



# Application For Easement

City of Key West, Florida • Planning Department

3140 Flagler Avenue • Key West, Florida 33040-4602 • 305-809-3720 • www.keywestcity.com

## Application Fee: \$2,150.00

(includes \$100.00 advertising/noticing fee and \$50.00 fire review fee)

(\$400 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 305-809-3720.

### PROPERTY DESCRIPTION: 903 Frances Street

Site Address: \_\_\_\_\_

Zoning District: \_\_\_\_\_ HHDR \_\_\_\_\_ Real Estate (RE) #: 00021710-000000

Property located within the Historic District? ☒ Yes ☐ No

**APPLICANT:** ☐ Owner ☒ Authorized Representative

Name: \_\_\_\_\_ Trepainer & Associates Inc.

Mailing Address: \_\_\_\_\_ 1421 1st Street

City: \_\_\_\_\_ Key West \_\_\_\_\_ State: \_\_\_\_\_ FL \_\_\_\_\_ Zip: \_\_\_\_\_ 33040

Home/Mobile Phone: \_\_\_\_\_ Office: 305-293-8983 Fax: 305-293-8748

Email: \_\_\_\_\_ lori@owentrepanier.com

### PROPERTY OWNER: (if different than above)

Name: \_\_\_\_\_ Arthur G Mustakas

Mailing Address: \_\_\_\_\_ 903 Frances Street

City: \_\_\_\_\_ Key West \_\_\_\_\_ State: \_\_\_\_\_ FL \_\_\_\_\_ Zip: \_\_\_\_\_ 33040

Home/Mobile Phone: \_\_\_\_\_ Office: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ artofkeywest@aol.com

Description of requested easement and use: \_\_\_\_\_

To recognize existing improvements located in an area of approximately 400 sf between the rear property line and the existing fence along the Havana Lane right-of-way. The easement would allow the existing landscaping and existing accessory structures that are located within this area to remain subject to the easement conditions. The easement would be in line with and consistent with the neighboring easements at 909 Frances St. (Res. 04-343) and the pending easement at 907 Frances Street

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 following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

- ☐ 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.
- ☒ Copy of recorded warranty deed
- ☒ Property record card
- ☒ Signed and sealed Specific Purpose Surveys with a legal description of the easement area requested
- ☒ Photographs showing the proposed easement area

December 11, 2015

Melissa Paul-Leto, Planner Analyst  
City of Key West  
Email: Mleto@cityofkeywest-fl.gov  
Key West, FL 33040

**RE: 903 Frances Street  
Easement Application**

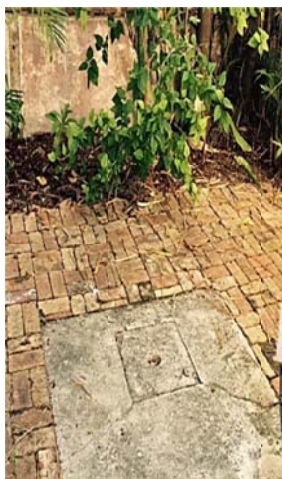


Dear Mrs. Leto:

Please accept the attached easement application.

**Summary:** As is typical of so many areas of the City, the development of the rear properties along the 900 block of Frances Street overlap into Havana Lane. Physical elements on every property between Frances and Havana have defined the boundaries of this lane for decades. Modern surveying techniques, however, show the encroachments.

Havana Lane isn't much more than a footpath but is capable of one-car passage. The physical delineation of the lane's edge is exemplified by a historic knee wall at the rear of 907 Frances, cisterns at both 903 and 907 Frances, City approved easements (Res. Nos. 99-149 & 04-343) at 907 & 909, and various other commercial and residential encroachments along the entirety of the block.



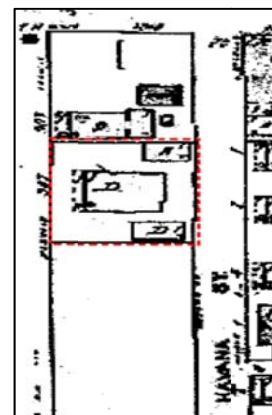


**Background:** 903 Frances Street is located on a historic platted corner lot bounded on three sides by Frances Street (front), Olivia Street (side) and Havana Avenue (rear).

Havana Avenue's platted right-of-way and physical location are inconsistent with one another, as is common in Old Town. 903 Frances was developed in a manner consistent with the physical location of Havana Lane, as were all other properties along the lane (contemporary and historic).

In 1999, the City granted the neighboring property at 907 Frances Street an easement (Res. No. 99-149)<sup>1</sup> for the historic one story frame garage which encroached 7.35 ft. into Havana Avenue right-of-way. The 1948 Sanborn Map demonstrates that the boundary of Havana Lane is behind the historic one story frame garage. This indicates the physical location of the Lane relative to the structures hasn't changed in more than six decades.

Another easement was granted by the City in 2004, (Res. No 04-343)<sup>2</sup> for new construction at 909 Frances Street. That structure remains encroaching into the Platted location of the lane, however even these new structures are consistent with the historic physical location of the lane.



