





# STAFF REPORT

DATE: December 16, 2014

**RE: 101 Duval Street (permit application #7187)**

FROM: Karen DeMaria, Urban Forestry Manager,  
City of Key West

An application was received for the removal of several trees in relation to the remodeling of an existing building (Minor Development Plan) and the requirement of the submittal of a landscape plan. The applicant is seeking permission to remove **(2) Strangler Fig trees, 1-Gumbo Limbo, 4-Alexander Palms and 1-Thatch Palm**. A site inspection was done on and documented the following:

1. Strangler Fig in Planter #1 (*Ficus aurea*): Located in an area adjacent to Duval Street.



Photo taken November 2013.



November 2013







November 2013





November 2013







November 2013



Photos taken October 13, 2014



Diameter: 29.9"

Location: 50% (close to building, canopy has been cut numerous times)

Species: 100% (on protected tree list)

Condition: 30% (very poor with lots of decay)

Total Average Value = 60%

Value x Diameter = **17.9 replacement caliper inches**



## 2. Strangler Fig in Planter #2-Courtyard area (*Ficus aurea*)











Diameter: 30"

Location: 60% (in a courtyard type area, surrounded by buildings)

Species: 100% (on protected tree list)

Condition: 30% (poor, lot of decay main trunks with numerous cuts)

Total Average Value = 63%

Value x **Diameter** = **19.9 replacement caliper inches**



### 3. Gumbo Limbo in Planter #3 (*Bursera simaruba*)



Alexander Palm to remain





Diameter: 2.9"

Location: 60% (growing on top of palm root ball)

Species: 100% (on protected tree list)

Condition: 40% (poor-has been topped)

Total Average Value = 66%

Value x Diameter = **1.9 replacement caliper inches**

4. 4-Alexander Palms and 1-Thatch Palm: All five palms are located in the courtyard area.



Fake tree



Alexander  
palm-not  
regulated

Alexander  
Palm -  
regulated

Thatch  
Palm



Planter #4 (along Front St) vegetation includes Potato shrub and Cyperus sp. (not regulated)



Planter #5 (along Front St) vegetated by *Thespesia populnea* and silver buttonwood shrubs (not regulated)



Planter #6 (along Duval St) existing vegetation = 3 sabal palms



Notes: This property was developed in 1994 with minimal landscaping required that included a courtyard area. The two existing ficus trees were to remain on site and be protected. Several planter areas were created along Duval and Front St.

The applicant proposes to enclose the courtyard area and enhance the planter areas with the remaining replacement inches being covered under a monetary fee to the City of Key West Tree Fund.

According to the applicant's representative:

"As to the enclosure, it is a prerequisite of CVS leasing the property. Don Craig before leaving agreed that it was an "attractive nuisance" that attracted vagrants. Thus, the Courtyard is always gated and locked. It has never been used and is frankly problematic to maintain and secure. It is necessary to be enclosed to have one continuous space per the development plan application. If the courtyard is not enclosed, the space is not suitable for the intended use. Therefore, the trees in the courtyard must be removed."

This is a Minor Development with only one landscape review.

In November 2013, a request was made to look at the health of the Ficus tree along Duval Street. At that time it was noted that the tree had a lot of decay and was hollow in main trunk and branch areas. When the application was submitted to review the landscape plan, the urban forester requested that the ficus tree be reviewed to be removed due to its declining health and possible potential safety issue.

