utilities Comments

1235 Washington Street

Lot Split

No comments.

**1500 Vernon Avenue and 1502 Vernon Avenue
Easement**

Solid Waste

Please provide a site plan that shows the location where trash and recycle containers will be stored. Pursuant to Sec. 58-31(f), trash containers, including recycle containers, may not be placed on the right-of-way before 4:00 p.m. the night before scheduled pickup and must be removed from the right-of-way by 8:00 p.m. of the day of pickup.

Certificate of Liability Insurance



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/31/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER RSC Insurance Brokerage, Inc. 750 Third Ave New York NY 10017	CONTACT NAME: Cosmo Lopa PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: clopa@risk-strategies.com
INSURED Honorary Conch Inc Joyce H. Johnson P.O. Box 778 New York NY 10013	INSURER(S) AFFORDING COVERAGE INSURER A: Great Northern Ins Co INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
	NAIC # 20303

COVERAGES**CERTIFICATE NUMBER:** CL2313125281**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Personal Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1046766712	10/18/2022	10/18/2023	EACH OCCURRENCE \$ 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Covered Residence: 1500-1502 Vernon Ave. Key West, FL 33040**CERTIFICATE HOLDER**

City of Key West
1300 White Street
Key West, FL 33040

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

Florida DEP Temporary Use Agreement



FLORIDA DEPARTMENT OF Environmental Protection

South District Branch Office
2796 Overseas Highway, Suite 221
Marathon, FL 33050
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

March 18, 2021

Chelsea Vanadia
Smith Hawks Attorney at Law
138 Simonton St
Key West, FL 33040
Chelsea@smithhawks.com

RE: Temporary Use Agreement
Honorary Conch Corporation
Site No. 397974 / Project No. 394395
BOT No. 440359785
Property ID No. 00037410-000000 – Vernon Ave. Key West, FL 33040
Gulf of Mexico, Class III Outstanding Florida Waters
Monroe County – ERP

Dear Ms. Vanadia

Thank you for returning the Temporary Use Agreement (TUA) with the appropriate signature. Enclosed is the fully executed Temporary Use Agreement to provide you, with continued temporary authorization for the existing docking facility structures and mooring areas on state-owned submerged lands. The Temporary Use Agreement is effective today, March 18, 2021.

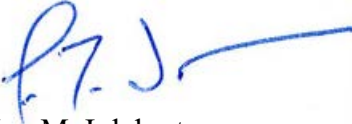
Please note that the TUA requires the following to be accomplished within the specified timeframes:

1. Completion of an application for a sovereign submerged lands lease by September 14, 2021 (180 days from the TUA's effective date), consisting of:
 - A. Payment of the \$692.31 lease application fee;
 - B. An acceptable sketch and legal description meeting the Department's requirements;
 - C. A completed billing information form;
 - D. A completed financial assurance affidavit

Please note that online payments can be made by going to the DEP Business Portal at <http://www.fldepportal.com/go/pay/>. Also, any document submittals can be made to our email mailbox at ftmerp_compliance@dep.state.fl.us or may be mailed to the above address.

If you have any questions about the lease application or TUA requirements, please contact Mckenzie Fraley by email at Mckenzie.Fraley@FloridaDEP.gov or by phone at 305-289-7079. Your continued cooperation in this matter is appreciated.

Sincerely,



Jon M. Iglehart
Director of District Management

JMI/mf Billing Information Form
 Financial Assurance Affidavit

Enclosures: Temporary Use Agreement with Exhibits A and B
 Billing Information Form
 Financial Assurance Affidavit
 Survey Requirements Package

TEMPORARY USE AGREEMENT
BOT# 440359785

This Temporary Use Agreement (hereinafter referred to as the "Agreement") is entered into this 18th day of March, 2021, by and between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (hereinafter referred to as the "Board") and Honorary Conch Corporation (hereinafter referred to as the "Applicant").

RECITALS:

- A. The Applicant desires to enter into this Agreement for the sovereign lands (hereinafter referred to as "lands") and water column located adjacent to Parcel No. 00037410-000000 - Vernon Ave. Key West, Florida 33040.
- B. A private residential multi-family pier has been constructed on these lands adjacent to Applicant's upland real property that requires a sovereignty submerged lands lease (hereinafter referred to as "lease") pursuant to Rule 18-21.005(1)(d), Florida Administrative Code (F.A.C.). The Board has not issued the required lease.
- C. The Applicant desires to obtain the consent of the Board to maintain and use the structures and mooring areas as a multi-family pier located on these lands as shown on Exhibit A.
- D. The parties acknowledge that the Florida Department of Environmental Protection (hereinafter referred to as "Department"), as staff to the Board, will expeditiously process the Applicant's application for a sovereign submerged lands lease.
- E. The Applicant desires to have the temporary use of the structure as a private residential multi-family pier located on these lands during the processing and review of the Applicant's lease application.

NOW, THEREFORE, for and in consideration of the mutual agreements and covenants set forth herein, the Applicant agrees to pay to the Board a total of **\$587.44** for deposit into the Internal Improvement Trust Fund as compensation for the past and current use of these lands without the approval or authorization of the Board (see attached Exhibit B). Such payment, which shall be paid online by check, credit card or debit card at <http://www.fldepportal.com/go/pay-invoices/> or paid by a cashier's check, certified check or money order payable to the Department of Environmental Protection, shall be delivered to the Board's Accounting Office, Post Office Box 3070, Tallahassee, Florida 32315-3070 within 30 days of the date of this Agreement.

The parties hereto, then, agree as follows:

1. The Applicant acknowledges and understands that the grant of this Agreement does not guarantee that the Board will grant the Applicant a lease or that the Department will recommend that a lease be granted. **The Board will issue a lease if the Applicant meets the lease requirements of Rule 18-21, Florida Administrative Code (F.A.C.).**

2. The Applicant is hereby granted the temporary exclusive use of the structures and activities located on these lands as depicted in Exhibit A, consisting of approximately 555 square feet. This temporary exclusive use is for a term not to exceed one year from the date of execution of this Agreement, or until the date of execution of a sovereign lands lease between the Board and the Applicant, whichever occurs first. The Applicant shall make no claim of title to or interest in the sovereign lands identified in Exhibit A solely by reason of occupancy or use thereof under this Agreement.

3. The existing structures and activities can only be utilized as they existed on the date of execution of this Agreement. In the event any part of any of these structures or activities are determined by a final adjudication issued by a court of competent jurisdiction to encroach or interfere with riparian rights of the adjacent upland riparian owner, Applicant agrees to either obtain written consent for the offending structure or use from the affected adjacent upland riparian owner or remove the interference or encroachment within 60 days from the date of the adjudication. Failure to comply with this paragraph shall constitute a material breach of this Agreement and be grounds for immediate termination of this Agreement at the sole option of the Board.

4. The consideration paid for this Agreement includes the lease fees due for these lands from February 25, 2021 through February 25, 2022. This consideration is not refundable, notwithstanding the denial of a lease by the Board.

5. The Applicant acknowledges that the lease fees assessed in this agreement after March 1, 2021 are an estimate created using the minimal annual fee from the 2020-2021 billing cycle. A supplemental invoice will be generated and issued to the applicant at the time of lease execution that accounts for any difference in lease fees owed for the new per square foot fee established on March 1, 2021 which is based on changes in the consumer price index, pursuant to Rule 18-21.011(1)(b.), F.A.C., and changes in the square footage of the preempted area based on a survey supplied by the Applicant pursuant to Applicant's lease application, and the Applicant hereby agrees to pay the full amount any additional lease fees owed to the Board due to these changes within 30 days of the receipt of the supplemental invoice.

6. In the event that a lease application is not approved by the Board, or the Applicant fails to execute the lease prior to the expiration or termination of this Agreement, whichever occurs first, the Applicant shall remove all structures and cease

all activities referenced herein on the sovereign lands at the Applicant's sole expense. In the event that the Applicant asserts title to the sovereign lands identified in Exhibit A, and either the Applicant fails to timely submit the information concerning title as required herein, or the Board denies the Applicant's claim of title and the Applicant has not commenced an action to quiet title as specified herein, the Applicant shall remove all structures and cease all activities referenced herein on the sovereign lands at the Applicant's sole expense. In the event that the Applicant fails to complete the requirements of paragraph 8 of this Agreement, the Applicant shall remove all structures and cease all activities referenced herein on the sovereign lands at the Applicant's sole expense. The complete removal of the structures as required by this paragraph shall be accomplished within 180 days following the expiration or termination of this Agreement, whichever occurs first. The complete cessation of the activities shall occur immediately following the expiration or termination of this Agreement, whichever occurs first.

7. If the Applicant asserts title to the lands identified in Exhibit A, the Applicant must submit an application, accompanied by all evidence upon which Applicant relies for the assertion of title, to the Department's Division of State Lands (hereinafter referred to as "DSL"), within 90 days after the execution of this Agreement. DSL will review the application and accompanying evidence and give a response to Applicant as to whether the Board will assert title to the lands described in Exhibit A. If DSL responds that the Board will assert title to said lands, the Applicant must file an appropriate action in circuit court within 90 days of DSL's response to obtain a legal determination of title to the lands. If DSL, after consultation with the Board, responds that the Board does not assert title to the lands, then the Applicant shall not have to apply for a lease, and that portion of the consideration representing lease fees and interest, if any, shall be refunded. If DSL, after its review, responds that the Board does not assert title to a portion of the lands, any consideration for that portion representing lease fees and interest, if any, will be refunded. Failure to submit the initial application and evidence within 90 days after execution of this Agreement, or failure to file the appropriate court action within 90 days after DSL's response, shall constitute a waiver by the Applicant of all of its claim of title to the lands and an acknowledgment that the Board owns the lands.

8. Applicant shall complete the application for a lease to the Board within 180 days of the execution of this Agreement for the lands identified in Exhibit A. The items needed to be submitted to complete the lease application include:

- A. Payment of a \$692.31 lease application fee;
- B. An acceptable sketch and legal description meeting the Department's requirements (requirements attached to fully executed Agreement);
- C. A completed billing information form (form attached to fully executed Agreement); and

D. A completed financial assurance affidavit (form attached to fully executed Agreement).

9. This Agreement is temporary in nature and may not be extended or modified except upon the express written agreement of the Board. No request for an extension of the Agreement shall be considered by the Board except upon a demonstration by the Applicant that the Applicant is in full compliance with the terms and conditions of this Agreement and has exercised due diligence in its efforts to procure a lease from the Board.

10. As a material condition of this Agreement, Applicant agrees to comply with all applicable requirements of Chapters 253, 373, 376, and 403, Florida Statutes, and the rules promulgated pursuant thereto. The Board has the right to immediately rescind this Agreement upon the failure of Applicant to comply with either the terms of this Agreement, statutes, rules, or any permits or exemptions. Upon written notice that the Board has exercised its right to rescind under this paragraph, Applicant shall immediately cease and desist all activity authorized by this Agreement, or within the timeframe specified in the notice, or within twenty days of receipt of the notice if no timeframe is specified. Notice may be given by the Board by certified mail or hand delivery to: Gregory Ozzimo, 400 South Street, Key West, FL 33040, or by posting the notice at the property described in Paragraph A.

11. Applicant shall save and hold harmless and indemnify the Board, Department, and the State of Florida against any and all liability, claims, judgments or costs of whatsoever kind and nature for injury to, or death of, any person or persons and for loss or damage to any property arising out of or connected with Applicant's occupation and use of these lands and the structures or activities located thereon. By execution of this Agreement, applicant waives any claim it may have against the Department concerning the submerged lands described on Exhibit A except as described in Paragraph 7 above.

12. Applicant agrees that any litigation arising from matters relating to this Agreement between the Board and the Applicant shall be initiated and maintained only in Leon County, Florida.

13. This Agreement, and any rights and privileges contained herein, are for the sole benefit and use of the Applicant and shall not be assigned or transferred by the Applicant to any other party without the prior written consent of the Board, which consent shall not be unreasonably withheld.

14. The terms of this Agreement may be enforced by the Board notwithstanding that the authorization granted hereunder has expired.

Executed on the date first written above.

Honorary Conch Corporation

By: 
Original Signature

Gregory Ozzimo

Typed/Printed Name

Manager

Title

BOARD OF TRUSTEES OF THE
INTERNAL IMPROVEMENT TRUST
FUND OF THE STATE OF FLORIDA

By: _____

Jon. M. Iglehart
Director of District Management,
Department of Environmental Protection, as
agent for and on behalf of the Board of
Trustees of the Internal Improvement Trust
Fund of the State of Florida

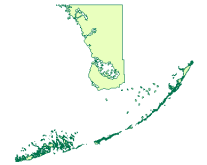


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Monroe County, FL



Overview



Legend

- Centerline
- Easements
- Hooks
- Lot Lines
- Road Center
- Rights of Way
- Shoreline
- Condo Building
- Key Names
- Subdivisions
- Parcels

Parcel ID 00037410-000000

Sec/Twp/Rng 05/68/25

Property Address VERNON Ave
KEY WEST

District 10KW

Brief Tax KW KW INVESTMENT CO SUB PB1-69 PT LOT 1 SQR 10 TR 17 & ADJ BAY BTM OR247-89/91 OR764-1820 OR828-794/795 OR839-

Description 2444/2445/C OR927-726/727 OR927-728Q/C OR1212-1430/31 OR1212-1432/36Q/C OR1380-1551/4Q/C

(Note: Not to be used on legal documents)

Alternate ID 1038164

Class VACANT RES

Owner Address HONORARY CONCH INC

C/O CRM MANAGEMENT LLC

PO Box 778

New York, NY 10013

Date created: 2/24/2021

Last Data Uploaded: 2/24/2021 2:28:45 AM

Developed by Schneider
GEOSPATIAL

BOT No. 440359785
Exhibit A

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Receipts Section
Post Office Box 3070
Tallahassee, FL, 32315-3070

**INVOICE****Bill To :**

Honorary Conch Corporation
PO Box 778
New York, NY 10013

**** INVOICE / INSTRUMENT INFORMATION ****

Invoice #:	116257	Instrument #:	440359785
Invoice Date:	02/26/2021	Expiration Date:	02/23/2022
Due Date:	03/28/2021	Extended Term Fee:	N
Lessee Name:			
Rate:	Pending Instrument		
Location:	PENDING		

**** IMPORTANT REMINDER ****

If paying by mail, please return invoice with your payment to the above address.

Online payment by check, credit card or debit card is available at

<http://www.fldepportal.com/go/pay-invoices/>.

Late payments are subject to a 12% Interest fee pursuant to FAC 18-21.011(1)(b)11.

