

STAFF REPORT

DATE: April 28, 2015

RE: 700 Eaton and 704 Eaton Street(permit application #7376)

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

An application was received for the removal **of (1) Royal Poinciana tree located on the property line equally**. A site inspection was done on April 13, 2015 and documented the following:

Tree Species: Royal Poinciana (Delonix regia):









View looking down into the main trunk—hollow with decay all the way down to ground.

Diameter: 37.6"

Location: 60%

Species: 100% (on protected tree list)

Condition: 30% (heavy canopy with sprawling branches, major decay in main trunk and hollow).

Total Average Value = 63%

Value x Diameter = **23.6 replacement caliper inches**

Tree is located on the property line between 700 and 704 Eaton St, therefore, ownership is shared.

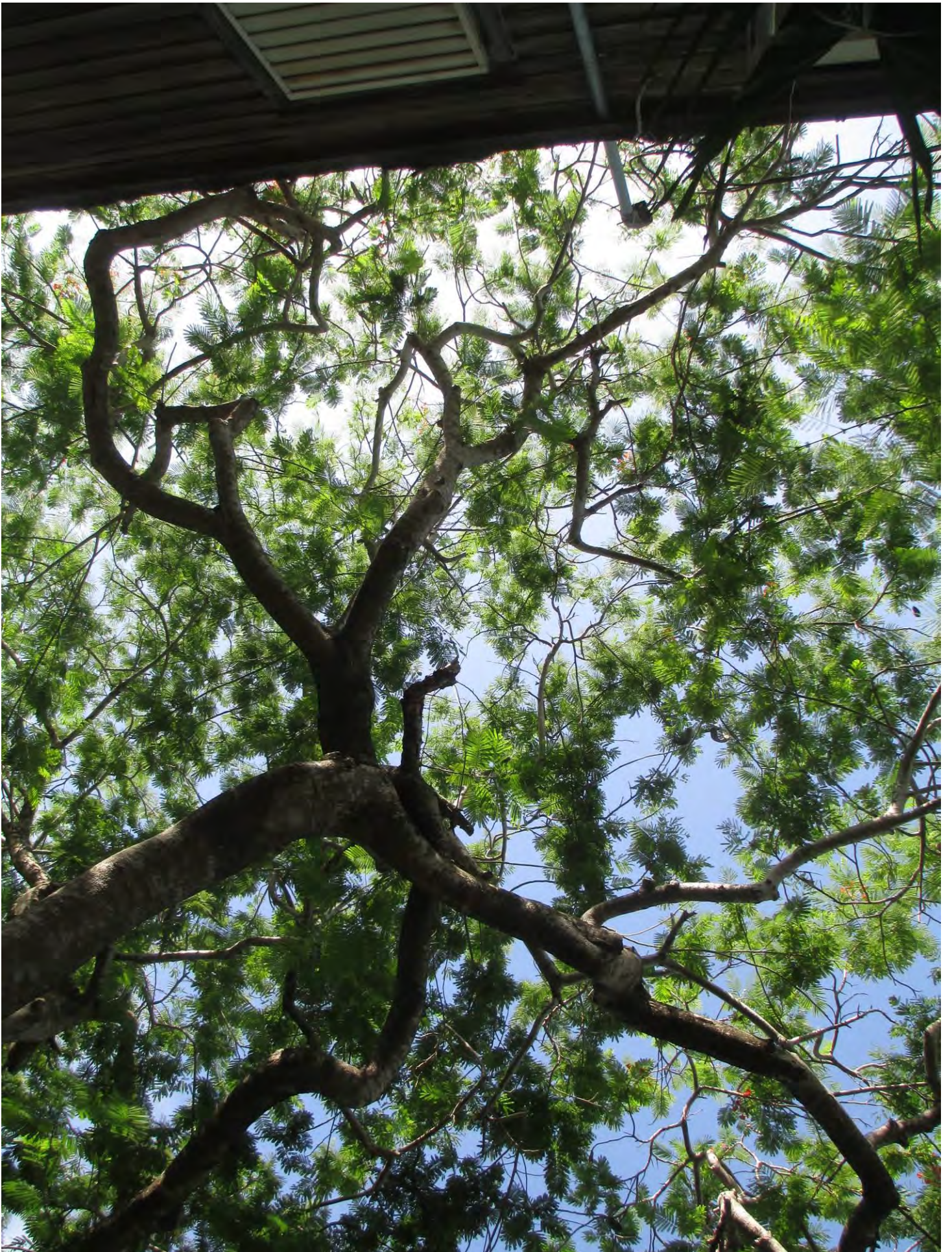
Additional Photos of Tree (June 23, 2015)











Application

6-19-24
need access



Trim - 7465
Loyal

remove Royal - 7376

Remove Sp. Lime - 7464

Tree Permit Application

Date: 6/9/15

Please Clearly Print All Information unless indicated otherwise.