The character of the 900-block of Havana Avenue includes 6 to 8 ft. tall picket fences on the majority of the properties (including all residential properties). The fence line of 903 Frances Street is consistent with the fence line of the neighboring properties and the physical edge of the lane.

We respectfully request your support in granting an easement to acknowledge the reduction in principal use encroachment and to allow the continued use of the Havana Lane right-of-way as it exists today.

Sincerely,

Lori Thompson  
Research and Development Specialist

Cc: Leo Hernandez, Code Compliance Officer



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<sup>1</sup> Attachment A

<sup>2</sup> Attachment B

RESOLUTION NO. 99-149

EASEMENT: 907 FRANCES STREET

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF THE ATTACHED AGREEMENT FOR EASEMENT AT 907 FRANCES STREET, KEY WEST, FLORIDA, BETWEEN THE CITY OF KEY WEST AND THOMAS P. CALLAHAN AND JESSICA I.M. SADLER CALLAHAN; PROVIDING FOR AN EFFECTIVE DATE

BE IT RESOLVED by the City Commission of the City of Key West, Florida:

Section 1: That the attached Agreement for Easement at 907 Frances Street, Key West, Florida, between the City of Key West and Thomas P. Callahan and Jessica I.M. Sadler Callahan is hereby approved; provided, however, that the property owner shall pay an annual rental to the City to be determined by Ordinance. The City Manager is authorized to execute the Agreement for Easement on behalf of the City of Key West, and the City Clerk is authorized to attest to his signature and affix the Seal of the City thereto.

Section 2: This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 4th day of MAY, 1999.

Authenticated by the presiding officer and Clerk of the Commission on MAY 7, 1999.

Filed with the Clerk MAY 7, 1999.

This copy is a true copy of the original on file in this office.

Witness my hand and official seal  
SHELLA K. MULLINS, MAYOR

this 13 day of Oct, 1999

ATTEST:

*Cheryl Smith*  
CITY CLERK

Cheryl Smith  
City Clerk

By

*Cheryl Smith*

DANNY L. KOLHAGE, CLERK  
11:44AM

10/18/1999  
DEP. CLK  
2.10

EASEMENT AGREEMENT

THIS AGREEMENT made this 4th day of May, 1999, between the City of Key West, Florida (hereinafter Grantor) and Thomas P. Callahan and Jessica I.M. Sadler Callahan (hereinafter Grantees).

RECITALS

Grantees are owners of the property known as 907 Frances Street, Key West, Florida. The 907 Frances Street property consists of a one-story frame garage that encroaches into Grantor's Havana Avenue right-of-way. More specifically, Grantees' one story frame garage encroaches 7.35 feet into Grantor's Havana Avenue right-of-way for a length of 9.4 feet, which totals approximately 69.09 square feet, according to a survey by Norby & Associates, Inc. dated January 8, 1999, (copy attached hereto). This encroachment impedes marketability of title to the properties.

The parties agree that the subject encroachment has existed for some years.

I. CONVEYANCE OF EASEMENT

The Grantor hereby agrees to grant and convey to Grantees for the structural life of the encroachment, an easement for use of 7.35 feet into Grantor's Havana Avenue right-of-way for a length of 9.4 feet, which is currently occupied by a one story frame garage; provided, however, that an existing chain link fence and a shed located on City property on Havana Avenue be removed. The encroachment is shown in the aforementioned survey. This easement shall pertain to the one story frame garage only, and not to any

other encroachments.

## II. CONSIDERATION

Grantees agree to pay to Grantor the sum of \$ 300.00, together with all sums and fees for city sewer, city garbage, if unpaid; to otherwise promptly bring the property and all uses thereof into full compliance with all city and state laws and regulations, if it is not now in full compliance.

## III. EASEMENT TERMINATION

Grantees agree that any enlargement of the presently existing 7.35 feet wide by 9.4 feet long encroachment into Havana Avenue shall operate to terminate the easement granted hereby, and that Grantor shall thereupon have the right to require Grantees to fully and entirely vacate the easement on the Havana Avenue right-of-way through demolition or structural alteration of the building.

Grantees agree that in the event the portion of the building encroaching Havana Avenue is removed or substantially destroyed, this easement shall terminate, and that any new structure shall be built entirely on land owned by the Grantees, or their assigns, and shall not encroach on Grantor's right-of-way.

Additionally, Grantees recognize and agree that Grantor may reclaim or retake its property without process upon a determination of necessity to protect the health, safety or welfare of the City's residents.

Notwithstanding the fact that this easement may terminate at some future date, it is a covenant that runs with the land, and shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successors or assigns.

AMENDMENT TO EASEMENT AGREEMENT

THIS AGREEMENT is made this 4th day of May, 1999, between the City of Key West, Florida (hereinafter "Grantor") and Thomas P. Callahan and Jessica I. M. Sadler Callahan (hereinafter "Grantees").