INFORMATION			LEASE FEE DATA				
Description	Memo	Object	Net Square Feet	Rate	Discount	Extended Term Fee	*Amount
Arrears 2020/2021	From 2/25/21 to 2/25/22 on 555 sf	21017	0.0	0.0	0	N	\$549.00
Note: Agent: M. Fraley. ssr BOT No. 440359785 Exhibit B					SubTotal		\$549.00
					Sales Tax		\$30.20
					County Tax		\$8.24
					Credit Applied		(\$0.00)
					Total		\$587.44
					Invoice Balance Due		\$587.44
					Instrument/Lease Balance Due		\$587.44

ANNUAL LEASE FEE FORMULA = BASE FEE - DISCOUNT + EXTENDED TERM FEE

*BASE FEE =Base Rate x Net Square Feet OR

*BASE FEE =Minimum Rate

DISCOUNT =Base Fee x Discount Percentage

EXTENDED TERM FEE =Base Fee x Extended Term Fee Percentage

For any questions concerning this invoice, please call the Division of State Lands at (850) 245-2555.

BILLING INFORMATION FORM
PAYMENTS FOR LEASE NO. _____

Lessee Name: _____

Management Co.: _____

Billing/Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Billing Contact Person: _____

Telephone Number: (_____) _____
Area Code

Fax Number: (_____) _____
Area Code

E-Mail Address: _____

Facility Address: _____

City: _____ State: _____ Zip Code: _____

SALES TAX CERTIFICATION/EXEMPTION

Six percent (6%) sales tax is due on each lease fee payment unless the Lessee can claim an ownership exemption.
I/We are exempt from sales tax for the reason checked below.

- ☐ Government Agency: _____ (Exemption Number)
- ☐ Exempt Organization: _____ (Exemption Number)
- ☐ Lease and collect sales tax on all available dock spaces.
_____ (Sales Tax Number)
- ☐ Lease and collect sales tax on some available dock spaces but fully assume the responsibility to remit six percent sales tax on that portion of space on which no sales tax is charged.
_____ (Sales Tax Number)
- ☐ None of the above can be claimed.

A copy of the Florida Annual Resale Certificate For Sales Tax or the Certificate of Exemption must accompany this form to claim this exemption pursuant to Section 212.07(1)(b), F.S.

If Lessee is a Business/Corporation, Federal Employer Identification Number: _____

I/We certify that the above information is correct and agree to **NOTIFY THE BUREAU OF PUBLIC LAND ADMINISTRATION'S ACCOUNTING SECTION AT (850) 245-2720 within 30 days of the date of any change in the above designated billing agent, phone number, fax number or Lessee's tax status.**

Signed: _____
Lessee/Authorized Entity Date

For Recurring Revenue Section Use Only	
Billing Form to Accountant: _____, ____/____/____	Originator's signature
Data Entered by Accountant: _____, ____/____/____	Accountant's signature

FINANCIAL ASSURANCE AFFIDAVIT

I _____ (insert name), swear or affirm:

1. Honorary Conch Corporation. ("Lessee"), has applied to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Board of Trustees") for a sovereignty submerged lands lease ("Lease") for the sovereignty submerged lands located adjacent to Vernon Ave, Key West, FL 33040, Property ID No. 00037410-000000, Section 5, Township 68, Range 25, Monroe County, Florida ("Leased Premises").
2. I am the _____ (insert title) of the Lessee.
3. The Lessee is not the subject of a pending bankruptcy proceeding.
4. The Lessee has no unsatisfied judgments entered against it in the State of Florida.
5. The Lessee has satisfied all state and local taxes for which it is responsible in the State of Florida.
6. There are no other matters pending or threatened against or affecting the Lessee or the Lessee's interest in the riparian upland property adjacent to the Leased Premises that would impair the Lessee's financial capability to undertake and operate the facility authorized by the Lease.
7. This affidavit is made as an inducement for the Board of Trustees to grant a Lease to the Lessee, and the Lessee intends for the Board of Trustees to rely on these representations.

Honorary Conch Corporation.

By:

Original Signature

Printed/Typed Name

Title

SURVEY REQUIREMENTS
For Leases and Private Easements
(>3,000 Square Feet Preempted Area Over Sovereignty Submerged Lands)

Instructions to Staff:

1. Distribute the [Survey Requirements Package](#) to applicants whose projects will require a lease or private easement, either of which will preempt >3,000 sq. ft. of sovereignty submerged lands. This is part of the initial application review process and completeness summary.
2. When you receive the survey and the [Survey Review Checklist](#) from the applicant, fill in the DEP/WMD review column to check the survey for completeness, accuracy, and inclusion of specific sovereignty submerged lands (SSL) information.
3. When the project is complete, keep a copy of the final survey drawing and the completed survey review checklist in the master file. Place the two original final survey drawings and a copy of the completed checklist in the folder (containing SSL instrument processing information) to be sent to the Division of State Lands, Bureau of Public Land Administration, MS 130, for instrument processing.
4. Staff may wish to make a photocopy of the survey and add notes or show locations of the items listed below. This information should be included in the package sent to BPLA to be used in understanding special conditions and to use for subsequent inspections. Staff should not expect the surveyor to include all these items on the survey drawing.

- _____ Manatee signs (location and direction to face)
- _____ Boat ramp
- _____ Fueling
- _____ Sewage pumpout (whether portable or fixed)
- _____ Fish cleaning station
- _____ Entry gates
- _____ Location where hand rails will be required
- _____ Informational signs
- _____ No mooring signs
- _____ Slip numbers and mooring locations
- _____ Other _____

5. Rules 18-21.008 and 18-21.010 require surveys for leases and easements. If changes to a project require a permit modification, then a revised survey is needed. When structures are expanded or redesigned, if the lease or easement boundary changes or new slips are added, a new survey will show all staff, inspectors, and the owners what is authorized.

However, you may give consideration to the renewal date of the SSL instrument and the type of changes proposed. For example, if the changes are to add a few extra feet to finger piers and the lease boundary will not change, the modified survey could be required at the time of renewal to save staff processing time and save expense to the applicant/owner. In this case, condition the authorization to require a revised survey upon renewal and send a copy to DSL, BPLA, to be placed in the instrument file so that when an inspection is requested or any review of the file is done, this information will be known and the survey can be required with the renewal.

The survey package on the following pages also is available on the Bureau of Survey and Mapping's web site at <http://www.dep.state.fl.us/lands/survey.htm> within the "Survey & Mapping Quick Links", under "Documents and Presentations", and selecting "Technical Information" under the Survey and Mapping header.

SURVEY REQUIREMENTS PACKAGE

For Leases and Private Easements (>3,000 Square Feet Preempted Area Over Sovereignty Submerged Lands)

Instructions to Applicant:

This Survey Requirements Package contains the survey requirements and data required to be included in the survey to be submitted regarding your proposed project. It MUST be given to the surveyor with whom you contract.

In addition, we request that your surveyor contact the Division of State Lands, Bureau of Survey and Mapping at 850/245-2606, prior to performing work to ensure that the requirements regarding compliance with the Standards of Practice (Minimum Technical Standards) pursuant to Chapter 5J-17-050 through 5J-17.052, Florida Administrative Code (F.A.C.), are clearly understood and that all questions are adequately answered. Technical inquiries should be made to the Bureau only by your surveyor or engineer.

SURVEY REQUIREMENTS

Provide two 8 1/2 x 11 inch prints of a field survey. If your original drawing is larger than 8 1/2 x 11 inch, then also submit two copies of the original size drawing (so that staff can refer to a clear view of the entire project). All copies must be signed, sealed, and dated by a Florida licensed Surveyor and Mapper in accordance with Rules 5J-17.061 and 5J-17.062, F.A.C., and must meet the Standards of Practice (Minimum Technical Standards) in compliance with Rules 5J-17.050 through 5J-17.052, F.A.C. In addition, the survey must also include the following information.

General:

- Scale – Each sheet must include a graphic scale, scaled to an engineers scale.
- Provide a location or vicinity map of at least 7.5 minute quad scale.

[a] Show the boundaries of the lease/easement parcel sought which must include the entire "preempted area." This area includes all the sovereignty or state-owned submerged lands affected by the activity, from which any traditional public uses have been or will be excluded by an activity, such as the area occupied by docks, piers, and other structures; temporary and permanent mooring areas; the area between a dock and the shoreline where access is not allowed; between docks; or areas where mooring routinely occurs that are no longer reasonably accessible to the general public; turning basins within aquatic preserves; permanent mooring areas not associated with docks; and swimming areas enclosed by nets, buoys, or similar marking systems. When the Board of Trustees requires an activity to be moved waterward to avoid adverse resource impacts (such as dredging or disturbance of nearshore habitat), the portion of the nearshore area that is avoided by the proposed activity shall not be included in the preempted area. [See "preempted area" definitions in sections 18-21.003, F.A.C., and 18-20.003, F.A.C., as applicable]

- The lease boundary shall be drawn to accommodate all vessels to be moored, including such things as bow pulpits, bow sprits, dive platforms and motors.
- Please contact the appropriate DEP or WMD district office if you have any questions regarding your specific project.
- The boundary of any designated swimming area must be shown.

- [b] Show the size and dimensions of all existing and proposed overwater structures and activities, including mooring pilings, located within the riparian rights boundaries of the parcel sought; and identify the location(s) of any existing and proposed fueling and sewage pumpout facilities. **YOU DO NOT NEED TO INCLUDE** buildings, structures, streets, platted areas, parking lots, etc., that are located landward of the mean or ordinary high water line or the safe upland line.
- [c] The applicant's upland property (parcel) boundaries must be clearly sketched on the submerged land lease or easement survey drawing. You are not being asked to survey the upland property; only to show the parcel boundary and where the upland property lines intersect the MHWL/OHWL/SUL.
- [d] Show the primary navigation channel(s) or direction to the center of the affected waterbody.
- [e] Show the applicant's riparian rights lines extending into the waterbody from both sides of the applicant's upland property (parcel).
- See attached guide, "[Allocation of Riparian Rights](#)" from the DEP Bureau of Survey and Mapping.
- NOTE:** This information regarding boundaries of riparian rights represents the generally accepted methodology for determining such boundary lines, and may not identify all considerations regarding riparian lines under certain conditions. However, a binding determination of riparian boundaries can only be made by agreements of the affected parties or by a final adjudication of a court of competent jurisdiction. Acceptance of a survey and issuance of a submerged lands lease or easement shall not constitute a binding determination of riparian boundaries by the Department and shall not prevent the Department from ordering the removal or the relocation of any structure which may later be determined to encroach upon or interfere with adjacent upland owners' riparian rights.
- [f] Show the distance from existing and proposed structures, moorings, and activities to the projected riparian lines.
- All structures and activities must be set back a minimum of 25 feet inside the applicant's riparian rights lines. Marginal docks must be set back a minimum of 10 feet. [For exceptions to the setbacks, see subsection 18-21.004(3), F.A.C.]
- [g] For leases in the Florida Keys: indicate the water depths referenced to mean low water within the lease area and out to the navigation channel.
- [h] Label the linear footage of the applicant's shoreline which borders on sovereignty or state-owned submerged lands. [Note: this can include the linear distance across an upland cut or man-made canal for the distance that the applicant is the upland owner.]
- [i] Show the location of any shoreline vegetation, if existing. Inside aquatic preserves, show the shoreline conditions within the lease area plus 1,000 feet extending from each side: % natural_____; % with seawall, bulkhead or riprap_____.
- [j] Identify and sketch in on the survey drawing any structures (docks, piers, pilings, etc.) existing within 100 feet of the applicant's requested lease or easement area. [Note: all structures and activities along the applicant's shoreline are considered preempted area.]
- [k] The legal description must reference the section, township, range, county, and name of the affected waterbody and must include the total square footage of the lease/easement parcel sought. The legal description must be provided on a separate sheet if it is not

clearly legible when reduced to 8 1/2 x 11 inch paper. It is not required that the submerged land lease or easement boundary be monumented. However, the submerged lands lease or easement boundary must be tied to at least one corner of record, which must be a section corner, subsection corner, or record plat or deed corner, and must be labeled on the survey drawing. Depending on the complexity of the survey/easement, you may show calls and bearings on a table and use numbering on the survey. If there are several lease/easement parcels, list them in a table and provide amounts for each plus the total area in square feet. The section/township/range should match on the survey, deed and title review sheet.

- [l] A surveyed or scaled 1983 or 1927 NAD coordinate of the point of beginning (POB) or point of commencement (POC) of the proposed lease or easement area must be shown on the survey drawing. The coordinates may be scaled from a USGS Quad Sheet or other suitable map. The method used to determine the coordinates must be noted on the drawing.
- [m] Provide a separate legal description of any non-water dependent structure(s). Depending on the complexity of the survey, the description may be placed on a separate page with a table matching length numbers to actual calls and bearings and distances.
- [n] If privately-owned submerged lands lie adjacent to the sovereignty or state-owned submerged land parcel sought, the boundary line of the privately-owned parcel must be shown and, if conveyed by Trustees' Deed, the Deed Number must be included. Trustees' deeds and disclaimers or Butler Act conveyances will be identified by DEP's Title and Land Records Section during review of the application to determine ownership of submerged lands sought.
- [o] All submerged land lease or easement surveys must be field surveys and clearly stated as such. Each survey will be checked for compliance with Rules 5J-17.050 through 5J-17.052, F.A.C., and, if applicable, Chapter 177, Part II, F.S., and must meet the requirements of the Department's SLER 0950 "Survey Requirements" procedure.
 - Certify the survey to the Board of Trustees (TIIF) (and to the owner if desired). The typical phrase is "Certified to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida," This statement must be included on the survey; however, an alternate statement of "This survey is certified to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida" is also acceptable. An additional statement that the survey is certified to the owner may be included if desired.
- [p] A mean high water line (MHWL), ordinary high water line (OHWL), or safe upland line (SUL) at or above MHWL/OHWL must be shown on the survey drawing.
 - Information regarding a **mean high water line** may be found on the DEP website at: www.labins.org.
 - For information regarding an **ordinary high water line**, contact the DEP Bureau of Survey and Mapping.
 - Information regarding a **safe upland line** for *tidal* waters may be found on the DEP website at: www.labins.org. If the information needed is not available at this website, you may use the approximate elevation of MHW plus 0.5 foot, or contact the DEP Bureau of Survey and Mapping.
 - If a **safe upland line** for *non-tidal* waters is used, see attached guide, "[Safe Upland Line Methodology for Submerged Land Lease or Easement Surveys in Non-tidal Waters](#)."