**Recommendations: Recommend approval of the Landscape Plan for 101 Duval Street to include the removal of (2) Strangler Fig trees, 1-Gumbo Limbo tree, 4-Alexander Palms and 1-Thatch Palm, to be replaced with 39.7 caliper inches of FL#1 native dicot trees and 5-native palms to be planted on site and in the adjacent City ROW planters with the remainder of the required inches to be mitigated by paying a fee into the City of Key West Tree Fund (\$150 per caliper inch and \$250 per palm, Sec 110-327 (7)(a)).**





Empty  
City street  
planter







Standing on Duval looking down Front Street





Standing on the corner of Duval and Front Streets looking down Duval





## Karen DeMaria

---

**From:** bart@smithoropeza.com  
**Sent:** Monday, December 15, 2014 6:50 PM  
**To:** Karen DeMaria; Kevin Bond; greg@smithoropeza.com  
**Cc:** dhernandez@boosdevelopment.com  
**Subject:** RE: 101 Duval - CVS

Hi Karen,

You may correspond with our office, and cc' Danlys. As to the enclosure, it is a prerequisite of CVS leasing the property. Don Craig before leaving agreed that it was an "attractive nuisance" that attracted vagrants. Thus, the Courtyard is always gated and locked. It has never been used and is frankly problematic to maintain and secure. It is necessary to be enclosed to have one continuous space per the development plan application. If the courtyard is not enclosed, the space is not suitable for the intended use. Therefore, the trees in the courtyard must be removed.

As to the ficus tree to the Southwest, we have spoken with the client regarding replacing the tree on the Southwest corner and it may be a possible, but no decision has been made as to whether it will be, and if so, what will replace it. As to the saw palmetto, any suggestions as an alternative?

I will keep you apprised as to any decisions as to a replacement tree on the Southwest corner. Thanks for your assistance.

Bart

Barton W. Smith, Esq.



138 – 142 Simonton Street  
Key West, Florida 33040  
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[www.SmithOropeza.com](http://www.SmithOropeza.com)

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Please note: This law firm may be deemed a "debt collector" under the Fair Debt Collection Practices Act. Any and all information obtained during and from communications may be used for the purpose of collecting debt.

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**From:** Karen DeMaria [mailto:kdemaria@cityofkeywest-fl.gov]  
**Sent:** Monday, December 15, 2014 5:00 PM



**To:** bart@smithoropeza.com; Kevin Bond; greg@smithoropeza.com  
**Cc:** dhernandez@boosdevelopment.com  
**Subject:** RE: 101 Duval - CVS

Bart and Greg:

I noticed on the tree application that the property is to be represented by Danlys Hernandez. Is that who is coming to the meeting Jan 13, 2015 and whom I should send all correspondence?

I have been researching the old files and I spoke to Cynthia Dommench-Coogle about the property and it has been confirmed that the trees in the "courtyard" are growing on natural ground. In fact, both Ficus trees were on the original development plan to be preserved. Because of this, I think it is important to address why the courtyard trees must be removed. Why must CVS enclose that area? Are there alternatives? Can you please address this and submit something in writing for the file. The other Ficus tree is in poor condition and a lot of that has to do with poor maintenance and a lot of heavy cuts to branches on the tree. I wouldn't be surprised to hear an 'I told you so' in the public comments. I do recommend that a tree be planted back in that area once the tree is removed. Can you address this with your clients and the landscape architect please. If the desire is not to plant in this spot, then please be prepared to answer why not.

In the landscape plan for the planters along Front Street (planter #2) I noticed that saw palmetto was to be planted. I would recommend something else. I do not think saw palmetto would be a good choice in a high traffic and high water area (future growth).

Sincerely,

Karen DeMaria

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**From:** Karen DeMaria  
**Sent:** Wednesday, December 10, 2014 4:06 PM  
**To:** 'bart@smithoropeza.com'; Kevin Bond; [greg@smithoropeza.com](mailto:greg@smithoropeza.com)  
**Subject:** RE: 101 Duval - CVS

Bart:

The engineer can sign the plans.

What I saw was the existing tree map which looked accurate. What I need now is a "landscape plan" basically showing what you are going to plant in the tree planter areas along Front Street. Also, can you plant a tree to replace the ficus being removed from the corner of Duval (tree #1)? There is space there for a tree once the ficus is removed.