WHEREAS, Grantees are owners of property located at 907 Frances Street, Key West, Florida, including a one-story frame garage that encroaches 76.35 feet into Grantor's Havana Avenue right-of-way for a length of 9.4 feet (the "Encroachment"); and

WHEREAS, Grantees petitioned the City Commission for the conveyance of an easement for that portion of the land constituting the Encroachment; and

WHEREAS, Grantor agreed to convey to Grantees an easement for the Encroachment with certain conditions as more particularly described in the Easement Agreement dated May 4, 1999; and

WHEREAS, Grantor and Grantees entered into the Easement Agreement with the express understanding that the Easement Agreement would be amended to add the following provision:

IV. ANNUAL RENTAL FEE

Grantees agree to pay Grantor an annual rental fee for the easement in the total amount of \$300.00, payable annually on the anniversary date of the execution of this Amendment to Easement Agreement to the City of Key West. Failure to pay such rental fee shall constitute grounds for the Grantor to terminate the easement granted by the Easement Agreement dated May 4, 1999.

IN WITNESS WHEREOF, the parties have executed this agreement the date above written.

ATTEST:

Cheryl Smith  
CHERYL SMITH, CITY CLERK

CITY OF KEY WEST

Julio Avel  
JULIO AVAEL, CITY MANAGER

STATE OF FLORIDA )  
COUNTY OF MONROE )

The foregoing instrument was acknowledged before me this 7th day of August, 1999 by JULIO AVAEL of the City of Key West on behalf of the City who is personally known to me or who has produced \_\_\_\_\_ as identification.

Caroline Principe  
Notary Public



Caroline Principe  
MY COMMISSION # CC822645 EXPIRES  
March 31, 2003  
BONDED THRU TROY FAIR INSURANCE, INC.

My commission expires: 3/31/03

GRANTEE

Thomas P. Callahan  
Thomas P. Callahan

FILE #1147936  
BK#1600 PG#1064

GRANTEE

Jessica I. M. Sadler Callahan  
Jessica I. M. Sadler Callahan

STATE OF FLORIDA     )  
COUNTY OF MONROE    )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of August, 1999 by THOMAS P. CALLAHAN, who is personally known to me or who has produced FL. Driver's License as identification.

Susan P. Harrison  
Notary Public  
My commission expires: 4-8-2003



Susan P. Harrison  
MY COMMISSION # CC824275 EXPIRES  
April 8, 2003  
BONDED THRU TROY FAIN INSURANCE, INC.

STATE OF FLORIDA     )  
COUNTY OF MONROE    )

The foregoing instrument was acknowledged before me this 23 day of September, 1999 by JESSICA I. M. SADLER CALLAHAN, who is personally known to me or who has produced FL. License as identification.

Caroline Prencipe  
Notary Public  
My commission expires: \_\_\_\_\_



Caroline Prencipe  
MY COMMISSION # CC822645 EXPIRES  
March 31, 2003  
BONDED THRU TROY FAIN INSURANCE, INC.

MONROE COUNTY  
OFFICIAL RECORDS

IMAGED

ADDRESS: 909 FRANCES STREET

RESOLUTION NO. 04-343

A RESOLUTION OF THE CITY COMMISSION OF THE  
CITY OF KEY WEST, FLORIDA, GRANTING AN  
EASEMENT TO M. EMIL ROBERTS AND IDA ROBERTS  
FOR AN ENCROACHMENT UPON CITY PROPERTY AT 909  
FRANCES STREET; PROVIDING FOR AN EFFECTIVE  
DATE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST,  
FLORIDA, AS FOLLOWS:

Section 1: That an easement is hereby granted in accordance  
with the attached Easement Agreement.


Section 2: That this Resolution shall go into effect  
immediately upon its passage and adoption and authentication by the  
signature of the presiding officer and the Clerk of the Commission.

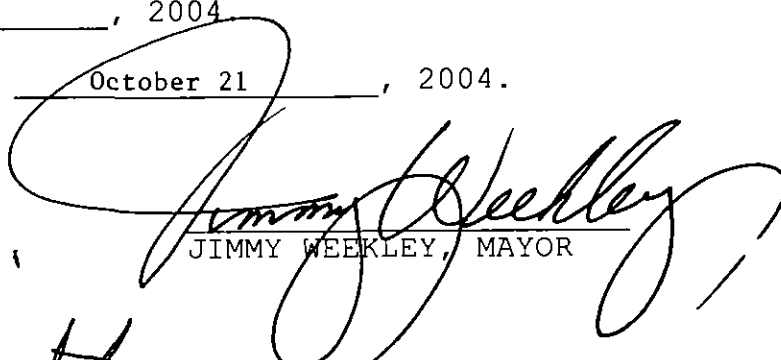
Passed and adopted by the City Commission at a meeting held  
this 19 day of October, 2004.

Authenticated by the presiding officer and Clerk of the  
Commission on October 21, 2004

Filed with the Clerk October 21, 2004.

ATTEST:

  
CHERYL SMITH, CITY CLERK

  
JIMMY WEEKLEY, MAYOR

EASEMENT AGREEMENT

THIS AGREEMENT made this 15<sup>th</sup> day of November, 2004, between the City of Key West, Florida (hereinafter Grantor), and M. Emil Roberts and Ida Roberts (hereinafter jointly the Grantee).