- **NOTE:** If a **safe upland line** is used, the surveyor should preface the legal description of the lease or easement with: "Any and all sovereignty lands lying within the following described boundaries: "(and then proceed with the legal description using the safe upland line).
 - Additional questions regarding acceptable procedures for establishment of a MHWL, OHWL, or SUL may be directed to the DEP Bureau of Survey and Mapping.
- [q] If a proposed structure or activity occurs on a beach that was restored, the **Erosion Control Line** (ECL) follows the MHWL surveyed prior to nourishment, and the land seaward of the ECL is considered sovereignty submerged land. Subsequent filling is called "nourishment." Because the ECL is already established, no additional survey is required, even if the beach recedes landward of the original ECL. When sand from an inlet maintenance dredging project is placed on the beach as "disposal," no ECL is required.
- Questions regarding the ECL may be directed to the DEP Bureau of Survey and Mapping.
 - **NOTE:** ECLs are normally established after the Joint Coastal Permit (JCP) is issued by the Bureau of Beaches and Coastal Systems.
- [r] Survey drawing:
- If a proposed structure or activity extends landward of the MHWL, OHWL, or SUL, the landward line of the submerged land lease or easement boundary must abut the MHWL, OHWL, or SUL.
 - If a proposed structure or activity is entirely waterward of the MHWL, OHWL, or SUL, the most landward line of the submerged land lease or easement boundary may not be required to abut the MHWL, OHWL, or SUL (such as for an offshore mooring area).
- [s] Depending on the nature of the shoreline, the following information is required.
- **Natural Shoreline** – A MHWL, OHWL, or SUL may be used. The procedure used for establishing the MHWL, OHWL, or SUL must be approved by the DEP Bureau of Survey and Mapping.
 - **Seawall** – If a seawall is in place and the surveyor has determined that it has not been constructed on the face of illegal fill, he may tie the lease or easement to the face of the seawall. However, the Department requires that the surveyor determine the NGVD 29 or NAVD 88 elevations at the top and bottom of the seawall and note the elevations on the survey drawing.
 - **NOTE:** If the proposed project is located in an **aquatic preserve**, show the nature (condition) of the subject lease area shoreline together with the adjacent 1,000 feet of shoreline on each side of the proposed lease area on the survey drawing as either natural or as bulkheaded, seawalled, or riprapped. This information is required because two times the base lease rate is applied when 75% or greater of the sum total of the linear footage of the subject lease area shoreline together with the adjacent 1,000 feet of shoreline on each side of the lease area is in a natural condition. [See paragraph 18-21.011(1)(b), F.A.C.]

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF SURVEY AND MAPPING**

**SAFE UPLAND LINE METHODOLOGY FOR
SUBMERGED LAND LEASE OR EASEMENT SURVEYS
IN NON-TIDAL WATERS**

This is to outline a procedure for determining a safe upland line on freshwater lakes and rivers for the purpose of area computations of submerged land leases and easements. The safe upland line determined by this procedure is not to be considered a sovereignty submerged land boundary and will not be recognized by the Department for use in controlling future development or for any other use or purpose unless specifically stated otherwise by the Department. The typical procedure for establishing the elevation of a safe upland line follows.

1. The safe upland elevation should be based on the elevation of mature upland vegetation.
2. Suggested upland species are:

Flowering Dogwood	<u>Cornus florida</u>
American Beech	<u>Fagus grandifolia</u>
White Ash	<u>Fraxinus americana</u>
American Holly	<u>Ilex opaca</u>
Southern Red Cedar	<u>Juniperus silicicola</u>
Tulip Tree	<u>Liriodendrom tulipifera</u>
Eastern Hop Hornbeam	<u>Ostrya virginiana</u>
Narrow-leaf Panicum	<u>Panicum aciculare</u>
Black Cherry	<u>Prunus serotina</u>
Live Oak	<u>Quercus virginiana</u>
Sassafras	<u>Sassafras albidum</u>
Saw Palmetto	<u>Serenoa repens</u>

3. The upland vegetation must be of sufficient size to indicate a pre-regulation safe upland line if there is a weir or other water level control structure on the water body.
4. A transect should be located in an unaltered area of the water body.
5. The transect on a lake does not have to be located at the project site.
6. The transect on a river does not have to be located at the project site, but the effect of the gradient of the river should be considered.
7. Elevations should be taken along the transect, at the breaks in elevation, the base of the upland vegetation, and at the present water level.
8. Changes in vegetation communities should be noted.
9. The diameter of the upland trees should be noted.
10. Any other conditions that may affect the determination of the safe upland elevation should be noted.
11. The safe upland line is considered a continuous contour approximated by bearings and distances included in a closed traverse around a submerged lease or easement area.

The Bureau must receive a cross sectional plot of the transect containing the above information before the submerged land lease or easement survey is approved. This information and notes indicating the methodology used to determine the safe upland line must be included as part of the survey drawing. Also, a copy of a USGS quad sheet or other suitable map showing the approximate location of the transect must be furnished to the Bureau.

The above is intended to be general guidelines. Every freshwater lake and river has its own individual characteristics and procedures will vary.

Comments or questions may be directed to:

Department of Environmental Protection
Bureau of Survey and Mapping
Mail Station 105
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000
Phone: 850/245-2606

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF SURVEY AND MAPPING**

Guidelines for Allocation of Riparian Rights

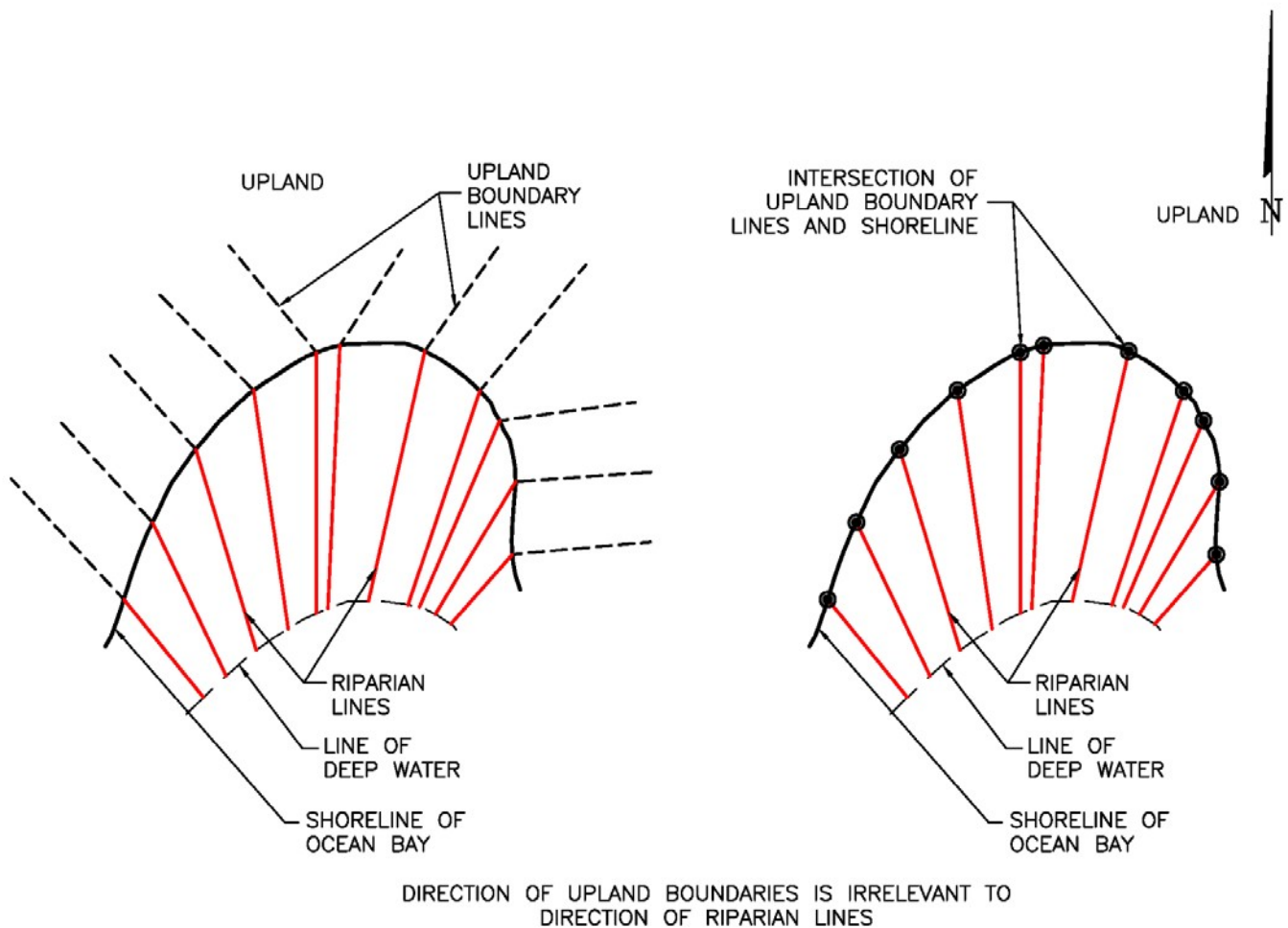
The 1985 and 2009 Studies

In 1985 and again in 2009, the Bureau of Survey and Mapping sponsored a study of the effect of shoreline and channel geometry on the division of riparian rights. This study was prepared by Dr. David Gibson, Associate Professor at the University of Florida. The research was intended to analyze existing methods for making allocations of riparian rights together with a study of different shoreline configurations. The result was a set of recommended guidelines.

This document concentrates on the two riparian right “equities” of dominant interest among waterfront owners: (1) right of ingress/egress to navigable waters – the right to build a dock out to deep water, (2) right of view out to the edge of the main navigational channel (view). The following are conclusions from the studies and examples of riparian rights allocations.

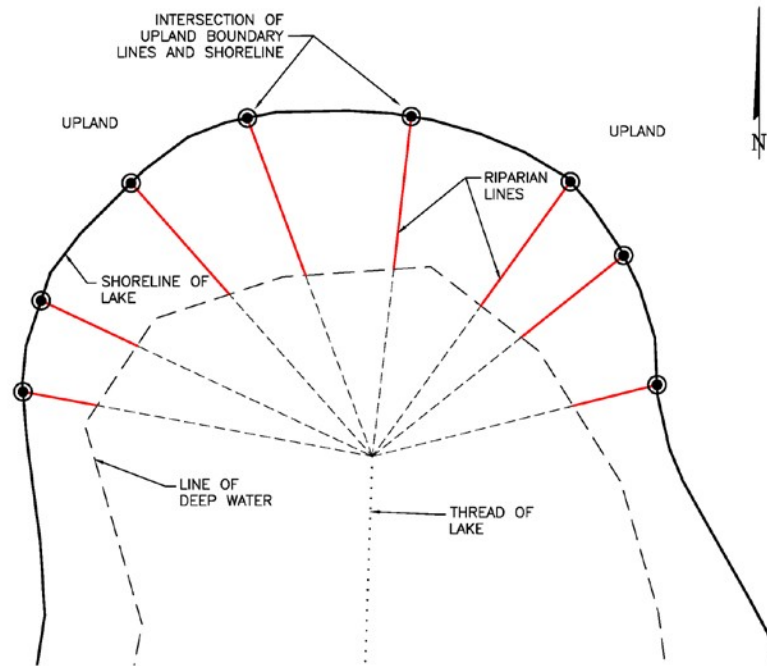
Conclusions from Literature Study

1. Docking is a near-shore consideration and is limited by the line of deep water (line of navigability or line of navigation). The great weight of research indicates that when docking is the primary issue, courts will usually apportion the space between the shore and the line of navigability.
2. In considering docking when the shore is relatively straight on a large body of water (one without a nearby channel or thread), such as the ocean, a large lake, ocean bay or wide river, the dominant construction makes division lines perpendicular with the general direction of the shore extended to the line of navigable water. The shore's general direction requires smoothing of smaller indentations and projections, and perpendiculars are constructed with the “smoothed” shore from the place where the side lot line hits the Mean High Water Line or Ordinary High Water Line.
3. Along a river without a marked channel and the opposite bank is in proximity to the area of concern, the dominant technique is to construct riparian lines perpendicular with the stream's thread (median). The stream's thread should be found as the median line of the water surface half way between the banks during ordinary stages of water height.
4. Along a river or other water body with a nearby marked navigation channel and a regular shore, most courts construct perpendiculars with the nearest channel edge as opposed to the thread. It appears that the proximity of a channel edge, or any other similarly established outer line, will most likely be used by courts for the apportionment using perpendiculars if the shore is relatively straight.
5. The direction of upland boundaries is largely ignored when apportioning riparian rights. The public's mistaken belief that riparian lines are on the extension of their side upland lines is the most frequent cause of riparian disputes. Instead, the water body must be **equitably apportioned** as if all waterfront owners were standing on the shore looking out over the water body – see example below.



6. When the shore is irregular in the form of a cove or projection into an ocean, ocean bay, lake or river, most courts apportion the line of deep water to divide riparian rights as opposed to any perpendicular method – see example above.

7. Methods of apportionment designed for the whole water body, such as the center point method in lakes, thread of lakes, perpendiculars to channels or threads, should be used mainly for those riparian rights that require apportion of the entire water surface. They may also be used to determine direction but not the terminus of near-shore division lines when they give substantially the same apportionment as a near-shore method. This would be true in round lakes with concentric water depth contour lines, along rivers with parallel banks and parallel channel, and along long lakes with consistent water depth contours – see example below.



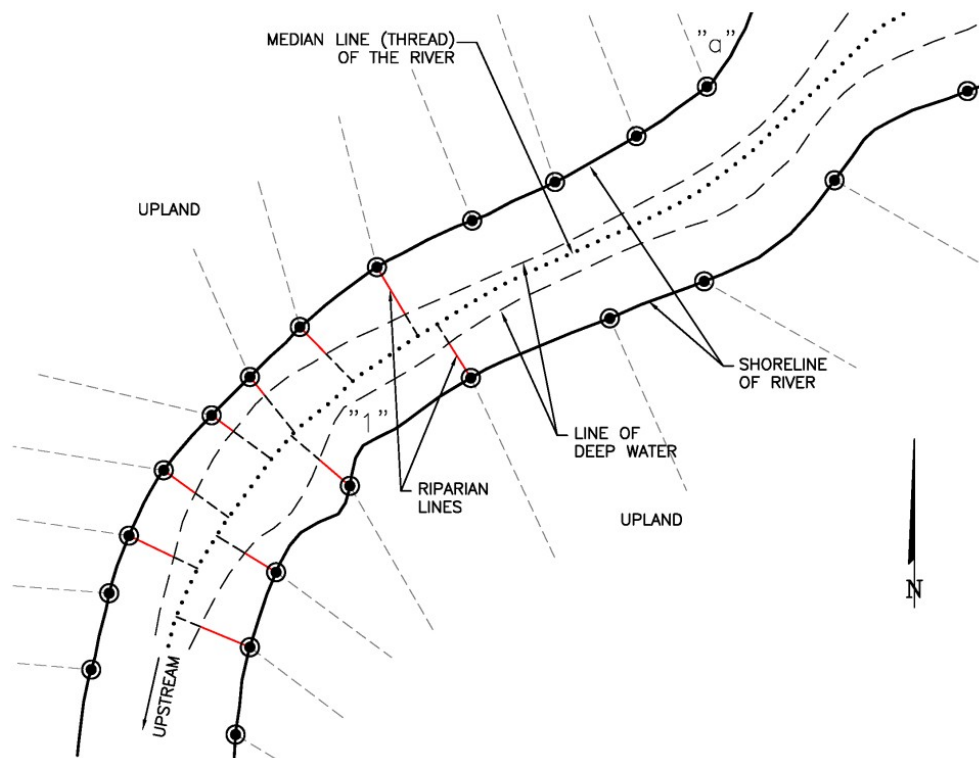
8. The apportionment of the line of deep water is the most universal technique for division of riparian rights that will give the same solution as more traditional techniques in many cases and will follow dominant national case law where the shore is irregular.