Sincerely,

Karen

---

**From:** [bart@smithoropeza.com](mailto:bart@smithoropeza.com) [<mailto:bart@smithoropeza.com>]  
**Sent:** Tuesday, December 09, 2014 4:17 PM  
**To:** Kevin Bond; [greg@smithoropeza.com](mailto:greg@smithoropeza.com)  
**Cc:** Karen DeMaria  
**Subject:** RE: 101 Duval - CVS

Kevin and Karen,

# Application





7187

# Tree Permit Application

Date: 11/11/14

Please Clearly Print All Information unless indicated otherwise.

100 ✓

**Tree Address** 101 Duval Street  
**Cross/Corner Street** Front Street  
**List Tree Name(s) and Quantity** Two (2) Strangler Fig, Five (5) Alexander Palms, One (1) Thatch Palm  
**Species Type(s) check all that apply** (X) Palm ( ) Flowering ( ) Fruit (X) Shade ( ) Unsure  
**Reason(s) for Application:**

(X) REMOVE ( ) Tree Health ( ) Safety (X) Other/Explain below  
( ) TRANSPLANT ( ) New Location ( ) Same Property ( ) Other/Explain below  
( ) HEAVY MAINTENANCE ( ) Branch Removal ( ) Crown Cleaning/Thinning ( ) Crown Reduction

**Other/Explain** One (1) Strangler tree is to be removed at request of the City

**Reason for Request** during DRC. Balance of trees are within courtyard area which is proposed to be closed off for redevelopment of space.

**Property Owner Name** Benjamin Hamuy  
**Property Owner eMail Address** hamuy3@yahoo.com  
**Property Owner Mailing Address** 934 N University Dr., #250  
**Property Owner Mailing City** Coral Springs **State** FL **Zip** 33141  
**Property Owner Phone Number** (305) 306-7739  
**Property Owner Signature** [Signature]

**Representative Name** Danlys Hernandez  
**Representative eMail Address** dhernandez@boosdevelopment.com  
**Representative Mailing Address** 5789 NW 151st Street Suite B  
**Representative Mailing City** Miami Lakes **State** FL **Zip** 33014  
**Representative Phone Number** (305) 828 - 8284

NOTE: A Tree Representation Authorization form must accompany this application if someone other than the owner will be representing the owner at a Tree Commission meeting or picking up an issued Tree Permit.

Tree Representation Authorization form attached ( )

<<<<< Sketch location of tree in this area including cross/corner Street >>>>>

Please identify tree(s) with colored tape

See Included Site Plan.

If this process requires blocking of a City right-of-way, a separate ROW Permit is required. Please contact 305-809-3740.



## Tree Representation Authorization

Date: 11/11/14

Attendance at the Tree Commission meeting on the date when your request will be discussed is necessary in order to expedite the resolution of your application. This Tree Representation Authorization form must accompany the application if the property owner is unable to attend or will have someone else pick up the Tree Permit once issued.

Please Clearly Print All Information unless indicated otherwise.

Tree Address 101 Duval Street

Property Owner Name Benjamin Hamuy  
Property Owner eMail Address hamuy3@yahoo.com  
Property Owner Mailing Address 934 N University Dr. #250  
Property Owner Mailing City Coral Springs State FL Zip 33071  
Property Owner Phone Number ( 561 ) 306-7739  
Property Owner Signature Benjamin Hamuy

Representative Name Danlys Hernandez  
Representative eMail Address DHernandez@boosdevelopment.com  
Representative Mailing Address 5789 NW 151st Street, Suite B  
Representative Mailing City Miami Lakes State FL Zip 33014  
Representative Phone Number ( 305 ) 828 - 8284

I Benjamin Hamuy, hereby authorize the above listed agent(s) to represent me in the matter of obtaining a Tree Permit from the City of Key West for my property at the tree address above listed. You may contact me at the telephone listed above is there is any questions or need access to my property.

Property Owner Signature Benjamin Hamuy

The forgoing instrument was acknowledged before me on this 17 day November.

By (Print name of Affiant) Benjamin Hamuy who is personally known to me or has produced Florida Drivers License as identification and who did take an oath.

### NOTARY PUBLIC

Sign Name: Wayne Thomas Notary Public - State of Florida (seal)

Print Name: Wayne Thomas

My Commission Expires: June 23 2017



Wayne Thomas  
Notary Public  
State of Florida  
MY COMMISSION # FF 30231  
Expires: June 23, 2017



Barton W. Smith, Esq.  
Managing Partner

# SMITH | OROPEZA, P.L.

Patrick Flanigan, Esq.

Gregory S. Oropeza, Esq.  
Partner

Richard McChesney, Esq.

138-142 Simonton Street  
Key West, Florida 33040  
Telephone : (305) 296-7227  
Facsimile : (305) 296-8448

Nick Batty, Esq.

## VIA HAND DELIVERY

December 12, 2014

Kevin Bond, AICP, LEED Green Associate  
Acting Planning Director  
City of Key West Planning Department  
3140 Flagler Avenue  
Key West, Florida 33040

RE: Landscape Waiver and Modification Request for 101 Duval Street, Key West, Florida 33040:

Dear Kevin,

On behalf of Boos Development, Inc. ("Applicant") we are requesting a waiver and modification of the landscaping requirements set forth in the City of Key West Code of Ordinances Sections 108-347 and 108-412-108-416 ("Code") in connection with the currently pending development request for the property located at 101 Duval Street. Specifically, the Applicant is requesting waivers and modifications as set forth herein:

### Schedule of Waiver and Modifications

Landscaping Type	Minimum Required	Existing	Proposed	Change/Waiver
Land use buffer (Sec. 108-347)  Proposed Use: High Impact	None	None	None	Not applicable
Minimum landscaping requirement (Sec. 108-412)	20%	Less than 1%	Less than 1%	Yes
Street Frontage (Sec. 108-413)	Less than 0.5 acre site area = 10' wide, 40 plant units per 100 linear feet, minimum 40 plant units required.	8 plant units	19 (4 existing) plant units in three 6' x 4' planters	Yes

Interior parking areas (Sec. 108-414)	Not applicable	None	Not applicable	Not applicable
Perimeter parking landscaping (Sec. 108-415)	Not applicable	None	Not applicable	Not applicable
Non-vehicular use areas (Sec. 108-416)	Site with 60% or more non-vehicular open space (NOS): 4 trees/ 4,000 SF NOS	None	None	Yes

While the Applicant cannot comply with all of the requirements of the Code with respect to landscaping, the Applicant is making improvements to landscaping as evidenced on the attached site plan and set forth in the planting detail table herein:

Planting Detail Schedule

Location	Existing	Proposed
Planter 1 (East end of property on Front Street)	Silver Buttonwood	1 Florida Thatch Palm (15 gl) and 6 Golden Creeper (1 gl)
Planter 2 (FDC connection)	Silver Buttonwood	Removal and clear per fire department request for access to FDC. Maintain clean quarter rock.
Planter 3 (West end of property on Front Street)	1 Alexander Palm, 1 Silver Buttonwood, 1 Gumbo Limb (less than 10')	1 Alexander Palm (existing), 2 Saw Palmetto (7 gl) and 4 Golden Creeper (1 gl)
Planter 4 (Duval Street)	3 Sabal Palms	3 Sabal Palms (existing) and 2 Spanish Stoppers (10 gl)





# **AVIROM & ASSOCIATES, INC.**

## **SURVEYING & MAPPING**

### **Report of the Surveyor:**

#### ***Sheet 2 of 2 – Not a valid survey without accompanying Sheet 1 of 2***

The undersigned certifies to CVS Caremark Corporation, its affiliates and subsidiaries and their successors, nominees and assigns, Chicago Title Insurance Company and Holland & Knight, LLP, as of the date of this Survey, that to the best of the undersigned's professional knowledge, information and belief:

A. This Survey shows, on the basis of a field instrument Survey which meets the standards established by the State of Florida in which the Property is located and in the event that no such standards have been established, the "2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys effective February 23, 2011":

1. A fixed and determinable position and location of the land (the "Property") described on this Survey (including the position of the point of commencement (if any) and the point of beginning);
2. The location of all buildings, visible structures, and other visible, above-ground improvements situated on the Property; and
3. All driveways or other cuts in the curbs along any street upon which the Property abuts; and that

B. No easements or rights-of-way over abutting properties are required for (i) access to and egress from the Property;

C. No fences, waterways, ditches, ponds or party walls affecting the Property exist;

D. No encroachments, protrusions, overlaps, or overhangs of any improvements located on the Property exist upon any easements or rights-of-way encumbering or appurtenant to the Property or adjacent land; except as listed in G;

E. No encroachments, protrusions, overlaps, or overhangs of any improvements located on adjacent land exist upon the Property or any easements or rights-of-way encumbering or appurtenant to the Property; except as listed in G;

F. This Survey reflects boundary lines of the Property which close by mathematical calculation;

G. The only exceptions to the facts certified in this Survey are as follows: (i) Two story building encroaches into property along the southeast boundary where course and distance is S 34°05'47" E, 1.13' (ii) Two story building encroaches along north boundary where course and distance is S 34°07'30"E, 119.72'. (iii) Stairs encroach into the right-of-way of Front Street and Duval Street.

H. Without intending to limit any of the foregoing certifications, the undersigned made a specific examination with respect to the following items and reports as follows (indicate "none" or identify specific matters, as appropriate):

(i) Rights-of-Way, old highways, or abandoned roads, lanes or driveways and visible drains, sewer, water, gas or oil pipe lines across the Property

None as can be determined by visual observation during the field survey.

(ii) Visible, above-ground springs, streams, rivers, ponds, lakes, swamps or drainage ditches located, bordering on or running through the Property

None.

(iii) Visible, above-ground cemeteries or family burial grounds located on the Property

None.

(iv) Visible, above-ground telephone, telegraph, electric power or other utility poles, wires, lines or transformers overhanging or crossing or located on the property

Shown on survey.

(v) Joint driveways or walkways and party walls or rights of support affecting the Property

None.

(vi) Physical evidence of boundary lines of the Property

As delineated on survey.

(vii) Proposed changes in street lines

None as determined by visual observation during the field survey.

(viii) Disputed boundaries

Possible as evidenced by encroachments.

(ix) Curbing and curb cuts

Offsite as delineated in the survey.

All of the same found to exist are shown upon the Survey in the locations described above;

I. Intentionally Deleted

J. Intentionally Deleted

K. The Property shown on the Survey has access to and from a dedicated public roadway contiguous to the Property, which access between the Property and said roadway as shown upon said Survey exists without restriction.

M. All easements and other rights in the Property appearing in the title report submitted to the undersigned which are capable of location on a Survey have been located on the Survey and the undersigned has not been advised of any other easements or rights-of-way affecting the Property, nor is there any visible evidence of possible unrecorded easements or rights-of-way affecting the Property. Unless otherwise shown and detailed on the Survey, no easements over land of others are required for:

(i) access to and egress from the Property,

N. As of the date of the Survey, the Property does lie within a flood plain or flood—prone area, or a flood plain area having special flood hazards identified as such under the Flood Disaster Protection Act of 1973.



O. The undersigned has reviewed the most recent Flood Insurance Rate Map issued by the Federal Emergency Management Agency under the National Flood Insurance Program applicable to the Property and has determined that the Property is in Zone AE (EL 7), an area of flooding.