Doc# 1479129  
Bk# 2058 Pg# 2288

RECITALS

Grantee is owner of the property known as 909 Frances Street, Key West, Florida, and intends to install a building that would encroach onto the Grantor's right-of-way along Havana Lane. Specifically, the Grantee's building will encroach for a length of 39.3 feet and a width of 7 feet, according to a survey by R.E. Reece, P.A., dated March 11, 2004 (copy attached hereto). This encroachment would impede marketability of the property.

I. CONVEYANCE OF EASEMENT

The Grantor hereby agrees to grant and convey to Grantee an easement for use of Havana Lane for a length of 39.3 feet and a width of 7 feet for a building on Grantee's property located at 909 Frances Street, as more specifically described in the attached survey. The easement shall pertain to those structural portions existing on the property only and not to any other encroachments. The grant of this easement is conditioned upon the following: (1) there shall be no new additional construction related to the encroachment; and (2) the stairs constructed on the right-of-way shall be removable.

## II. CONSIDERATION

Grantee agrees to pay to Grantor a processing fee in the amount of \$850.00, together with all sums and fees for city sewer, city garbage, if unpaid; to otherwise promptly bring the property and all uses thereof into full compliance with all city and state laws and regulations, if it is not now in full compliance. Grantee further agrees to pay Grantor an annual rental fee for this easement in the total amount of \$400.00, payable annually on the anniversary date of the execution of this Easement Agreement to the City of Key West. Failure to pay such rental shall constitute grounds for the Grantor to terminate the easement.

## III. EASEMENT TERMINATION

Grantee agrees that the improvements located on the Easement shall not be enlarged or expanded.

Grantee shall have the right to repair, maintain and replace the improvements in the ordinary course of maintenance and/or in the event the improvements are destroyed by fire, hurricane or other cause.

In the event Grantor determines that retaking this property is necessary for a public purpose, then Grantor may terminate this Easement and reclaim the property without compensation to Grantee.

This Easement shall be considered a covenant that runs with the land and shall be binding upon and inure to the benefit of the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have executed this easement the date above written.



CITY OF KEY WEST

*Cheryl Smith*  
CHERYL SMITH, CITY CLERK

*Julio Avel*  
JULIO AVAEL, CITY MANAGER

STATE OF FLORIDA     )  
COUNTY OF MONROE    )

The foregoing instrument was acknowledged before me this 22nd day of October, 2004 by JULIO AVAEL of the City of Key West on behalf of the City who is personally known to me or who has produced personally known as identification.

*Vivian Perez*  
Notary Public  
State of Florida

My commission expires



Vivian Perez  
MY COMMISSION # CC991212 EXPIRES  
April 9, 2005  
BONDED THRU TROY FAIN INSURANCE, INC.

[signatures continued on next page]

GRANTEE

Doc# 1479129  
Bk# 2058 P# 2291

  
By: M. Emil Roberts

  
By: Ida Roberts

STATE OF FLORIDA     )  
COUNTY OF MONROE    )

The foregoing instrument was acknowledged before me this 15<sup>th</sup>  
day of November, 2004, by M. EMIL ROBERTS AND IDA  
ROBERTS, who are personally known to me or who have produced  
H. DL as identification.

  
Notary Public  
State of Florida

My commission expires:



Vivian Perez  
MY COMMISSION # CC991212 EXPIRES  
April 9, 2005  
BONDED THRU TROY FAIR INSURANCE, INC.

Doc# 1479129  
Bk# 2058 Pg# 2292

# Attachment B

**LEGAL DESCRIPTION OF REQUESTED EASEMENT**  
**SITE ADDRESS: 909 FRANCIS STREET**

**NAME OF APPLICANT: EDWARD W. HORAN**  
**NAME OF OWNERS: M. EMIL ROBERTS AND IDA ROBERTS**

In the City of Key West, Florida, known as Subdivision 16, Square 3, of JOHN LOWE'S DIAGRAM of Tract 6, recorded in Deed Book 1, Page 425, of the Public Records of Monroe County, Florida, and more particularly described by metes and bounds as follows:

Commencing at a point located by running in a Southeasterly direction from the corner of Frances and Olivia Street 116 feet along Frances Street; thence at right angles in a Northeasterly direction 46 feet to the point of beginning; thence at right angles in a Southerly direction along Havana Avenue for 39.3 feet; thence at right angles in a Northeasterly direction 7 feet; thence at right angles in a Northerly direction along Havana Avenue 39.3 feet; thence at right angles in a Southwesterly direction 7 feet to the point of beginning.

RECEIVED

JUL 22 2004

CITY OF KEY WEST  
PLANNING DEPT.

# Verification

City of Key West  
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, Owen Trepanier, in my capacity as President  
(print name) (print position; president, managing member)  
of Trepanier & Associates, Inc.  
(print name of entity serving as Authorized Representative)

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:

903 Frances Street

Street Address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. 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 Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 10th December by  
date

Owen Trepanier  
Name of Authorized Representative

He/She is personally known to me or has presented \_\_\_\_\_ as identification.