Recommended Procedures and Water Body Classifications

In explaining allocation procedures, reference will be made to several sketches which were constructed to show numerous cases of water boundaries. It is presumed that the main considerations are docking, view and access to navigation channels. It should be noted that the upland boundaries of the lots surrounding the water are shown only as very light dashed lines for the reasons stated in no. 5 above.

River, No Marked Channel, Parallel Banks – Perpendicular with Median Line In the river example below, the water body would be classified as (1) being a narrow river where the opposite bank is of a consideration and (2) as having generally parallel banks without deep coves and projections.

The main technique to be applied here is the “perpendicular with the stream’s thread” method. The banks being the limit of water at its ordinary stage would be determined. A median line would be constructed exactly midway between the banks at their ordinary stage of water. Perpendiculars would be constructed at the thread and produced back to the shore points. Docking and access rights would stop at the line of deep water – see example below.

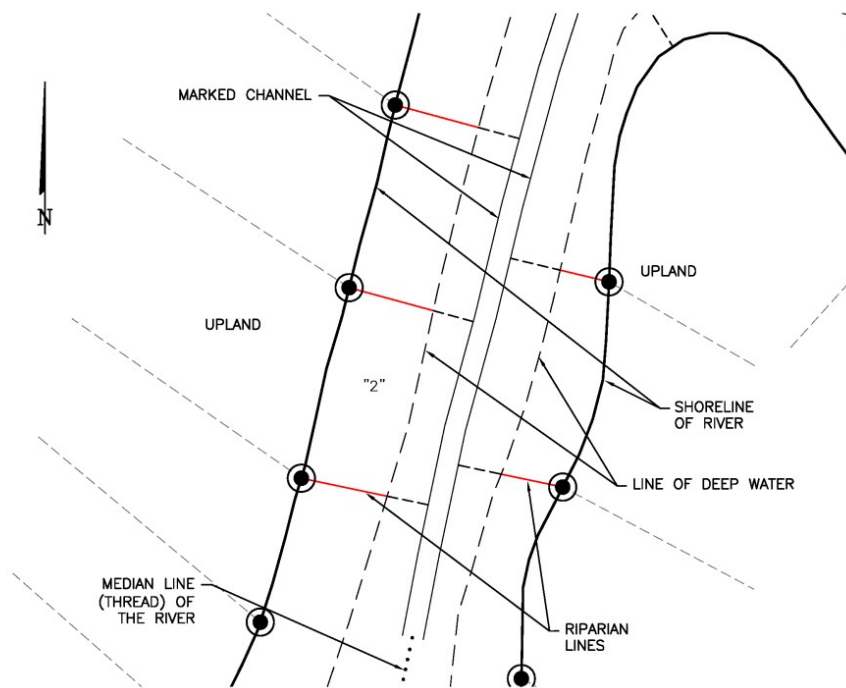


For example, at area "1", the red riparian line is the "docking" line shown perpendicular with the dotted median line stopping at the line of deep water. The dashed extension of the riparian line is the "view" line out to the median line. These lines are: not on the extension of the upland side line, not perpendicular with the water boundary, or not perpendicular with the line of deep water.

Other docking and view riparian lines are shown in the neighborhood. This same technique would be used on the entire river upstream of point "a". None of the coves are deep and no inequity would result.

River, Marked Channel, Parallel Banks – Perpendicular with the Channel Line

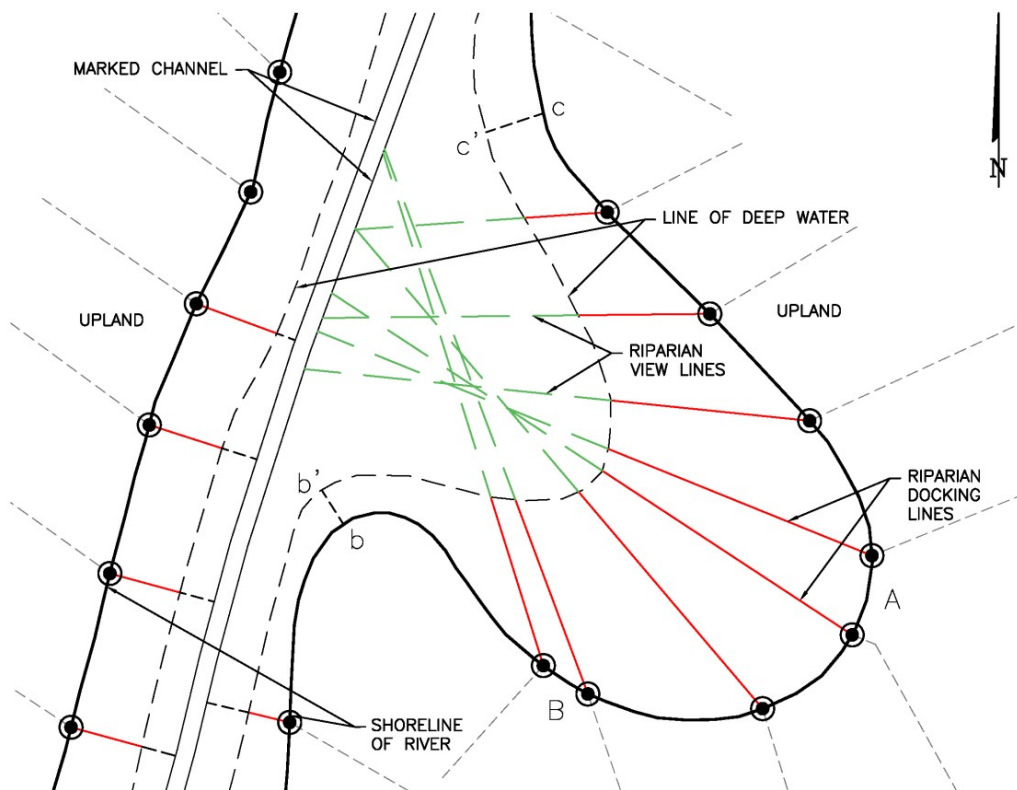
Downstream of the above example a maintained and marked channel exists that would take over from the thread for the apportionment base line. The channel probably has an east and west edge, and perpendiculars would be constructed at the nearest edge and run back to shore – see example below.



For example, at area “2” above, perpendiculars are constructed at the nearest channel edge and run back to shore.

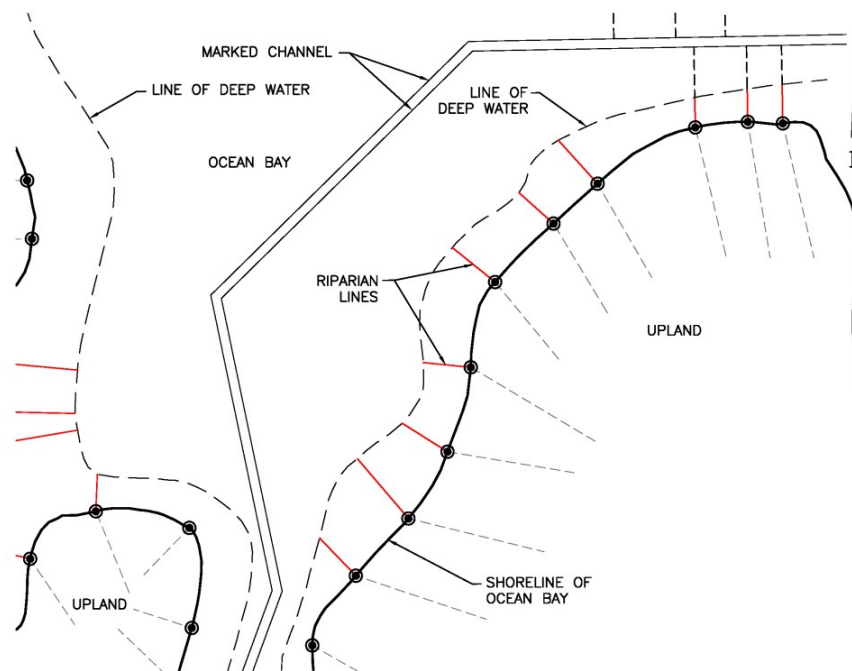
Deep Cove on One Bank – Apportion Line of Navigability The deep cove on the east bank in the following example requires special treatment. Inequities are obvious; if the typical solution of extending the lot lines is applied, persons “A” and “B” would be entirely cut off from navigable water and the channel. If the previous technique of perpendiculars from the channel were applied, then person “B” would receive nothing. Therefore, the line of navigability should be apportioned.

Finding the cove limits (headland points) would be a critical decision. The headlands of the cove would be identified as points “b” and “c” the places where the east river bank departs its generally parallel course and enters the cove. As a general rule the “45 degree method” can be used to find the headlands –where the shore first departs at a 45 degree angle from the general direction of the water body.

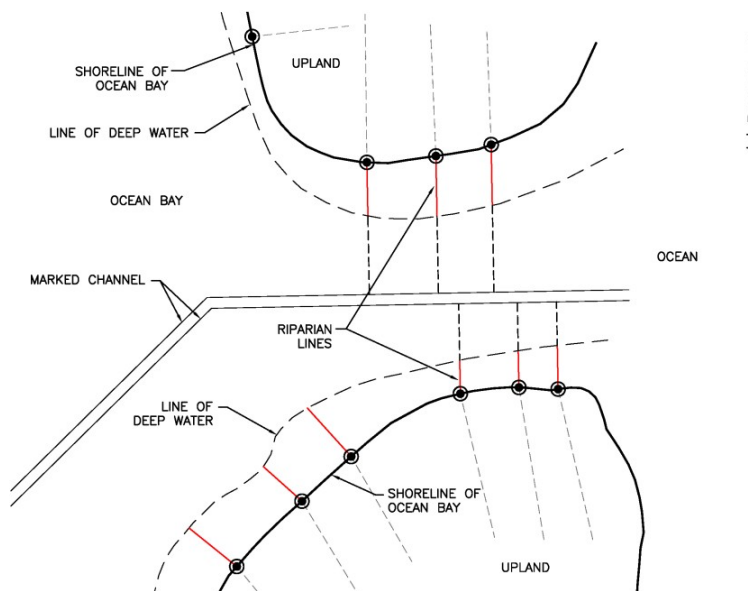


Points b' and c' would be established directly opposite the headland shore points using perpendiculars with the line of navigability. Between b' and c', the line of navigability would be divided in proportion to frontage. For example if the total distance b' to c' on the "outer line" is only 700 ft and the shore frontage from b to c is 1000 ft then each foot of shore frontage only receives 0.70 ft on the outer line – equitable apportionment. Straight lines would run back to shore points. The view zones would be the extension of the docking lines out to the channel line, (however view zones are not exclusive and they may overlap).

Large Water Body -- Perpendicular with Shore Northerly of the above example, on the east side of the ocean bay, the shore and the marked channel are diverging from each other. Since docking is a near-shore consideration, then a near-shore solution is called for. The dominant method is to construct perpendiculars with the generalized shore, projecting these riparian lines out to the line of deep water.



Inlet Channel – Perpendicular with Channel Line At the inlet of the ocean bay, the proximity of the channel is now the important consideration, and perpendiculars would be dropped from it as shown.



Coves

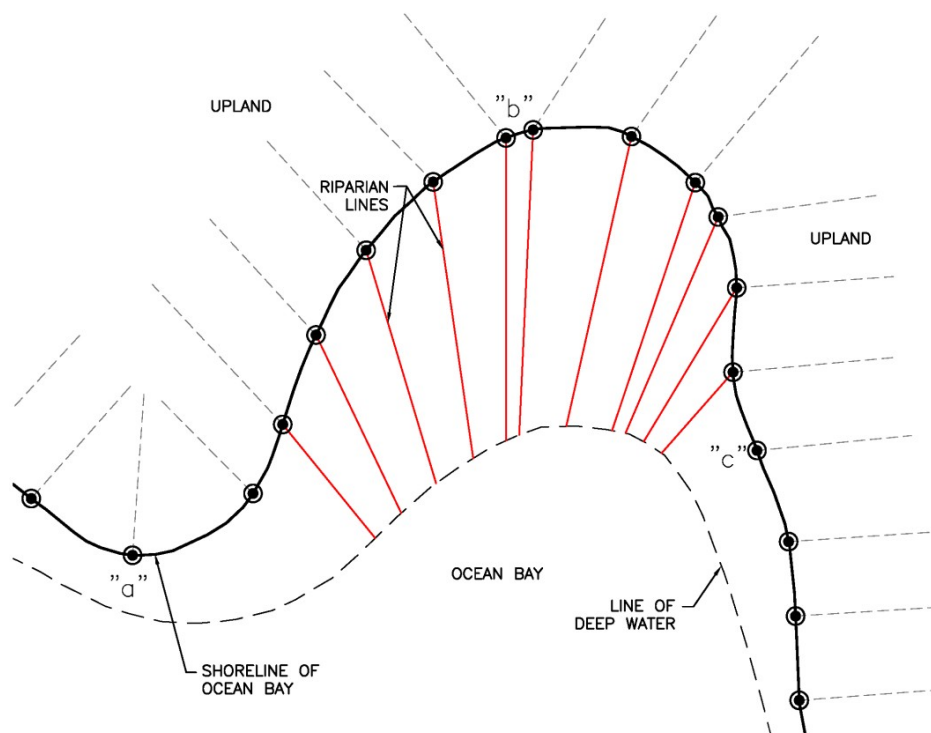
Large Bay Cove – Apportion Line of Navigability Around the ocean bay, the dominant construction is perpendicular with the generalized shore direction, projecting these out to the line of deep water.