KEITH M. CHEE-A-TOW, P.L.S.  
Florida Registration No. 5328  
AVIROM & ASSOCIATES, INC.  
L.B. No. 3300  
EMAIL: keith@aviromsurvey.com

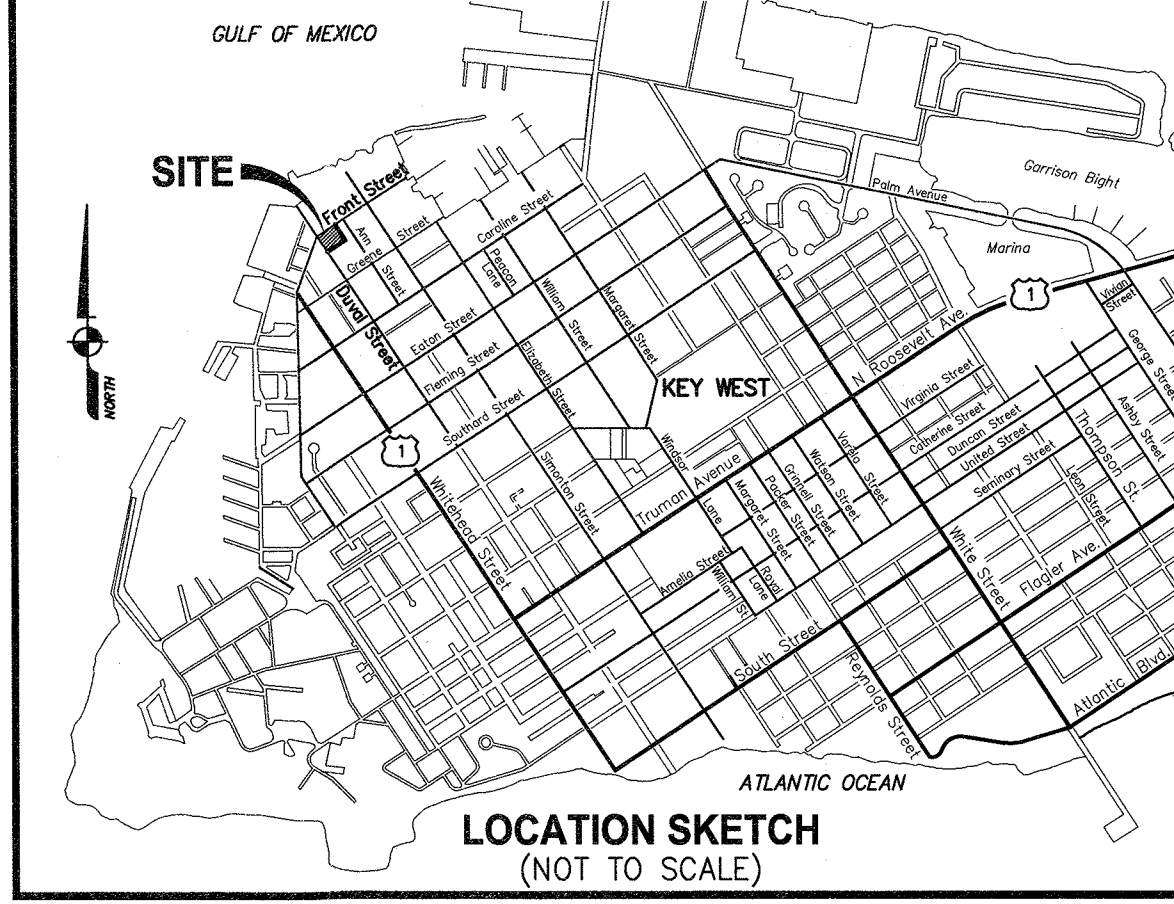
ALTA / ACSM LAND TITLE SURVEY OF:  
**Part of Lots 2 & 3 in Square 7, Island of Key West**