Tree Address 704 Eaton St.
Cross/Corner Street Eaton and Elizabeth
List Tree Name(s) and Quantity Spanish lime (1) and Royal Poinciana (2)
Species Type(s) check all that apply () Palm () Flowering () Fruit () Shade () Unsure
Reason(s) for Application:

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

Other/Explain ① Royal Poinciana at front of property is in overhanging wires/utilities and poses danger for pedestrians/cars

Reason for Request ② Spanish lime at rear property has extensive damage/decay
③ Royal Poinciana on property line has extensive trunk decay

Property Owner Name Kelly Miller for Request NC LLC
Property Owner eMail Address kellye@deljr.com
Property Owner Mailing Address Po Box 330
Property Owner Mailing City Mooresville State NC Zip 28115
Property Owner Phone Number (704) 799-4800
Property Owner Signature Kelly E. Miller, Request NC LLC

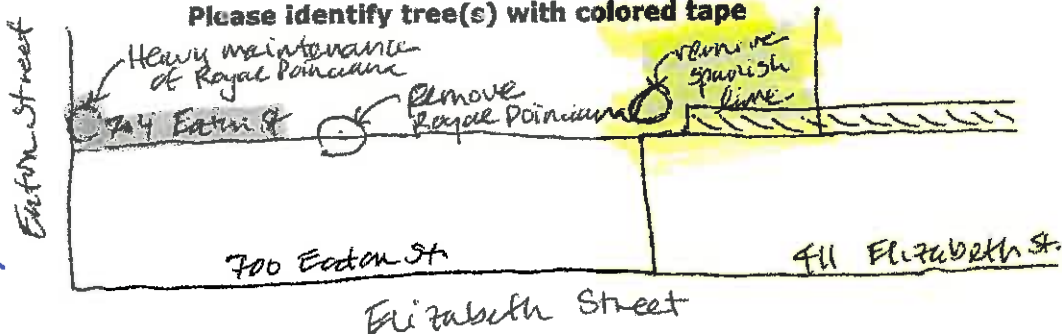
Representative Name Michael Ingram or Nicholas Downs
Representative eMail Address mingram@k2mdesign / acaringtreecompany@gmail.com
Representative Mailing Address 1001 Whitehead, NW, FL 33040 / 19264 Azotea Trail, Sugarloaf Key 33042
Representative Mailing City _____ State FL Zip _____
Representative Phone Number (305) 320-7011

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



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: 6.11.15

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 704 Eaton St.

Property Owner Name Key West NC, LLC
Property Owner eMail Address Kelley@dalejr.com
Property Owner Mailing Address P.O. Box 330
Property Owner Mailing City Macresville State NC Zip 28115
Property Owner Phone Number (704) 799-4838
Property Owner Signature [Signature]
Representative Name Michael Ingram or Nicholas Davis
Representative eMail Address mingram@k2mdesign.com / acaringtreecompany@gmail.com
Representative Mailing Address 1001 Whikhead St, NW, FL 33400 / 19264 Azotea Trail, Sugar Creek
Representative Mailing City Key, FL 33412 State FL Zip 33412
Representative Phone Number (305) 320-2011 / (305) 32-1764

I Kelley Miller, mgr., 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 if there is any questions or need access to my property.

Property Owner Signature [Signature]

The forgoing instrument was acknowledged before me on this 11 day June.

By (Print name of Affiant) Kelley Miller who is personally known to me or has produced _____ as Identification and who did take an oath.

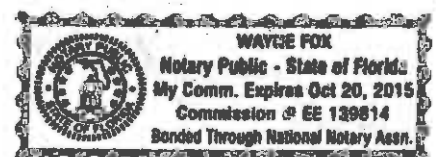
NOTARY PUBLIC

Sign Name: [Signature]

Print Name: Wayne Fox

My Commission Expires: 10/20/15

Notary Public - State of Florida (seal)



Prepared by and Return to:
Mendy Walden, an employee of
First International Title, Inc.
3132 Northside Drive
Suite 101, Bldg C
Key West, FL 33040

File No.: 65416-13

WARRANTY DEED

This indenture made on June 4th, 2015, by

Janice L. Isherwood, as Successor Trustee of the Theodore Ness Living Trust and an unmarried individual

whose address is: 523 Elizabeth Street, Key West, FL 33040
hereinafter called the "grantor",

to **Key West NC, LLC a North Carolina Limited Liability Company**

whose address is: P.O. Box 330 Mooresville, NC 28115

hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Monroe County, Florida**, to-wit:

On the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D. 1829 as a part of Lot Three (3) of Square Thirty-five (35). Commencing at a point on Eaton Street Fifty (50) feet and Three inches from Elizabeth Street, and runs on Eaton Street Northeasterly Fifty (50) feet and Three (3) inches; thence runs in a Southeasterly direction One Hundred Sixteen (116) feet; thence runs in a Southwesterly direction Fifty (50) feet and Three (3) inches; thence runs in a Northwesterly direction One Hundred and Sixteen (116) feet out to Eaton Street the Point of Beginning.

Parcel Identification Number: RE# 00006110-000000 / AK#1006335

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2014.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Theodore Ness Living Trust

Janice L. Isherwood
Janice L. Isherwood, individually

Janice L. Isherwood Trustee
By Janice L. Isherwood, Successor Trustee

Signed, sealed and delivered in our presence:

Melinda A. Walden
Witness Signature
Print Name: Melinda A. Walden

Jonathan Meieros
Witness Signature
Print Name: Jonathan Meieros

State of FLORIDA

County of Monroe

The Foregoing Instrument Was Acknowledged before me on the 4 day of June, 2015, by Janice L. Isherwood, as Successor Trustee of the Theodore Ness Living Trust and an unmarried individual who is/are personally known to me or who has/have produced the following as identification: DRIVERS LICENSE.

My Commission expires:



Melinda A. Walden
Notary Public
Printed Name:

SEAL