However, the large cove on the north side of the bay calls for apportioning the line of navigability. The main question would be determining the apportionment limits. There is a well-

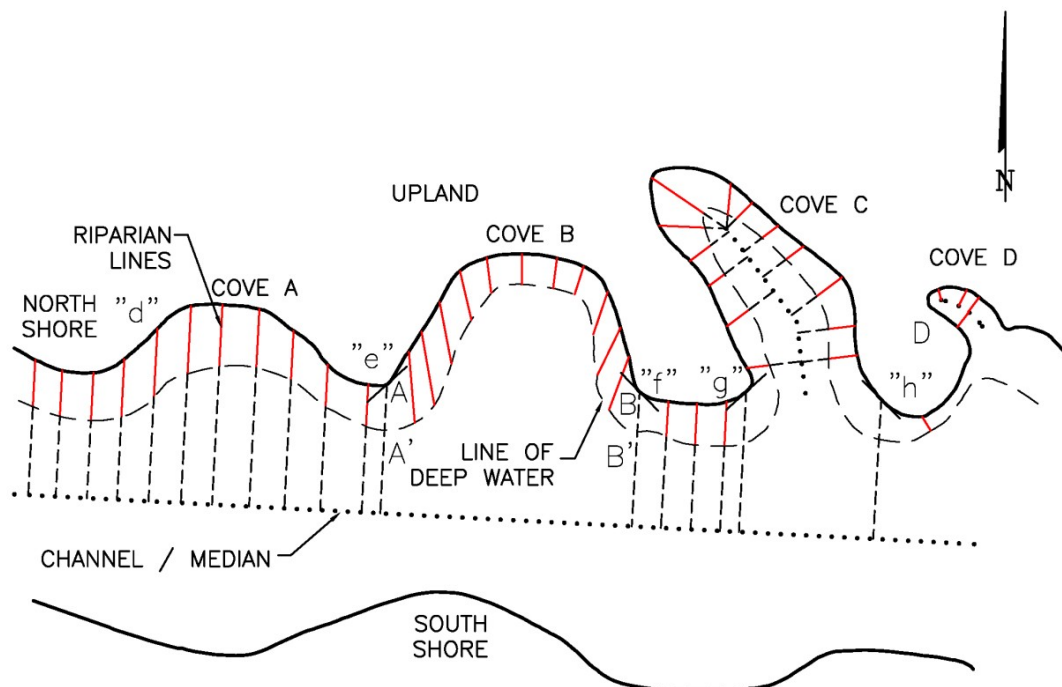
defined headland on the cove's west end at "a," but on the east side the cove's beginning is not so well defined.

As a guideline for thought, there is no use apportioning lots in which a more basic method works; therefore, start at the point of greatest inequity, point "b" in this case, and go in each direction until straight-line projections will intersect the line of navigability at nearly right angles well clear of the problem area, such as at "c" in this case. Apportionment between "a" and "c" will give each owner a portion of the line of deep water for constructing a dock.

A problem is noticed for owner "b". Due to small frontage, that lot will receive a very small portion of deep water frontage, perhaps not enough on which to build a dock without conflict with adjoining. This is a situation for the neighbors or courts to address. The surveyor should not attempt to solve this situation. Instead, the surveyor should rely on geometric construction principles. After the "theoretical" riparian lines are determined, let the owners negotiate a solution (riparian boundary agreement or license) or let the courts decide an equitable solution.



Commercial marina leasing has now made the allocation of the entire water body a consideration. Consider the water body shown in the following figure. It could be a river, a long lake, or intra-coastal waterway and a marked channel is present, therefore, the dominant riparian construction is perpendicular with the channel. The north shore is undulating with three "coves" to investigate: a (A) "shallow cove," not indented enough to require a cove method apportionment, a (B) "deep cove," requiring a cove apportionment, and (C & D) "hidden coves" which departs to form its own geometry. The deep water line, shown as a dashed line, illustrates that cove C contains deep water while cove D does not.



Shallow Cove A is called "shallow" because the intersection between the shore and riparian lines are at 45 degrees or less throughout the cove. This "45 degree rule" is presented here for consideration. At a location such as "d" where the shore and riparian line are at 45 degrees, the width of the riparian zone is 0.71 times the frontage distance, but these zone widths still give sufficient width for dock building out to the deep water line (dashed) and leasing/view out to the channel line. In the Florida case *Hayes v Bowman*, this angle was about 55 - 60 degrees which caused a reduced riparian zone width 0.85 times the lot frontage. Therefore, it was recognized that the riparian zone width may be significantly less than the riparian frontage width.

Deep Cove B begins at location "e" where the angle exceeds 45 degrees. This is the beginning of a deep cove B calling for a cove apportionment. The beginning points on the cove are A and A'. The end of the cove at point "f" is identified as points B and B', where the channel perpendicular and the shore make an angle of 45 degrees. The deep water line from A' to B' is apportioned according to relative shore frontages between A and B.

Hidden Cove C begins at "g" and ends at "h", again using the 45 degree rule. However, since this cove has its own geometry separate from the main water body, each riparian parcel fronts on this cove (not on the main water body). Therefore, perpendiculars are constructed with the cove's median lines. At the north end of the cove, a center point is chosen at the deep water end, and riparian lines are connected with the central point for parcels northwest of that point. This allocates the line of deep water between those riparian owners.

In **Hidden Cove D** apportionment of the line of navigability would give the lot at "D" no deep water frontage. Courts could treat this cove as a separate shallow water body. Since it is shallow, the owners could have the riparian right of ingress/egress only to the shallow waters

for small boats, but not to the line of deeper water. They could also have the right of view to the cove's median line as shown. However, to solve this question, courts would have to address the issues involved and therefore it is outside of the scope of this report.

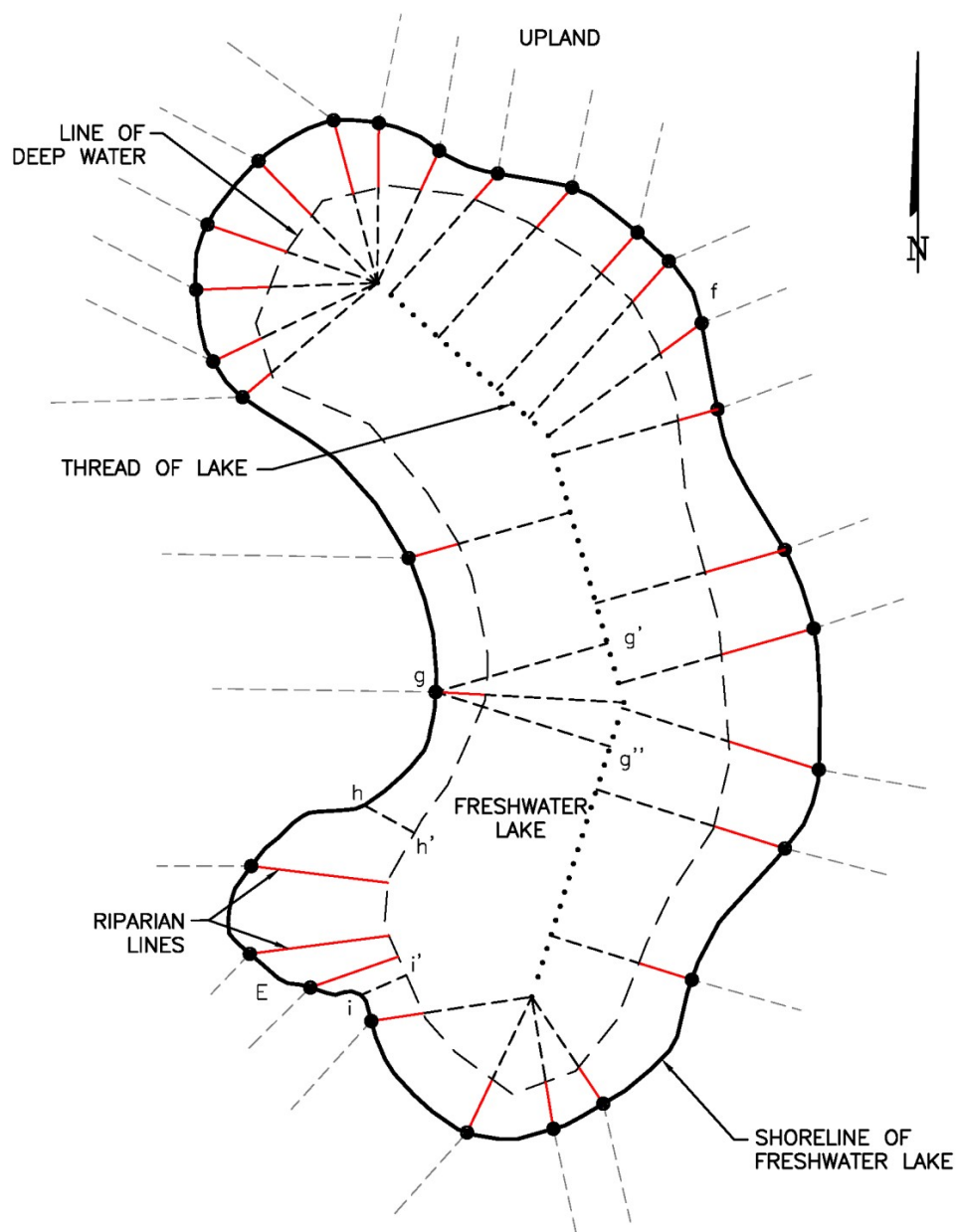
Of course, outside hidden cove D, riparian owners have clear access to deep water as shown.

Long Fresh Water Lake – Radials to End Center Points – Perpendicular with the Median Line (Thread) To apportion riparian rights in a “long lake”, the traditional approach would establish center points in the semi-circular lake ends together with a thread midway between the banks. Around the lake ends, lines would radiate from center points to shore points, and along the thread, perpendiculars would be constructed and run back to shore points.

However, several geometric problems are encountered. At point “f”, it's impossible to drop a perpendicular to either line of the thread. Therefore an equitable approach would be to extend the riparian line to the angle point in the thread as shown.

Similarly, at point “g” on the west shore, two perpendiculars are possible, each dropped to a different line of the thread. Which one? Again an equitable approach would be to draw the riparian line to the angle point in the thread.

At parcel “E” there is a deep cove, and a perpendicular with the thread construction would be inequitable. This should then be apportionment of the line of deep water by the cove method with headlands identified at points “h” and “i.”



SUMMARY STATEMENTS – Please note that this document presents guidelines for a wide range of riparian situations. However, there are always unique situations that need to be addressed. The courts require that the allocation be “equitable” for the whole neighborhood. The geometric method, if extended up and down the shore, should be equitable for the whole neighborhood of riparian owners. In addition to a survey map of the parcel, it is recommended that a surveyor submit a riparian “report” that depicts the equity when the allocation is applied to the whole neighborhood.

DISCLAIMER

All information contained is for general informational purposes only and subject to change without notice. Neither the Department nor the Board of Trustees of the Internal Improvement Trust Fund makes any representations or warranties of any kind express or implied, with respect to the content, quality, completeness, accuracy, or reliability of any information contained within regarding allocation of riparian rights. Neither the Department nor the Board of Trustees of the Internal Improvement Trust Fund assumes any legal liability for the content, quality, accuracy or completeness of the information. Any reliance you place on this information is therefore strictly at your own risk. In no event will the Department or Board of Trustees of the Internal Improvement Trust Fund be liable for any loss or damages, whether direct, indirect, general, consequential, incidental, exemplary or special, arising from your use of the information provided within regarding allocation of riparian rights.

**Florida DEP Temporary Lease Agreement -
Additional Comments**



FLORIDA DEPARTMENT OF Environmental Protection

South District Branch Office
2796 Overseas Highway, Suite 221
Marathon, FL 33050
SouthDistrict@FloridaDEP.gov

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

April 19, 2022

Chelsea Vanadia
Smith Hawks Attorney at Law
138 Simonton St
Key West, FL 33040
Chelsea@smithhawks.com

RE: Temporary Use Agreement
Honorary Conch Corporation
Site No. 397974 / Project No. 394395
BOT No. 440359785
Property ID No. 00037410-000000 – Vernon Ave. Key West, FL 33040
Gulf of Mexico, Class III Outstanding Florida Waters
Monroe County – ERP

Dear Ms. Vanadia:

Department personnel conducted a compliance inspection of the above-referenced facility on February 15, 2021. The Department also conducted a file review for the processing of a sovereignty submerged lands lease application.

Based on the information provided during the inspection and file review, the facility was determined to be in compliance because all structures are located landward of the Department-approved mean high water line (MHWL) elevation at the site, thereby not being located on sovereignty submerged lands. **Therefore, a sovereign submerged lands lease is no longer required for the structures at the site.** A copy of the inspection report is attached for your records.

The Department appreciates your compliance efforts. Should you have any questions or comments, please contact McKenzie Fraley at 305-289-7079 or by via e-mail at: Mckenzie.Fraley@FloridaDEP.gov.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Sweigert".

Elizabeth "Liz" Sweigert
Environmental Administrator
Compliance Assurance Program

ES/mf

Enclosures: Inspection Report, Survey, Tidal Water Survey Procedural Approval



Florida Department of Environmental Protection
SOUTH DISTRICT
ERP Inspection Report and Technical Staff Report

Inspection Date: February 15, 2021
Inspector: Mckenzie Fraley
Persons present during inspection:
Vincent Shanberg, DEP

Compliance Status: ☒ In Compliance
☐ Minor Non-Compliance
☐ Significant Non-Compliance

Inspection Type: ☐ Complaint
☐ Compliance
☐ Enforcement
☒ Other: Lease Review Related

Site No. 397974

BOT No. 440359785

ERPce Project No. 395204

Owner: Honorary Conch Corporation

Contact: Gregory Ozzimo; 400 South St. Key West, FL 33040

Attorney: Smith/Hawks Attorneys at Law

Contact: Chelsea Vanadia; 305-296-7227;
Chelsea@smithhawks.com

Activity/Site Location: 1502 Vernon Ave Key West, FL 33040; Parcel No. 00037410-000100

Waterbody: Atlantic Ocean

State Lands: ☐ Yes ☒ No

☒ Title Determination: 2/22/2022

Class: ☐ I ☐ II ☒ III ☐ IV ☐ V

Aquatic Preserve: ☐ Yes ☒ No

Outstanding Florida Waters (OFW): ☒ Yes ☐ No

Site History

Based on the February 15, 2021 inspection, an approximate 550 square foot pier structure appeared to be located waterward of the mean high water line (MHWL), as the wrack-line was landward of the structure.

March 18, 2021: The Department and the upland owner entered a Temporary Use Agreement (TUA) during the processing and review of the submerged lands lease application for the private residential multi-family pier.

April 13, 2021: The Department received the Financial Assurance Affidavit, the Billing information Form, payment of the TUA fee, the Tidal Water Survey Procedural Approval, and the initial submerged lands lease sketch and legal description. This sketch and legal description was missing the following items for Department approval;

- 2 prints of sketch on 8.5x11 sheets labeled "NOT A FIELD SURVEY" (only 1 13x19 sheet provided without label)
- Riparian lines and distance from structure to riparian lines needed
- Total lease area needed (area below MHWL)
- Dimensions of structure required and fence needs label
- Legal description says "approximate mean high..." (should say actual)
- Location map and parcel sketch should be on separate pages

- Description needs square footage of lease area
- Description needs Section, Township, and Range
- Description needs waterbody

October 5, 2021: The Department did not receive a response from the surveyor, nor was a revised survey submitted. The Department and the upland owner entered a TUA Addendum extending the deadline to complete a submerged lands lease application to February 25, 2022.