[Signature]  
Notary's Signature and Seal

Name of Acknowledger  
 **Alvin Covington**  
COMMISSION #FF913801  
EXPIRES: August 27, 2019  
WWW.AARONNOTARY.COM  
913801  
Commission Number, if any

# **Authorization**

City of Key West  
Planning Department



Authorization Form  
(Individual or Joint Owner)

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

I, Arthur Mustakas authorize  
*Please Print Name(s) of Owner(s) as appears on the deed*

Owen Trepanier & Associates Inc.  
*Please Print Name of Representative*

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

Arthur Mustakas  
*Signature of Owner*

*Signature of Joint/Co-owner if applicable*

Subscribed and sworn to (or affirmed) before me on this 11-12-15  
*Date*

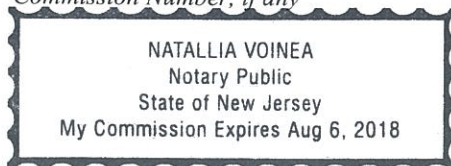
by Arthur Mustakas  
*Name of Owner*

He/She is personally known to me or has presented FL Driver License as identification.

Natalia Voinea  
*Notary's Signature and Seal*

NATALIA VOINEA  
*Name of Acknowledger typed, printed or stamped*

*Commission Number, if any*



**Deed**

Name KEYS TITLE & ABSTRACT COMPANY

631 WHITEHEAD STREET  
Address: KEY WEST, FLORIDA 33040  
(305) 294-2550

This Instrument Prepared by:  
"SAME"

Address:

Grantee Name and S.S. # THOMAS PAUL CALLAHAN

Grantee Name and S.S. # JESSICA I.M. SADLER CALLAHAN

FILE # 61734-96

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

Between

8TH

day of

NOVEMBER

A. D. 1996

THOMAS PAUL CALLAHAN AND JESSICA I.M. SADLER CALLAHAN,  
HUSBAND AND WIFE

of the County of

MONROE

in the State of

FLORIDA

party of the first part, and

ARTHUR G. MUSTAKAS

903 Frances St. Key West, Fla.

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 AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) Dollars,  
to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has  
granted, bargained and sold to the said party of the second part his heirs and assigns forever, the following  
described land, situate lying and being in the County of MONROE, State of  
Florida, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO: TAXES AND ASSESSMENTS FOR THE YEAR 1996 AND SUBSEQUENT YEARS.

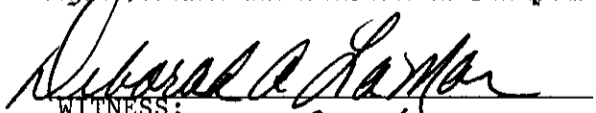
SUBJECT TO: CONDITIONS, LIMITATIONS, EASEMENTS AND RESTRICTIONS, OF  
RECORD, IF ANY.

Property Appraiser's Parcel Identification Number: 2171

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

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

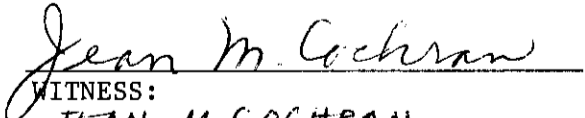
Signed, Sealed and Delivered in Our Presence:



WITNESS:

DEBORAH A. LAMAR

PRINTED NAME:



WITNESS:

JEAN M. COCHRAN

PRINTED NAME:



L.S.

THOMAS PAUL CALLAHAN



L.S.

JESSICA I.M. SADLER CALLAHAN

L.S.

L.S.

MONROE COUNTY  
OFFICIAL RECORDS

FILE # 974938  
BK# 1429 PG# 2241

RCD NOV 12 1996 12:13PM  
DANNY L KOLHAGE, CLERK

DEED DOC STAMPS 1190.00  
11/12/1996 DEP CLK

State of Florida

County of MONROE

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of NOVEMBER, 1996, by THOMAS PAUL CALLAHAN, A MARRIED MAN JOINED BY HIS WIFE, JESSICA I.M. SADLER CALLAHAN who is personally known to me or who has produced PERSONALLY KNOWN as identification and who did (did not) take an oath.

Deborah A Lamar  
Signature

Printed Name

Title

Serial #, if Any



DEBORAH A LAMAR  
My Commission CC398047  
Expires Aug. 07, 1998  
Bonded by HAI  
800-422-1555

FILE # 9 7 4 9 3 8  
BK# 1 4 2 9 PG# 2 2 4 2

**Warrant Deed**

TO

Date

ABSTRACT OF DESCRIPTION

Part of Lot 17 in Square 3 of that part of Tract 6 on the Island of Key West subdivided by John Lowe, a diagram of which subdivision is duly recorded in Book "I", Page 425 of Monroe County, Records.

Beginning at the corner of Olivia and Francis Streets and running along the line of Olivia Street in a Northeasterly direction 46 feet; thence at right angles in a Southeasterly direction 58 feet; thence at right angles in a Southwesterly direction 46 feet; thence at right angles in a Northwesterly direction 58 feet to the Place of Beginning.

AND ALSO

Part of Lot 17 in Square 3 of that part of Tract 6 on the Island of Key West subdivided by John Lowe, a diagram of which subdivision is duly recorded in Book "I" Page 425 of Monroe County Records:

COMMENCING at the corner of Olivia and Frances Streets and running thence along Frances Street in a Southeasterly direction for a distance of 58 feet to the Point of Beginning; thence at right angles in a Northeasterly direction for a distance of 46 feet; thence at right angles in a Southeasterly direction for a distance of 4.1 feet to a fence; thence at right angles in a Southwesterly direction along said fence for a distance of 46 feet to the Northeasterly right of way line of Frances Street; thence at right angles in a Northwesterly direction along said Frances Street for a distance of 4.1 feet back to the Point of Beginning.