**SYMBOL LEGEND:**

⊕	BENCHMARK
•	BOLLARD
■	CATCH BASIN
■	CONCRETE UTILITY POLE
⊕	DOUBLE DETECTOR VALVE
⊕	DRAINAGE MANHOLE
⊕	EXISTING ELEVATION
⊕	LIGHT POLE
⊕	MAILBOX
⊕	OVERHEAD WIRES
⊕	SANITARY CLEANOUT
⊕	SANITARY MANHOLE
⊕	SIGN
⊕	TELEPHONE SERVICE BOX
⊕	TELEPHONE STAND
⊕	TRAFFIC SIGNAL LIGHT
⊕	UTILITY VAULT
⊕	VALVE
⊕	WATER METER
⊕	WOOD UTILITY POLE

**TREE LEGEND:**

Tree 1-	One (1) Strangler Fig, Poor Condition, 30 inches DBH
Tree 2 (Cluster)-	One (1) Strangler Fig, Poor Condition, 34 inches DBH Five (5) Alexander Palms One (1) Thatch Palm One (1) umbrella tree One (1) woman's tongue
Tree 3	One (1) Alexander Palm Two (2) Silver Buttonwoods One (1) Gumbo Limbo
Tree 4	One (1) Silver Buttonwood
Tree 5	One (1) Silver Buttonwood



**LEGAL DESCRIPTION:**

On the Island of Key West and known as a part of Lots Two (2) and Three (3) in Square Seven (7), according to William A. Whitehead's Map of said Island, delineated in February, A.D. 1829, said parcel being further described by metes and bounds as follows:

**BEGINNING** at the intersection of the Northeastly right-of-way boundary line of Duval Street with the Southeastly right-of-way boundary line of Front Street and running thence in a Northeastly direction along the said right-of-way line of Front Street for a distance of 169.0 feet to a point; thence at right angles in a Southeastly direction for a distance of 120.0 feet to a point; thence at right angles in a Southwestly direction for a distance of 56.0 feet to a point; thence at right angles in a Southeastly direction for a distance of 22.0 feet to a point; thence at right angles in a Southwestly direction for a distance of 29.5 feet to a point; thence at right angles in a Northwestly direction for a distance of 0.75 of a foot to a point; thence at right angles in a Southwestly direction for a distance of 7.42 feet to a point; thence at right angles in a Northwestly direction for a distance of 25.38 feet to a point; thence at right angles in a Southwestly direction for a distance of 20.25 feet to a point; thence at right angles in a Southeastly direction for a distance of 1.13 feet to a point; thence at right angles in a Southwestly direction for a distance of 55.83 feet to the said right-of-way line of Duval Street; thence at right angles in a Northwestly direction along the said right-of-way line of Duval Street for a distance of 117.00 feet back to the Point of Beginning.

Said lands lying and situate in the City of Key West, Monroe County, Florida, containing 20,818 square feet (0.4779 acres), more or less.