December 8, 2021: The Department received an inquiry from the upland owner's attorney showing that the MHWL was waterward of the pier structure and requesting further instructions. This was referred to the Department's Division of State Lands, Bureau of Survey and Mapping for review.

February 25, 2022: During the Bureau of Survey and Mapping's review of the MHWL location/elevation, another TUA Addendum was entered, extending the submerged lands lease application deadline to August 25, 2022.

April 8, 2022: The Department received an approved survey and a Tidal Water Survey Procedural Approval from the Bureau of Surveying and Mapping, showing that **there are no structures waterward of the MHWL and that a submerged lands lease is not required for the structures at this Property.**

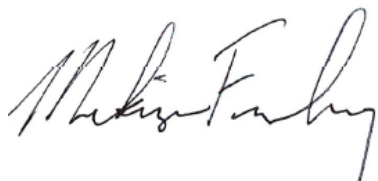
Inspection Findings

April 8, 2022: The Department received an approved survey and a Tidal Water Survey Procedural Approval from the Bureau of Surveying and Mapping showing that **there are no structures below the MHWL and that a lease is not required for this Property.** The survey and Approval Form are attached.

Links to Additional Documentation and/or Resources

Florida Statutes: <http://www.leg.state.fl.us/STATUTES/>

Florida Administrative Code: <https://www.flrules.org/>



Mckenzie Fraley, Environmental Specialist II

4/11/2022

Date



Elizabeth Sweigert, Environmental Administrator

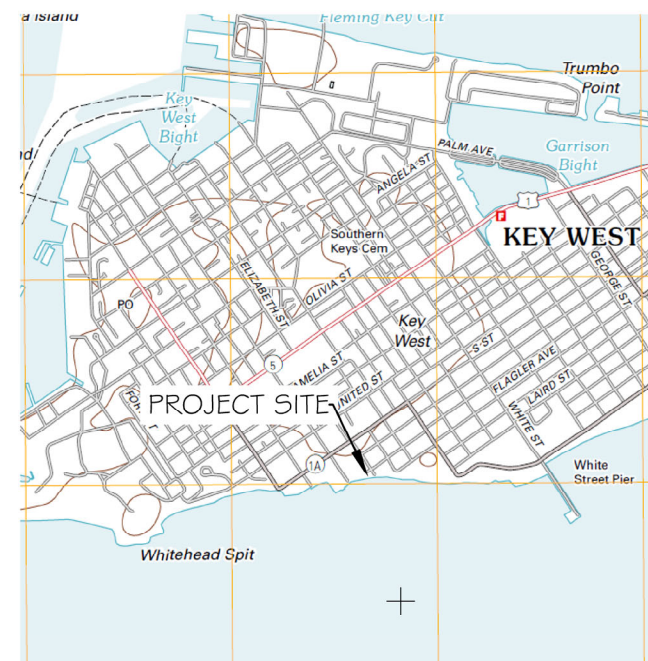
4/18/2022

Date

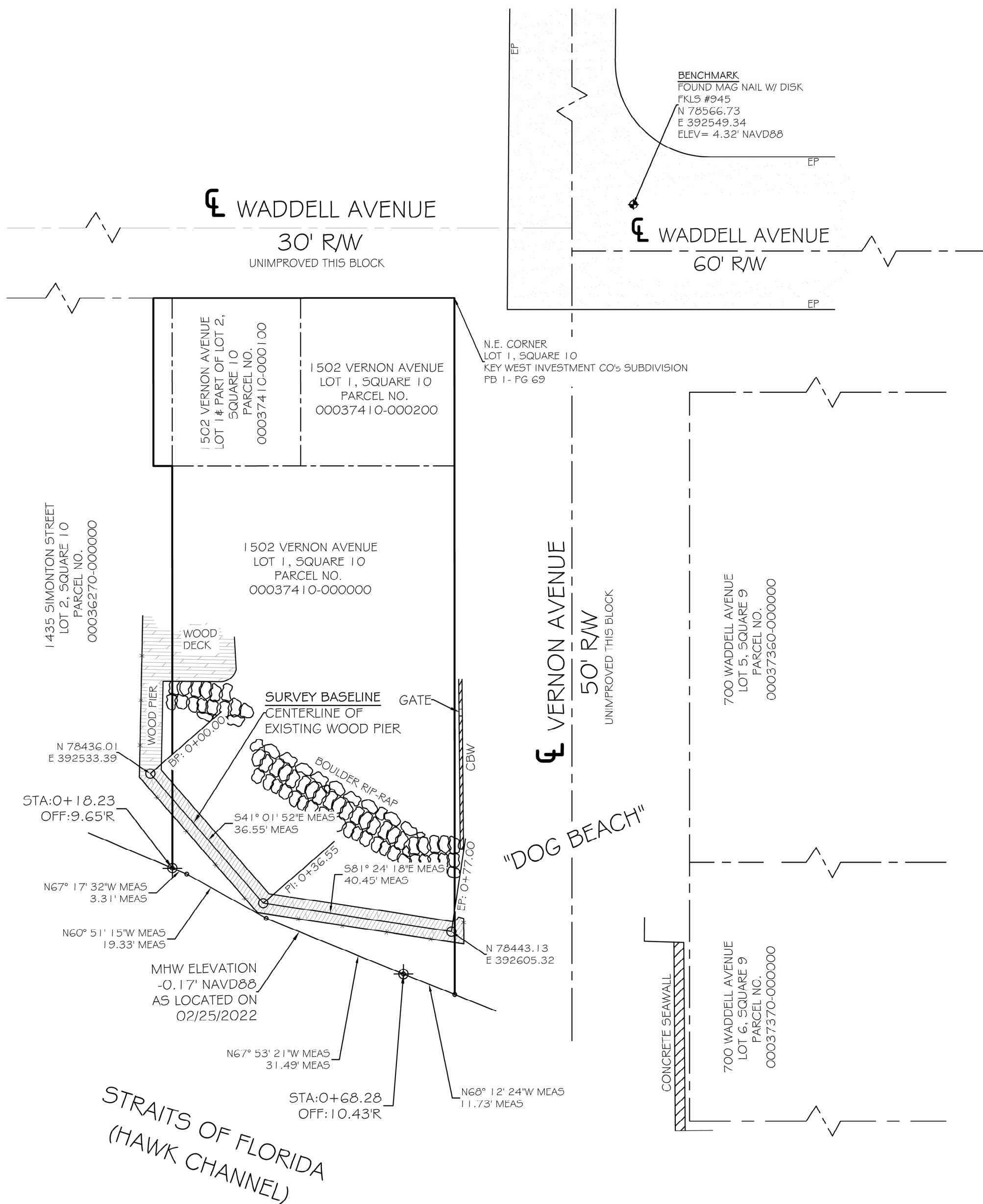
TIDAL WATER SURVEY

1502 VERNON AVENUE

KEY WEST, FL



LOCATION MAP - NTS
SEC. 5-T685-R25E



STRAITS OF FLORIDA
(HAWK CHANNEL)

SURVEYORS NOTES

- THE MEAN HIGH WATER ELEVATION OF -0.17' NAVD88, AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NUMBER 827-4557, AS PROVIDED TO THIS SURVEYOR BY M. KEVIN MEARS, PSM, WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ON FEBRUARY 22, 2022.
- THIS TIDAL WATER SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.
- THIS IS A FIELD SURVEY.
- ALL FIELD DATA AND MEAN HIGH WATER DATA WAS ACQUIRED ON 02/25/2022.
- ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORT BY OTHERS THAN THE SIGNING PARTY IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY.
- HORIZONTAL COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO GRID NORTH, BASED ON THE 2011 ADJUSTMENT OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83/2011), OF THE FLORIDA STATE PLANE COORDINATE SYSTEM (TRANSVERSE MERCATOR PROJECTION), EAST ZONE (0901).
- COORDINATES WERE ESTABLISHED BY A REAL-TIME KINEMATIC (RTK) GNSS CONTROL SURVEY WHICH IS CERTIFIED TO A 2 CENTIMETER LOCAL ACCURACY, RELATIVE TO THE NEAREST CONTROL POINT WITHIN THE NATIONAL GEODETIC SURVEY (NGS) GEODETIC CONTROL NETWORK. METHOD: WIDE AREA CONTINUOUSLY OPERATING GPS REFERENCE STATION NETWORK (TRIMBLE VR5).
- ALL UNITS ARE SHOWN IN U.S. SURVEY FEET.
- ELEVATIONS SHOWN HEREON ARE IN FEET AND BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- BENCHMARK DESCRIPTION: NATIONAL GEODETIC SURVEY BENCHMARK: DESIGNATION 872 4557 TIDAL 3, P.I.D. AA0915, ELEVATION 2.66' NAVD88.
- APPROXIMATE BOUNDARY LINES ARE GRAPHICALLY DELINEATED FROM INFORMATION OBTAINED FROM RECORDED DOCUMENTS AT THE TIME OF THE SURVEY. THIS IS NOT A BOUNDARY SURVEY AND THE INFORMATION SHOULD NOT BE RELIED UPON AS SUCH.
- PROPERTY ADDRESS: 1502 VERNON AVENUE, KEY WEST, FL
- REVISION(S): REVISED 04/08/2022 TO ADD DATE MHW ELEVATION WAS PROVIDED TO THIS SURVEYOR.

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. THE BOLD LINE SHOWN HEREON REPRESENTS THE SURVEYORS OPINION OF THE DEED LINES. THE MEAN HIGH WATER LINE AS SHOWN ON THIS SURVEY MAP WAS IDENTIFIED IN ACCORDANCE WITH CHAPTER 177, PART II, FLORIDA STATUTES.

SCALE: 1"=20'
FIELD WORK DATE: 02/25/2022
MAP DATE: 03/01/2022
REVISION DATE: 04/08/2022
SHEET: 1 OF 1
DRAWN BY: DRF
JOB NO.: 21-493

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTERS 2014-147 & 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND COMPLIES WITH CHAPTER 177, PART II FLORIDA STATUTES.

SIGNED

ERIC A. ISAACS, PSM #6783, PROFESSIONAL SURVEYOR AND MAPPER, LB# 7847

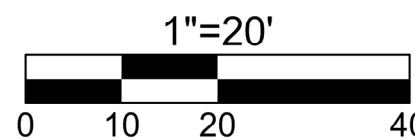
NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER



FLORIDA KEYS
LAND SURVEYING
21460 OVERSEAS HIGHWAY, SUITE 4
CUDJOE KEY, FL 33042
PHONE: (305) 394-3690
EMAIL: FKL5email@gmail.com

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE. THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

BFP = BACK-FLOW PREVENTER
BO = BLOW OUT
C & G = 2" CONCRETE CURB & GUTTER
CB = CONCRETE BLOCK
CBW = CONCRETE BLOCK WALL
CL = CENTERLINE
CLP = CHAINLINK FENCE
CM = CONCRETE MONUMENT
CONC = CONCRETE
CPF = CONCRETE POWER POLE
CVRD = COVERED
DELTA = CENTRAL ANGLE
A = DELTA
EL = ELEVATION
ENCL = ENCLOSURE
EP = EDGE OF PAVEMENT
FF = FINISHED FLOOR ELEVATION
FH = FIRE HYDRANT
FI = FENCE INSIDE
FND = FOUND
FO = FENCE OUTSIDE
FOL = FENCE ON LINE
GUY = GUY WIRE
HB = HOSE BIB
IP = IRON PIPE
IR = IRON ROD
L = LANDSCAPING
MB = MAILBOX
MEAS = MEASURED
MF = METAL FENCE
MHW = MEAN HIGH WATER
NAVD = NORTH AMERICAN VERTICAL DATUM (1988)
NTS = NOT TO SCALE
OH = ROOF OVERHANG
OHW = OVERHEAD WIRE
PC = POINT OF CURVE
PM = PARKING METER
POC = POINT OF COMPOUND CURVE
POP = PERMANENT CONTROL POINT
PK = PARKER KALON NAIL
POB = POINT OF BEGINNING
PI = POINT OF INTERSECTION
POC = POINT OF COMMENCEMENT
PRC = POINT OF REVERSE CURVE
PRM = PERMANENT REFERENCE MONUMENT
PT = POINT OF TANGENT
R = RADIUS
RW = RIGHT OF WAY LINE
SSCO = SANITARY SEWER CLEAN-OUT
SW = SIDE WALK
TBM = TEMPORARY BENCHMARK
TOB = TOP OF BANK
TOS = TOE OF SLOPE
TS = TRAFFIC SIGN
TYT = TYPICAL
UR = UNREADABLE
UP = UTILITY FARMFINT
WD = WOOD DECK
WF = WOOD FENCE
WL = WOOD LANDING
WM = WATER METER
WPP = WOOD POWER POLE
WRACK LINE = LINE OF DEBRIS ON SHORE
WV = WATER VALVE



REVIEWED

By Kevin Mears at 4:57 pm, Apr 08, 2022

MHW8495



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Tidal Water Survey Procedural Approval

Date: 2/22/2022

Name: Eric Isaacs

Firm Name: Florida Keys Land Surveying

Address: 21460 Overseas Highway, Suite 4

Cudjoe Key, FL 33042

Phone: 305.394.3690

Email: fklsemail@gmail.com

Point Identification No. 872-4557

County: Monroe

USGS 7.5-Minute Quad Map Name: Key West

Mean High Water (MHW): -0.17 ft

Mean Low Water (MLW): -1.58 ft

Unit of Measurement: Feet

Datum: NAVD88

Tidal Epoch: 1983 – 2001

Procedure: Extend the above MHW height to job if within one-half mile.

Source of Data: Florida Department of Environmental Protection, Bureau of Survey and Mapping.

This form constitutes approval of the method to be used to survey the mean high-water line or the mean low-water line within one half mile of the point identified above.

Retain this form for record keeping. Submit a copy of this form with the completed survey to the Bureau of Survey and Mapping.

Contact:

Florida Department of Environmental Protection
Bureau of Survey and Mapping

Mean High Water Repository

3800 Commonwealth Boulevard, Mail Station 105

Tallahassee, FL 32399-3000

Tel. (850) 245-2640

email pdf to: mhwrequest@floridadep.gov

Approved by:

M. Kevin Mears, PSM
Digitally signed by M. Kevin Mears,
PSM
Date: 2022.02.22 14:28:44 -05'00'

2/22/2022

(Date)

1502 Vernon Avenue, Key West

Tidal Water Survey Guidelines

The following guidelines shall be met for the survey drawing to be filed in the Department of Environmental Protection mean high water line repository.