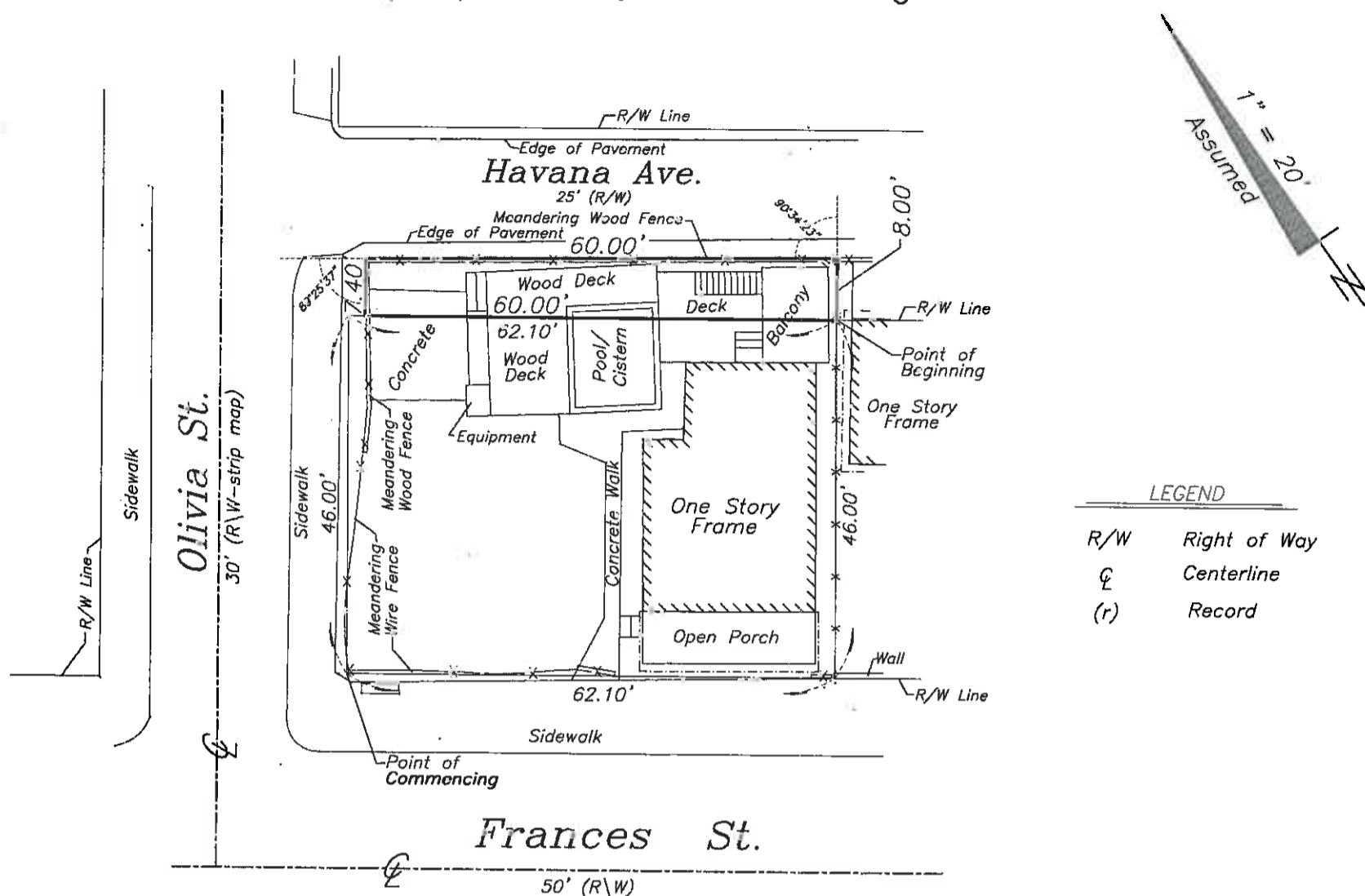
FILE # 9 7 4 9 3 8  
BK# 1 4 2 9 PG# 2 2 4 3

MONROE COUNTY  
OFFICIAL RECORDS

# Survey



# Specific Purpose Survey of a portion of Havana Avenue, in Tract 6, Island of Key West, Florida prepared by the undersigned



## NOTES:

1. The legal description shown hereon was authored by the undersigned.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 903 Frances Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. This survey is not assignable.
9. Adjoiners are not furnished.
10. The description contained herein and sketch do not represent a field boundary survey.