**SURVEYOR'S REPORT:**

- Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- The property shown hereon is subject to agreements, covenants, easements, restrictions and other matters contained in the Title Commitment issued by Chicago Title Insurance Company, Title Commitment Order No. 4420982, effective date April 17, 2014 at 8:00 AM, as prepared by Holland & Knight, LLP. Where applicable, these instruments are shown on the survey (see SUMMARY TABLE). Avrom & Associates, Inc. did not research the public records for easements, rights-of-way, ownership or other instruments of record.
- The land description shown hereon is in accord with the Title Commitment.
- No underground improvements were located. Every effort has been made to obtain underground utilities pipe type and size, as shown. It is the responsibility of the end user to verify the invert and pipe size dimensions prior to design of new facilities.
- Bearings shown hereon are assumed based on the northeasterly right-of-way line of Duval Street having a bearing of N 34°05'56" W.
- The entire property described hereon lies within Flood Zone AE (EL 7), as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Community Panel No. 120168 1516 K, dated February 18, 2005.
- Elevations shown hereon are in feet and based on the National Geodetic Vertical Datum of 1929 (NGVD 1929).
- Benchmark Description: National Geodetic Survey Benchmark designation 872 4580 TIDAL 25 (P.I.D. AA0004). Elevation = 5.1083 feet (NGVD 1929).
- Symbols shown hereon and in the legend may have been enlarged for clarity. These symbols have been plotted at the center of the field location and may not represent the actual shape or size of the feature.
- This map is intended to be displayed at a scale of 1"=10' (1:120).
- Units of measurement are in U.S. Survey Feet and decimal parts thereof. Well identified features in this survey were field measured to a horizontal positional accuracy of 0.10'. The elevations on impervious surfaces were field measured to 0.03' and on ground surfaces to 0.1'.
- Adjacent property owner information shown hereon was obtained from the Monroe County Property Appraiser's website.
- Abbreviation Legend: A/C = Air Conditioner; ACSM = American Congress on Surveying and Mapping; ALTA = American Land Title Association; BLDG. = Building; B.M. = Benchmark; C. = Calculated; C.L.F. = Chain link Fence; CONC. = Concrete; D. = Per Deed; EL. = Elevation; F.B. = Field Book; F.D. = Found; F.F. = Finished Floor; ID. = Identification; INV. = Invert; I.P. = Iron Pipe; I.R. = Iron Rod; L.B. = Licensed Business; M.C.R. = Monroe County Records; Ms. = Measured; NGVD = National Geodetic Vertical Datum; NSPS = National Society of Professional Surveyors; O.R.B. = Official Records Book; O/S = Offset; OW = Overhead Wires; P. = Per Record Plat; P.B. = Plat Book; P.G. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; PVC = Poly-vinyl Chloride Pipe; R/W = Right-of-Way; W/CAP = With Surveyors Cap.
- Not valid without Sheet 2 of 2 (Report of the Surveyor) to accompany this Survey.
- Tree locations and information provided by Christopher Collins, P.E.

**CERTIFICATION:**

To CVS Coremark Corporation, its affiliates and subsidiaries and their successors, nominees and assigns, Chicago Title Insurance Company and Holland & Knight, LLP:

THIS IS TO CERTIFY that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6, 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 13 and 14 of Table A thereof. The field work was completed on April 25, 2014.

Date of Plat or Map: 4-25-14

KEITH M. CHEE-A-TOW, P.L.S.  
Florida Registration No. 5328  
AVIROM & ASSOCIATES, INC.  
L.B. No. 3500  
EMAIL: keith@aviromsurvey.com

**EXISTING PARKING DATA**

STANDARD SPACES:	34
DISABLED SPACES:	0
TOTAL SPACES:	34
(STRIPING FADED AND UNDEFINED)	

**SUMMARY TABLE FOR:**  
SCHEDULE B, SECTION II EXCEPTIONS  
TITLE COMMITMENT ORDER NO. 4420982 (SEE SURVEYOR'S REPORT #2)

EXCEPTION NUMBER AND RECORDING INFORMATION	AFFECTS SUBJECT PROPERTY	AFFECTED AREA
No. 6 O.R.B. 906 / 200	Yes	Code for Land Planning (not plotable)
No. 7 O.R.B. 1288 / 1317	Yes	Acknowledgment (not plotable)

**AVIROM & ASSOCIATES, INC.**  
SURVEYING & MAPPING  
402 APPELLOUT LANE, SUITE 2E  
KEY WEST, FLORIDA 33045  
TEL (305) 294-7770 FAX (305) 394-7125  
WWW.AVIROM-SURVEY.COM

**ALTA/ACSM LAND TITLE SURVEY**  
**CVS 8364, KEY WEST**  
P/O LOTS 2 & 3, SQUARE 7 WILLIAM A. WHITEHEAD'S MAP OF KEY WEST  
SECTION 06-68-25  
CITY OF KEY WEST  
MONROE COUNTY, FLORIDA

SCALE: 1"=10'  
DATE: 04-25-2014  
BY: S.A.M.  
CHECKED: K.M.C.  
F.B. 1652 PG. 66-74  
SHEET 1 OF 2  
JOB #: 9559