- _____ The location of the mean high-water line shall be dated within 90 days of submittal.
- _____ A minimum of one site benchmark set for each site is shown and described with the datum reference indicated, i.e. 5.75' NAVD 88.
- _____ The horizontal location of the MHW line and a notation of the location method used is included. The MHW line shall reflect bearings and distances or station and offset ties to a witness or reference line.
- _____ A note is on the survey drawing describing the approved procedure used to establish the MHW line elevation.
- _____ The survey drawing includes the following notation near the tidal boundary that reads: “Mean High Water Elevation X.XX feet, NAVD88 as located on (date).”
- _____ A location or vicinity sketch showing the Section/Township/Range is included on the drawing.
- _____ The Survey drawing is labeled as a “Tidal Water Survey” or a “Boundary and Tidal Water Survey.”
- _____ A note is included on the survey drawing that reads: “This Tidal Water Survey complies with Chapter 177, Part II, Florida Statutes.”
- _____ Provide a copy of the “Tidal Water Survey Procedural Approval” form with the submittal of the survey drawing.
- _____ Provide a copy of the survey drawing in Portable Document File (pdf) format with the submittal of the survey drawing.

All of the above must be complied with.

BSM will use these guidelines to review the survey drawing. **No other review will be made.**

Submit to:

Florida Department of Environmental Protection
Bureau of Survey and Mapping
Mean High Water Repository
3800 Commonwealth Boulevard, Mail Station 105
Tallahassee, FL 32399-3000
email to: mhwrequest@floridadep.gov

Sunbiz



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Profit Corporation

THE HONORARY CONCH CORPORATION

Filing Information

Document Number P93000026417
FEI/EIN Number 13-3709212
Date Filed 04/09/1993
State FL
Status ACTIVE
Last Event REINSTATEMENT
Event Date Filed 10/03/2016

Principal Address

400 SOUTH ST
KEY WEST, FL 33040

Changed: 03/13/1998

Mailing Address

C/O CRM MANAGEMENT
PO Box 778
NEW YORK, NY 10013

Changed: 10/03/2016

Registered Agent Name & Address

LEAR, ELIZABETH
2903 HARRIS AVENUE
KEY WEST, FL 33040

Name Changed: 10/03/2016

Address Changed: 05/11/2001

Officer/Director Detail

Name & Address

Title D

JOHNSON, J. SEWARD
400 SOUTH STREET
KEY WEST, FL 33040

Title S

JOHNSON, JOYCE H
400 SOUTH STREET
KEY WEST, NY 33040

Title Treasurer

Ozzimo, Gregory
2903 Harris Avenue
Key West, FL 33040

Annual Reports

Report Year	Filed Date
2017	01/12/2017
2018	01/17/2018
2019	02/12/2019

Document Images

02/12/2019 -- ANNUAL REPORT	View image in PDF format
01/17/2018 -- ANNUAL REPORT	View image in PDF format
01/12/2017 -- ANNUAL REPORT	View image in PDF format
10/03/2016 -- REINSTATEMENT	View image in PDF format
03/12/2014 -- ANNUAL REPORT	View image in PDF format
03/12/2013 -- ANNUAL REPORT	View image in PDF format
01/11/2012 -- ANNUAL REPORT	View image in PDF format
02/17/2011 -- ANNUAL REPORT	View image in PDF format
01/08/2010 -- ANNUAL REPORT	View image in PDF format
02/23/2009 -- ANNUAL REPORT	View image in PDF format
03/05/2008 -- ANNUAL REPORT	View image in PDF format
03/19/2007 -- ANNUAL REPORT	View image in PDF format
03/27/2006 -- ANNUAL REPORT	View image in PDF format
03/16/2005 -- ANNUAL REPORT	View image in PDF format
03/18/2004 -- ANNUAL REPORT	View image in PDF format
03/17/2003 -- ANNUAL REPORT	View image in PDF format
03/27/2002 -- ANNUAL REPORT	View image in PDF format
05/11/2001 -- REINSTATEMENT	View image in PDF format
07/29/1999 -- ANNUAL REPORT	View image in PDF format
03/13/1998 -- ANNUAL REPORT	View image in PDF format
03/28/1997 -- ANNUAL REPORT	View image in PDF format

Warranty Deed

7950.00
10.50

734735

REC 1212 PAGE 1430

Return to: JOHN M. SPOTTSMOOD, JR.
Name: Attorney at Law
Address: 500 Fleming Street
Key West, FL 33040

This instrument was prepared by:
Name: JOHN M. SPOTTSMOOD, JR.
Address: Attorney at Law
500 Fleming Street
Key West, FL 33040

Property Appraiser's 00037410-000200
Parcel Identification No.: 00037410-000000
00037410-000100

Grantee S.S. No.: 148-30-0355
Name: J. Seward Johnson, Jr.

Grantee S.S. No.: 159-28-9778
Name: Joyce H. Johnson

WARRANTY DEED (STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture, made this 7th day of May, 1992, Between

SEYMOUR LAWRENCE, a single man over the age of 18 years,

of the County of Fairfield, State of Connecticut
J. SEWARD JOHNSON, JR. and JOYCE H. JOHNSON, his wife,
P. O. Box 550, Princeton, New Jersey 08542

whose post office address is Mercer, State of New Jersey, grantee,
of the County of

Witnesseth that said grantor, for and in consideration of the sum of TEN (\$10.00)-----

----- Dollars, and other good and valuable considerations to said grantor in hand
paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's
heirs and assigns forever, the following described land, situate, lying and being in Monroe
County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to conditions, limitations, restrictions and easements of record, and taxes
for the year 1992 and subsequent years.

DS Post 7950.00 Date 5-13-92
MONROE COUNTY
DANNY L. KOLHAGE, CLERK OF CT.
By *[Signature]*

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all
persons whomsoever.

"Grantor" and "grantee" are used for singular or plural, as context requires.
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

[Signature] Jennie Gantner
[Signature] Wendy Findorak
(Seal)

[Signature] Seymour Lawrence (Seal)
SEYMOUR LAWRENCE

STATE OF CONNECTICUT
COUNTY OF FAIRFIELD

The foregoing instrument was acknowledged before me this 7 day of May, 1992, by
SEYMOUR LAWRENCE, a single man over the age of 18 years,
who is personally known to me or who has produced as identification and who did
take an oath.

Notary Public

[Signature]
Barbara A. Kinslow
My Commission Expires
March 31, 1993.



EXHIBIT "A"PARCEL "A"

On the Island of Key West and being a part of Lot 1, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Begin at the Northeast corner of the said Lot 1 and thence Southwesterly along the Northerly boundary line of the said Lot 1 a distance of 32.70 feet to the centerline of a party wall; thence at right angles Southeasterly along the said centerline of the said party wall 30 feet to a point; thence Northeasterly at right angles 32.70 feet to a point on the Easterly boundary line of the said Lot 1; thence Northwesterly along the said Easterly boundary line 30 feet to the Point of Beginning.

ALSOPARCEL "B"

On the Island of Key West and being a part of Lot 1, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Commence at the Northeast corner of the said Lot 1 and thence Southwesterly along the Northerly boundary line of the said Lot 1 a distance of 32.70 feet to the Point of Beginning of the parcel of land herein described, said point being on the centerline of a party wall; thence Southeasterly at right angles along the said centerline 30 feet to a point; thence Southwesterly at right angles 27.30 feet to a point on the westerly boundary line of the said Lot 1; thence Northwesterly at right angles along said boundary line of Lot 1 a distance of 30 feet to the Northwesterly corner of the said Lot 1; thence Northeasterly at right angles along the Northerly boundary line of the said Lot 1 a distance of 27.30 feet to the Point of Beginning.

ALSOPARCEL "C"

On the Island of Key West and being a part of Lot 2, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Begin at the Northeast corner of the said Lot 2 and thence Southeasterly along the Easterly boundary line of the said Lot 2 a distance of 30 feet to a point; thence Southwesterly at right angles 4 feet to a point on a fence; thence Northwesterly at right angles along said fence 30 feet to a point on the Northerly boundary line of the said Lot 2; thence Northeasterly at right angles along the said Northerly line 4 feet to the Point of Beginning.

ALSOPARCEL "D"

On the Island of Key West and being a part of Lot 1, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Commence at the Northeast corner of the said Lot 1 and thence Southeasterly along the Easterly boundary line of the said Lot 1 a distance of 30 feet to the Point of Beginning of the parcel of land herein described; thence Southwesterly at right angles 60 feet to a point on the Westerly boundary line of the said Lot 1; thence Southeasterly at right angles along the said boundary line of Lot 1 a distance of 65.00 feet more or less to the point of its intersection with the Mean High Tide Line of Atlantic Ocean; thence Northeasterly along the meanders of said Mean High Tide Line 70 feet more or less to a point on the Easterly boundary line of the said Lot 1; thence Northwesterly along the said Easterly boundary line 94.00 feet more or less to the Point of Beginning.

Recorded in Official Records Book
In Monroe County, Florida
Record Verified
DANNY L. KOLHAGE
Clerk Circuit Court

Return to: (enclose self addressed stamped envelope)

Name: JOHN M. SPOTTSWOOD, JR.
Attorney at Law
Address: 500 Fleming Street
Key West, FL 33040

24.00
60

This Instrument Prepared by:
JOHN M. SPOTTSWOOD, JR.
Attorney at Law
Address: 500 Fleming Street
Key West, FL 33040

734736

OFF REC 1212 PAGE 1432

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

This Indenture

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one

Made this 7th day of May A. D. 19 92
Between SEYMOUR LAWRENCE, a single man over the age of 18 years,

Fairfield and State of Connecticut, of the County of
, party of the first part, and

J. SEWARD JOHNSON, JR. and JOYCE H. JOHNSON, his wife,

and State of New Jersey, of the County of
Witnesseth, that the said party of the first part, for and in consideration of the sum of
TEN (\$10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, Dollars,
in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and
quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title,
interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of
land, situate lying and being in the County of Monroe State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
WHICH CONSISTS OF THREE PAGES

FILED FOR RECORD

92 MAY 13 P 3:50

DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.

DS Paid 600 Date 5-13-92
MONROE COUNTY
DANNY L. KOLHAGE, CLERK CIR. CT.
By Gordon H. Haddad

To Have and to Hold the same, together with all and singular the appurtenances thereunto belonging or in
anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law
or equity, to the only proper use, benefit and behoof of the said party of the second part.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first
above written.

Signed, Sealed and Delivered in Our Presence:

Jannie Gantner Jannie Gantner 5.12.92 L.S.
SEYMOUR LAWRENCE

Wendy Finkler Wendy Finkler L.S.

L.S.

L.S.

State of ~~XXXXXXX~~ CONNECTICUT
County of FAIRFIELD

734736

REC 1212 PAGE 1433

The foregoing instrument was acknowledged before me this 7 day of
May, 19 92, by SEYMOUR LAWRENCE, a single man over the
age of 18 years,
who is personally known to me or who has produced
as identification and who did (did not) take an oath.



Signature Barbara A. Kinslow

Printed Name My Commission Expires
March 31, 1993.

Title

Serial #, if Any

State of Florida
County of

The foregoing instrument was acknowledged before me this _____ day of
_____, 19 _____, by _____,
who is personally known to me or who has produced _____
as identification and who did (did not) take an oath.

Signature

Printed Name

Title

Serial #, if Any

734736

REC 1212 PAGE 1434

PHILLIPS & TRICE SURVEYING, INC.1204 SIMONTON STREET
Tel (305)294-4747

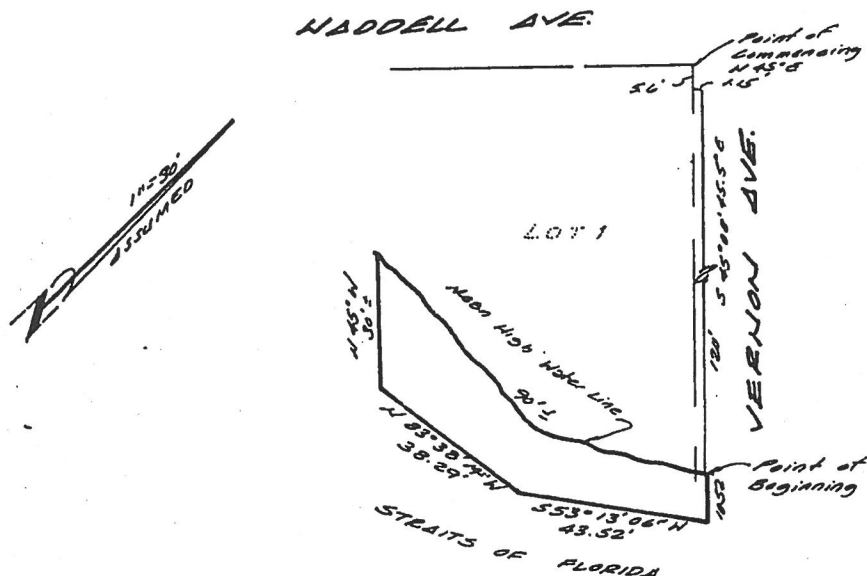
KEY WEST, FLORIDA

33040

Fax (305)294-5016

JACK M. PHILLIPS, PS
Fla. Reg. Cert. No. 1410JOE M. TRICE, PS
Fla. Reg. Cert. No. 2110

A parcel of submerged land in Monroe County, Florida; said parcel being described as follows: COMMENCE at the intersection of the SW'ly right-of-way-line (ROWL) of Vernon Avenue with the SE'ly ROWL of Waddell Avenue and run thence S 45° 00' 00" E (bearings are assumed) and along the SW'ly ROWL of the said Vernon Avenue for a distance of 5.60 feet; thence N 45° 00' 00" E for a distance of 1.15 feet; thence S 45° 08' 45.5" E for a distance of 120 feet to the Mean High Water Line (MHWL) of the Straits of Florida and the POINT OF BEGINNING of the parcel of land being described herein; thence continue S 45° 08' 45.5" E for a distance of 10.52 feet; thence S 53° 13' 06" W for a distance of 43.52 feet; thence N 83° 38' 14" W for a distance of 38.29 feet; thence N 45° 00' 00" W for a distance of 30 feet, more or less, to the said MHWL; thence in an Easterly direction and along the said MHWL for a distance of 90 feet back to the POINT OF BEGINNING, containing 1226 square feet, more or less.



The above description was authored on this date by the undersigned.

THIS IS A SKETCH TO ILLUSTRATE THE ABOVE PROPERTY DESCRIPTION

The purpose of this "SKETCH" is solely to illustrate a property description, newly created and authored by the undersigned. It is NOT A SURVEY of the lands being described herein. (See Chap. 472.027 F.S. and Chap. 21HH-6.006 Fla. Adm. Code).

