

RESOLUTION NO. _____

809 TERRY LANE EASEMENT

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN EASEMENT OF 22 SQUARE FEET, MORE OR LESS, TO ADDRESS THE ENCROACHMENT OF AN EXISTING CONCRETE WALL WHICH ENCROACHES ONTO THE TERRY LANE RIGHT-OF-WAY LOCATED AT 809 TERRY LANE, KEY WEST, FLORIDA (RE # 00014050-000000); PROVIDING FEES AND CONDITIONS; 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 of 22 square feet, more or less, for the real property described in the attached specific purpose survey prepared by Frederick H. Hildebrandt of Island Surveying Inc., dated February 23, 2016, is granted subject to the execution of the attached easement agreement, incorporating the minimum conditions described in section 2 below.

Section 2: That the following conditions shall apply to the grant of easement:

(1) Prior to the easement becoming effective, the Grantee shall obtain Commercial General Liability insurance that extends coverage to the property that is governed by this easement with limits of no less than \$1,000,000. Coverage must be provided by an insurer authorized to conduct business in the State of Florida and with terms and conditions consistent with the latest version of the Insurance Service Office's (ISO) latest filed Commercial General Liability form. Grantee shall furnish an original Certificate of Insurance indicating, and such policy providing coverage to, City of Key West named as "Additional Insured"

(2) The easement shall terminate upon the replacement of the structure.

(3) The City may unilaterally terminate the easement upon a finding of public purpose by a vote of the Key West City Commission.

(4) The owner shall pay the annual fee of \$300.00 specified in Section 2-938(b) of the Code of Ordinances.

(5) The owner shall irrevocably appoint the City Manager as its agent to permit the removal of the encroachment if the annual fee required by the Code of Ordinances is not paid.

(6) The commercial building, storage shed and fence shall be the only total allowed construction within the easement area.

(7) The easement area shall not be used in site size calculations such as lot, yard, and bulk calculations for site development.

(8) The City reserves the right to construct surface improvements within the easement area.

(9) To the fullest extent permitted by law, the Grantee expressly agrees to indemnify and hold harmless the City of Key West, their respective officers, directors, agents and employees (herein called the "indemnitees") from any and all liability for damages.

Section 3: 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 _____ day of _____, 2016.

Authenticated by the presiding officer and Clerk of the
Commission on _____, 2016.

Filed with the Clerk _____, 2016.

Mayor Craig Cates _____

Vice Mayor Clayton Lopez _____

Commissioner Samuel Kaufman _____

Commissioner Richard Payne _____

Commissioner Margaret Romero _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

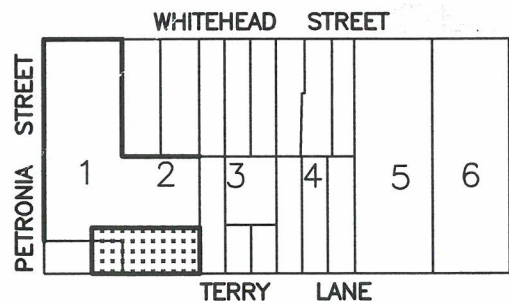
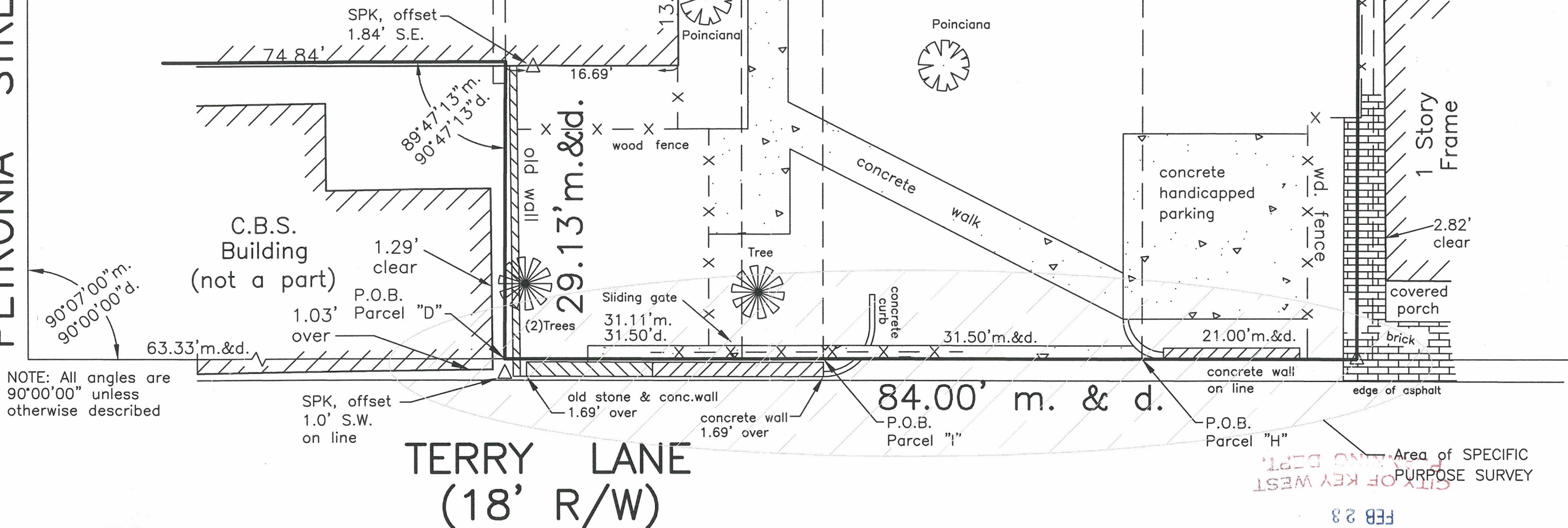
PETRONIA STREET