## SPECIFIC PURPOSE SURVEY TO ILLUSTRATE A LEGAL DESCRIPTION AUTHORED BY THE UNDERSIGNED

A parcel of land on the Island of Key West, and known as part of the right of way of Havana Avenue adjacent to Lot 17, in Square 3, Tract 6 on said Island, subdivided by John Lowe, a diagram of which subdivision is duly recorded in Book "I", Page 425 of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:

COMMENCE at the intersection of the Northeasterly right of way line of Frances Street with the Southeasterly right of way line of Olivia Street and run thence Southeasterly along the Northeasterly right of way line of the said Frances Street for a distance of 62.10 feet to the Southerly corner of the lands described in Official Record Book 1429 at Page 2243 of the said Public Records; thence Northeasterly and at right angles along the Southeasterly boundary line of said lands for a distance of 46.00 feet to the Southwesterly right of way line of Havana Avenue, said point also being the Point of Beginning; thence continue Northeasterly along the previously mentioned course for a distance of 8.00 feet; thence Northwesterly with a deflection angle of 90°34'23" to the left and along the Northeasterly face of an existing wood fence and extension thereof for distance of 60.00 feet to a fence corner; thence Southwesterly with a deflection angle of 89°25'37" to the left and along the Northwesterly face of said fence for a distance of 7.40 feet to the Southwesterly right of way line of the said Havana Avenue; thence Southeasterly and at right angles along Havana Avenue for a distance of 60.00 feet back to the Point of Beginning, containing 462 square feet, more or less.

SPECIFIC PURPOSE SURVEY FOR: Arthur G. Mustakas;

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM  
Florida Reg. #6298

January 15, 2016

RECEIVED

FEB 02 2016

CITY OF KEY WEST  
PLANNING DEPT.

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper  
PSM #6298

3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 296-2244

# Site Photos



# **DRC Comments**

DRC Meeting February 26, 2016

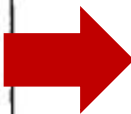
Historic Preservation Planner Comments

**903 Frances Street Easement**

No comments, other than the 1962 Sanborn Map depicts a cistern on the back of the lot, facing Havana Ave. The cistern was not in use in 1962, either by removal or filled. In addition, the 1962 Sanborn map depicts a one-story frame structure right on the back of the main house probably used as a carport. In 1962 Havana Avenue was 20 feet wide.



**#903 Frances Street circa 1965**



2 | Page - 903 Frances Street

# **Property Appraiser Information**



**Scott P. Russell, CFA**  
**Property Appraiser**  
**Monroe County, Florida**

Key West (305) 292-3420  
Marathon (305) 289-2550  
Plantation Key (305) 852-7130

The Offices of the Property Appraiser will be closed **Wednesday the 11th** for Veterans Day.

Website tested on IE8, IE9, & Firefox  
Requires Adobe Flash 10.3 or higher

## Property Record Card -

**Maps are now launching the new map application version.**

Alternate Key: 1022462 Parcel ID: 00021710-000000

### Ownership Details

**Mailing Address:**

MUSTAKAS ARTHUR G  
903 FRANCES ST  
KEY WEST, FL 33040-3359

### Property Details

**PC Code:** 01 - SINGLE FAMILY

**Millage Group:** 10KW

**Affordable Housing:** No

**Section-Township-Range:** 05-68-25

**Property Location:** 903 FRANCES ST KEY WEST

**Legal Description:** KW PT LOT 17 OF TR 6 A5-378 G8-491 J1-44 OR275-36/49 OR1014-962D/C OR1014-966/969WILL OR1014-960P/R OR1017-1230Q/C(LG) OR1084-585 OR1324-1718/19Q/C OR1346-1481/2Q/C OR1429-2241/3(LG)

**Click Map Image to open interactive viewer**



## Exemptions

Exemption	Amount
44 - ADDL HOMESTEAD	25,000.00
39 - 25000 HOMESTEAD	25,000.00

## Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	0	0	2,856.00 SF

## Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 0  
 Total Living Area: 654  
 Year Built: 1913

## Building 1 Details

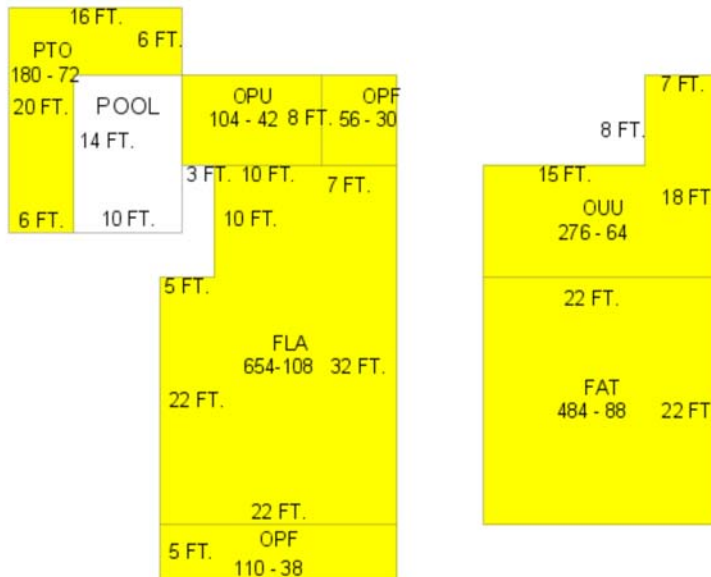
Building Type R1	Condition P	Quality Grade 450
Effective Age 36	Perimeter 108	Depreciation % 37
Year Built 1913	Special Arch 0	Grnd Floor Area 654
Functional Obs 0	Economic Obs 0	

**Inclusions:** R1 includes 1 3-fixture bath and 1 kitchen.

<b>Roof Type</b> GABLE/HIP	<b>Roof Cover</b> METAL	<b>Foundation</b> WD CONC PADS
<b>Heat 1</b> NONE	<b>Heat 2</b> NONE	<b>Bedrooms</b> 2
<b>Heat Src 1</b> NONE	<b>Heat Src 2</b> NONE	

**Extra Features:**

2 Fix Bath 0	Vacuum 0
3 Fix Bath 0	Garbage Disposal 0
4 Fix Bath 0	Compactor 0
5 Fix Bath 0	Security 0
6 Fix Bath 0	Intercom 0
7 Fix Bath 0	Fireplaces 0
Extra Fix 0	Dishwasher 0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA	12:ABOVE AVERAGE WOOD	1	1913	N N	0.00	0.00	654

3	<u>OPF</u>	1	1989	110
4	<u>OUU</u>	1	1989	276
5	<u>OPF</u>	1	1989	56
6	<u>OPU</u>	1	1989	104
7	<u>PTO</u>	1	1989	180
8	<u>FAT</u>	1	1913	484

## Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	105 SF	21	5	1979	1980	2	30
2	PT3:PATIO	234 SF	18	13	1969	1970	1	50
3	CL2:CH LINK FENCE	248 SF	0	0	1964	1965	1	30
4	PO4:RES POOL	140 SF	14	10	1989	1990	5	50

## Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
2 05-5006	11/07/2005	08/09/2006	300		HURRICANE WILMA DAMAGE REPLACE THE RISER & WEATHERHEAD
1 96-4511	11/01/1996	12/01/1996	1,030		ROOFING

## Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2015	67,877	8,768	388,143	464,788	241,502	25,000	216,502
2014	65,227	8,254	362,267	435,748	239,585	25,000	214,585
2013	69,303	8,538	314,905	392,746	236,044	25,000	211,044
2012	69,303	8,821	243,084	321,208	232,098	25,000	207,098
2011	70,323	9,105	228,467	307,895	225,338	25,000	200,338
2010	71,342	9,388	288,370	369,100	222,008	25,000	197,008
2009	89,597	9,672	438,323	537,592	216,171	25,000	191,171
2008	82,616	9,955	499,800	592,371	215,955	25,000	190,955
2007	117,291	7,794	381,276	506,361	209,665	25,000	184,665
2006	303,854	864	271,320	576,038	204,551	25,000	179,551
2005	241,154	864	245,616	487,634	198,593	25,000	173,593
2004	205,583	864	214,200	420,647	192,809	25,000	167,809
2003	130,826	864	77,112	208,802	189,214	25,000	164,214
2002	126,740	864	77,112	204,716	184,780	25,000	159,780
2001	120,705	864	77,112	198,681	181,871	25,000	156,871

<b>2000</b>	121,174	1,136	54,264	176,574	176,574	25,000	151,574
<b>1999</b>	97,318	938	54,264	152,520	152,520	0	152,520
<b>1998</b>	79,521	790	54,264	134,574	134,574	0	134,574
<b>1997</b>	73,841	761	48,552	123,153	123,153	25,000	98,153
<b>1996</b>	45,514	547	48,552	94,613	94,613	0	94,613
<b>1995</b>	41,468	402	48,552	90,422	85,384	25,000	60,384
<b>1994</b>	37,085	375	45,679	83,140	83,140	25,000	58,140
<b>1993</b>	37,085	392	45,679	83,156	83,156	25,000	58,156
<b>1992</b>	37,085	407	45,679	83,171	83,171	25,000	58,171
<b>1991</b>	37,085	424	45,679	83,188	83,188	25,000	58,188
<b>1990</b>	40,597	441	35,603	76,641	76,641	25,000	51,641
<b>1989</b>	20,162	0	34,931	55,093	55,093	0	55,093
<b>1988</b>	11,258	0	30,901	42,159	42,159	0	42,159
<b>1987</b>	7,696	0	16,122	23,818	23,818	23,818	0
<b>1986</b>	7,738	0	16,122	23,860	23,860	23,860	0
<b>1985</b>	7,507	0	10,449	17,956	17,956	17,956	0
<b>1984</b>	7,033	0	10,449	17,482	17,482	17,482	0
<b>1983</b>	7,033	0	10,449	17,482	17,482	17,482	0
<b>1982</b>	5,498	0	9,010	14,508	14,508	14,508	0

## Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
<b>11/1/1996</b>	1429 / 2241	170,000	<u>WD</u>	<u>Q</u>
<b>9/1/1994</b>	1324 / 1718	2,000	<u>WD</u>	<u>C</u>
<b>3/1/1989</b>	1084 / 585	95,000	<u>WD</u>	<u>Q</u>
<b>5/1/1987</b>	1014 / 960	75,000	<u>WD</u>	<u>U</u>

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Monroe County Property Appraiser  
 Scott P. Russell, CFA  
 P.O. Box 1176 Key West, FL 33041-1176