PREPARED FOR: Karl Deavers

April 23, 1992


Jack M. Phillips, PS

PHILLIPS & TRICE SURVEYING, INC.
1204 SIMONTON STREET KEY WEST, FLORIDA 33040
Tel (305)294-4747 Fax (305)294-5016

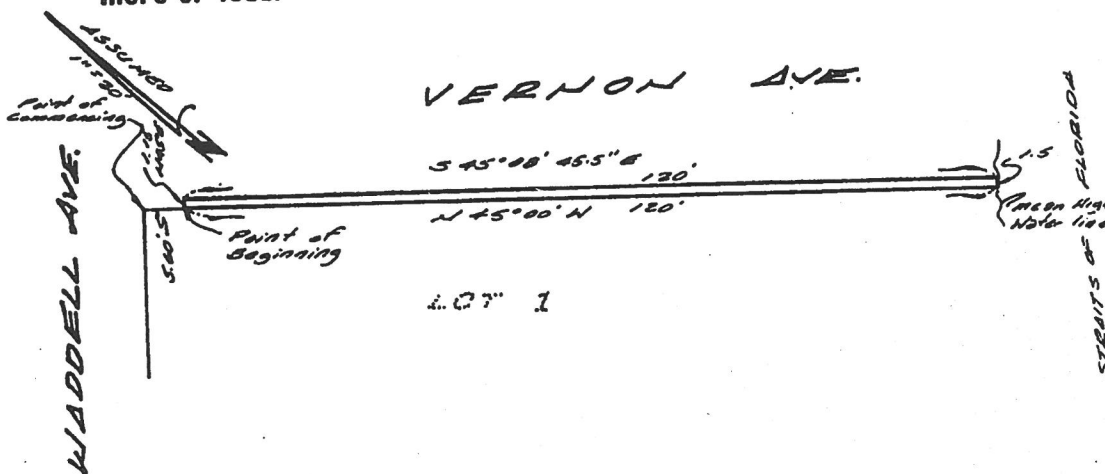
JACK M. PHILLIPS, PS
Fla. Reg. Cert. No. 1410

JOE M. TRICE, PS
Fla. Reg. Cert. No. 2110

OFF REC 1212 PAGE 1435

734736

A parcel of land on the Island of Key West, Monroe County, Florida; the said parcel being a part of Vernon Avenue as indicated on KEY WEST INVESTMENT CO'S SUBDIVISION OF PART OF TRACT 17, according to the plat thereof as recorded in Plat Book 1 at Page 69 of the Public Records of the said Monroe County; and the said parcel being described as follows: COMMENCE at the intersection of the SW'ly right-of-way-line (ROWL) of Vernon Avenue with the SE'ly ROWL of Waddell Avenue and run thence S 45° 00' 00" E (bearings are assumed) and along the SW'ly ROWL of the said Vernon Avenue for a distance of 5.60 feet to the POINT OF BEGINNING of the parcel of land being described herein; thence N 45° 00' 00" E for a distance of 1.15 feet; thence S 45° 08' 45.5" E for a distance of 120 feet to the Mean High Water Line (MHWL) of the Straits of Florida; thence in a SW'ly direction and along the said MHWL for a distance of 1.5 feet to a point that bears S 45° 00' 00" E from the POINT OF BEGINNING; thence N 45° 00' 00" W for a distance of 120 feet back to the POINT OF BEGINNING, containing 157 square feet, more or less.



The above description was authored on this date by the undersigned.

**THIS IS A SKETCH TO ILLUSTRATE
THE ABOVE PROPERTY DESCRIPTION**

The purpose of this "SKETCH" is solely to illustrate a property description, newly created and authored by the undersigned. It is NOT A SURVEY of the lands being described herein. (See Chap. 472.027 F.S. and Chap. 21HH-6.006 Fla. Adm. Code).

PREPARED FOR: Karl Deavers

April 23, 1992

Jack M. Phillips, PS

PHILLIPS & TRICE SURVEYING, INC.

1204 SIMONTON STREET KEY WEST, FLORIDA 33040
Tel (305)294-4747 Fax (305)294-5016

JACK M. PHILLIPS, PS
Fla. Reg. Cert. No. 1410

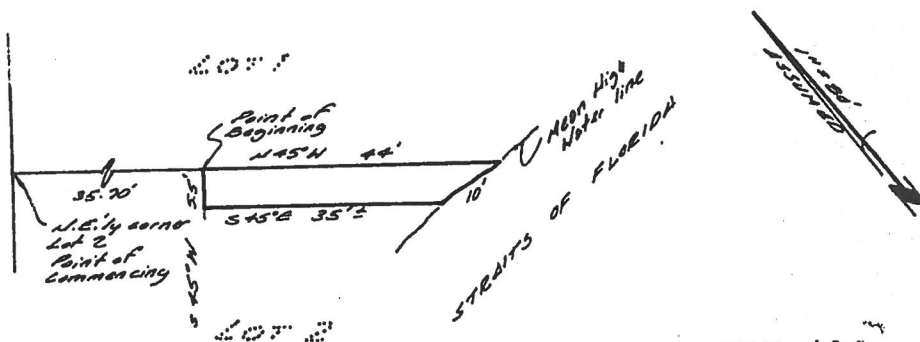
JOE M. TRICE, PS
Fla. Reg. Cert. No. 2110

OFF REC 1212 PAGE 1436

734736

A parcel of land on the Island of Key West, Monroe County, Florida; the said parcel being a Part of Lot 2, Block 10 of KEY WEST INVESTMENT CO'S SUBDIVISION OF PART OF TRACT 17, according to the plat thereof as recorded in Plat Book 1 at Page 69 of the Public Records of the said Monroe County; and the said parcel being described as follows: COMMENCE at the NE'ly corner of the said Lot 2 and run thence S 45° 00' 00" E (bearings are assumed) and along the NE'ly boundary line of the said Lot 2 for a distance of 35.70 feet to the POINT OF BEGINNING of the parcel of land being described herein; thence S 45° 00' 00" W for a distance of 5.50 feet; thence S 45° 00' 00" E for a distance of 35 feet to the Mean High Water Line (MHWL) of the Straits of Florida; thence in a SE'ly direction and along the said MHWL for a distance of 10 feet to a point that bears S 45° 00' 00" E from the POINT OF BEGINNING; thence N 45° 00' 00" W for a distance of 44 feet back to the POINT OF BEGINNING, containing 218 square feet, more or less.

WADDELL AVE.



Recorded in Official Records Book
in Monroe County, Florida
Record Verified
DANNY L. KOLHAGE
Clerk Circuit Court

The above description was authored on this date by the undersigned.

THIS IS A SKETCH TO ILLUSTRATE THE ABOVE PROPERTY DESCRIPTION

The purpose of this "SKETCH" is solely to illustrate a property description, newly created and authored by the undersigned. It is NOT A SURVEY of the lands being described herein. (See Chap. 472.027 F.S. and Chap. 21HH-6.006 Fla. Adm. Code).

PREPARED FOR: Karl Deaver

April 23, 1992

Jack M. Phillips, PS

EXHIBIT "A"
Page 3 of 3

Quit-Claim Deed

922008

REC 100 PAGE 151

THIS INSTRUMENT PREPARED BY:
TIMOTHY J. KOENIG, ESQ.
FELDMAN & KOENIG, P.A.
417 HATON ST.
KEY WEST, FL 330400

95 DEC -7 P248

QUIT CLAIM DEED

THIS INDENTURE, made this 27 day of October A.D., 1995 BETWEEN

J. SEWARD JOHNSON, JR. and JOYCE H. JOHNSON, his wife

of the County of Monroe and State of Florida, party of the first part and

THE HONORARY CONCH, INC., a Florida corporation,
66 BATTLE ROAD PRIME, FL 33000

of the County of Monroe in the State of Florida, party of the second part,

WITNESSETH that the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Monroe, State of Florida, to-wit:

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD, the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Deborah Lomax
Type/Print Name of Witness

Deborah Lomax
Type/Print Name of Witness

J. SEWARD JOHNSON

JOYCE H. JOHNSON

DS Paid 20 Date 10-27-95
By Deborah Lomax
DANIEL KOENIG, CLERK C.R. CL.
D.C.

922008
CFF 1390 PAGE 1552
REC

Janet H. Appleton
Type/Print Name of Witness

Witnesses as to both signatures

STATE OF MD)

COUNTY OF Prince George's)

The foregoing instrument was acknowledged before me this 27th day of October, 1995, by J. SHAWARD JOHNSON and JOYCE H. JOHNSON who are personally known to me or who have produced _____ as identification and who (did) (did not) take an oath.

My Commission Expires:

(S&AL)

LOIS M SILAGYI
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DEC 5 1996

JOYCE H. JOHNSON

Lois M Silagy
NOTARY PUBLIC
Lois M Silagy
Print Name

RECORDERS MEMO:
LEGIBILITY OF WRITING, TYPING, OR PRINTING WAS
UNSATISFACTORY ON THIS DOCUMENT WHEN RECEIVED

EXHIBIT "A"

PARCEL "A"

On the Island of Key West and being a part of Lot 1, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Begin at the Northeast corner of the said Lot 1 and thence Southwesterly along the Northerly boundary line of the said Lot 1 a distance of 32.70 feet to the centerline of a party wall; thence at right angles Southeasterly along the said centerline of the said party wall 30 feet to a point; thence Northeasterly at right angles 32.70 feet to a point on the Easterly boundary line of the said Lot 1; thence Northwesterly along the said Easterly boundary line 30 feet to the Point of Beginning.

ALSO
PARCEL "B"

On the Island of Key West and being a part of Lot 1, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Commence at the Northeast corner of the said Lot 1 and thence Southwesterly along the Northerly boundary line of the said Lot 1 a distance of 32.70 feet to the Point of Beginning of the parcel of land herein described, said point being on the centerline of a party wall; thence Southeasterly at right angles along the said centerline 30 feet to a point; thence Southwesterly at right angles 27.30 feet to a point on the westerly boundary line of the said Lot 1; thence Northwesterly on the westerly boundary line of Lot 1 a distance of 30 feet at right angles along said boundary line of Lot 1 a distance of 30 feet to the Northwesterly corner of the said Lot 1; thence Northeasterly at right angles along the Northerly boundary line of the said Lot 1 a distance of 27.30 feet to the Point of Beginning.

ALSO
PARCEL "C"

On the Island of Key West and being a part of Lot 2, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Begin at the Northeast corner of the said Lot 2 and thence Southeastly along the Easterly boundary line of the said Lot 2 a distance of 30 feet to a point; thence Southwesterly at right angles 4 feet to a point on a fence; thence Northwesterly at right angles along said fence 30 feet to a point on the Northerly boundary line of the said Lot 2; thence Northeasterly at right angles along the said Northerly line 4 feet to the Point of Beginning.

ALSO
PARCEL "D"

On the Island of Key West and being a part of Lot 1, Square 10, "Key West Investment Co's Subdivision of Part of Tract 17" as recorded in Plat Book 1 at Page 69 of the Public Records of Monroe County, Florida and being more particularly described by metes and bounds as follows:

Commence at the Northeast corner of the said Lot 1 and thence Southeastly along the Easterly boundary line of the said Lot 1 a distance of 30 feet to the Point of Beginning of the parcel of land herein described; thence Southwesterly at right angles 60 feet to a point on the Westerly boundary line of the said Lot 1; thence Southeastly at right angles along the said boundary line of Lot 1 a distance of 65.00 feet more or less to the point of its intersection with the Mean High Tide Line of Atlantic Ocean; thence Northeasterly along the meanders of said Mean High Tide Line 70 feet more or less to a point on the Easterly boundary line of the said Lot 1; thence Northwesterly along the said Easterly boundary line 94.00 feet more or less to the Point of Beginning.

922008
REC 1380 PAGE 1553

RECORDED'S MEMO,
LEGIBILITY OF WRITING, TYPING, OR PRINTING WAS
UNSATISFACTORY ON THIS DOCUMENT WHEN RECEIVED

ALSO

A parcel of submerged land in Monroe County, Florida; said parcel being described as follows: COMMENCE at the intersection of the SW'ly right-of-way (ROWL) of Vernon Avenue with the SE'ly ROWL of Waddell Avenue and run thence S 45° 00' 00" E (bearings are assumed) and along the SW'ly ROWL of the said Vernon Avenue for a distance of 5.60 feet; thence N 45° 00' 00" E for a distance of 120 feet to 1.15 feet; thence S 45° 08' 45.5" E for a distance of 120 feet to the Mean High Water Line (MHWL) of the Straits of Florida and the POINT OF BEGINNING of the parcel of land being described herein; thence continue S 45° 08' 45.5" E for a distance of 10.52 feet; thence S 53° 13' 06" W for a distance of 43.52 feet; thence N 83° 38' 14" W for a distance of 38.29 feet; thence N 45° 00' 00" W for a distance of 30 feet, more or less, to the said MHWL; thence in an Easterly direction and along the said MHWL for a distance of 90 feet back to the POINT OF BEGINNING, containing 1226 square feet, more or less.

ALSO

A parcel of land on the Island of Key West, Monroe County, Florida; the said parcel being a Part of Lot 2, Block 10 of KEY WEST INVESTMENT CO'S SUBDIVISION OF PART OF TRACT 17, according to the plat thereof as recorded in Plat Book 1 at Page 69 of the Public Records of the said Monroe County; and the said parcel being described as follows: COMMENCE at the NE'ly corner of the said Lot 2 and run thence S 45° 00' 00" E (bearings are assumed) and along the NE'ly boundary line of the said Lot 2 for a distance of 35.70 feet to the POINT OF BEGINNING of the parcel of land being described herein; thence S 45° 00' 00" W for a distance of 5.50 feet; thence S 45° 00' 00" E for a distance of 35 feet to the Mean High Water Line (MHWL) of the Straits of Florida; thence in a SE'ly direction and along the said MHWL for a distance of 10 feet to a point that bears S 45° 00' 00" E from the POINT OF BEGINNING; thence N 45° 00' 00" W for a distance of 44 feet back to the POINT OF BEGINNING, containing 218 square feet, more or less.

ALSO

A parcel of land on the Island of Key West, Monroe County, Florida; the said parcel being a part of Vernon Avenue as indicated on KEY WEST INVESTMENT CO'S SUBDIVISION OF PART OF TRACT 17, according to the plat thereof as recorded in Plat Book 1 at Page 69 of the Public Records of the said Monroe County; and the said parcel being described as follows: COMMENCE at the intersection of the SW'ly right-of-way line (ROWL) of Vernon Avenue with the SE'ly ROWL of Waddell Avenue and run thence S 45° 00' 00" E (bearings are assumed) and along the SW'ly ROWL of the said Vernon Avenue for a distance of 5.60 feet to the POINT OF BEGINNING of the parcel of land being described herein; thence N 45° 00' 00" E for a distance of 1.15 feet; thence S 45° 08' 45.5" E for a distance of 120 feet to the Mean High Water Line (MHWL) of the Straits of Florida; thence in a SW'ly direction and along the said MHWL for a distance of 1.5 feet to a point that bears S 45° 00' 00" E from the POINT OF BEGINNING; thence N 45° 00' 00" W for a distance of 120 feet back to the POINT OF BEGINNING, containing 157 square feet, more or less.

RECORDED
IN MONROE COUNTY
FLORIDA
JUL 1 1954
COURT

Recorded in Monroe County, Florida
in Book 1, Page 69
Record Number
PART 7, 1954
COURT

OFF 1380 PAGE 1554
REG
922008