"C"
1 Story Frame

"D"

"I"

"H"



LOCATION MAP

Part of
Square 1, Tract 3
City of Key West, Fl.

This SPECIFIC PURPOSE SURVEY is intended to show all improvements along the Southwesterly Right-of-Way line of Terry Lane a distance of 63.33 feet in a Southeasterly direction from Petronia Street and continuing along Terry Lane in a Southeasterly direction for a distance of 84.00 feet. Survey has been prepared for the use of Historic Tours of America.

LEGEND			
BM	Bench Mark	LB	Licensed Business
CB	Catch Basin		Number
CL	Center Line	M	Measured
CO	Clean Out	N.T.S.	Not To Scale
CONC	Concrete	O.R.	Official Records
C.B.S.	Concrete Block Stucco	P	Plat
CUP	Concrete Utility Pole	PB	Plat Book
D	Deed	P.O.B.	Point Of Beginning
F.F.L.	Finished Floor Elevation	P.O.C.	Point Of Commence
FD	Found	R/W	Right Of Way
FIB	Found Iron Bar	SIB	Set Iron Bar
FPK	Found PK nail	SIP	Set Iron Pipe
IRR	Irregular	SPK	Set Nail And Disc

Historic Tours of America
Terry Lane, Key West, Fl. 33040

Specific Purpose Survey
Southwesterly Right-of-Way Line

Scale: 1"=10'
Date: 9/23/02

Ref. 220-38
Flood panel No. 1516 K
Flood Zone: X

Dwn No.: 16-142
Dwn. By: F.H.H.
Flood Elev. -

REVISIONS AND/OR ADDITIONS

2/23/16: Updated, specific purpose, improvements along Terry Lane,
reversion date reflects specific purpose survey only

fred\dwg\keywest\block55\4aronovitz



ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, Fl. 33040

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Fax: (305) 293-0237
fhildeb1@bellsouth.net
L.B. No. 7700

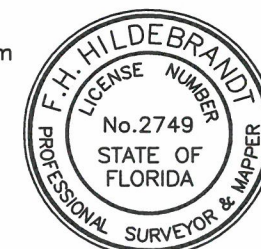
SURVEYOR'S NOTES:
North arrow based on assumed median
Bearing based on R/W Terry Lane 3.4
denotes existing elevation Elevations
based on N.G.V.D. 1929 Datum Bayou
Bench Mark No.: Basic Elevation: 14.324'
Title search has not been performed on
said or surrounding properties

Field Work performed on: 2/22/16

CERTIFICATION:

I HEREBY CERTIFY that the attached BOUNDARY SURVEY is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 5J-17, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

FREDERICK H. HILDEBRANDT
Professional Land Surveyor & Mapper No. 2749
Professional Engineer No. 36810
State of Florida



NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE