STAFF REPORT

DATE: March 27, 2017

RE: 1124 Seminary Street (permit application # T17-8384)

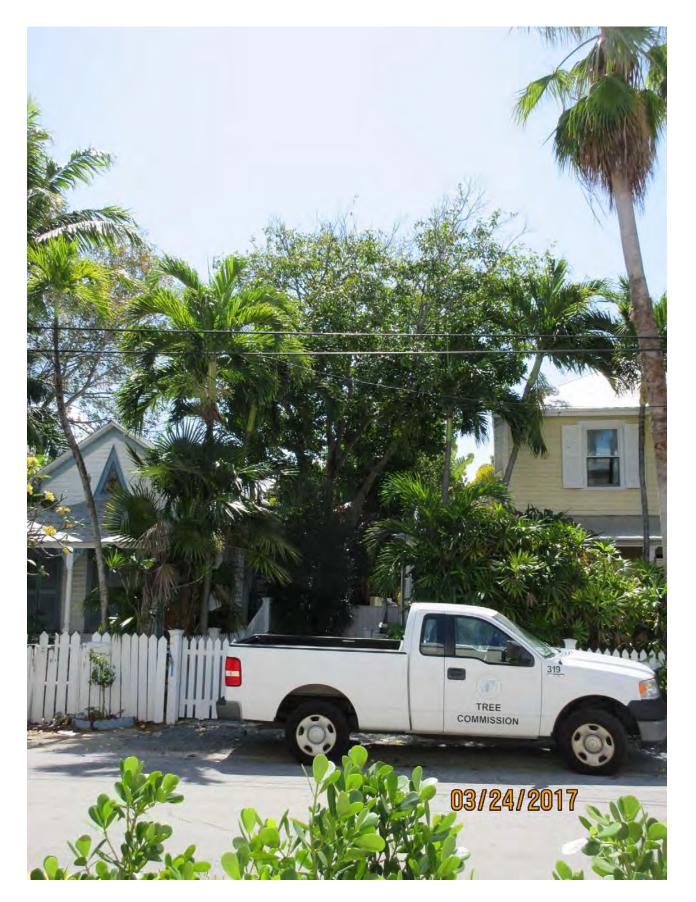
FROM: Karen DeMaria, City of Key West Urban Forestry Manager

An application was received requesting the removal of **(1) Spanish Lime tree**. A site inspection was done on March 24, 2017 and documented the following:

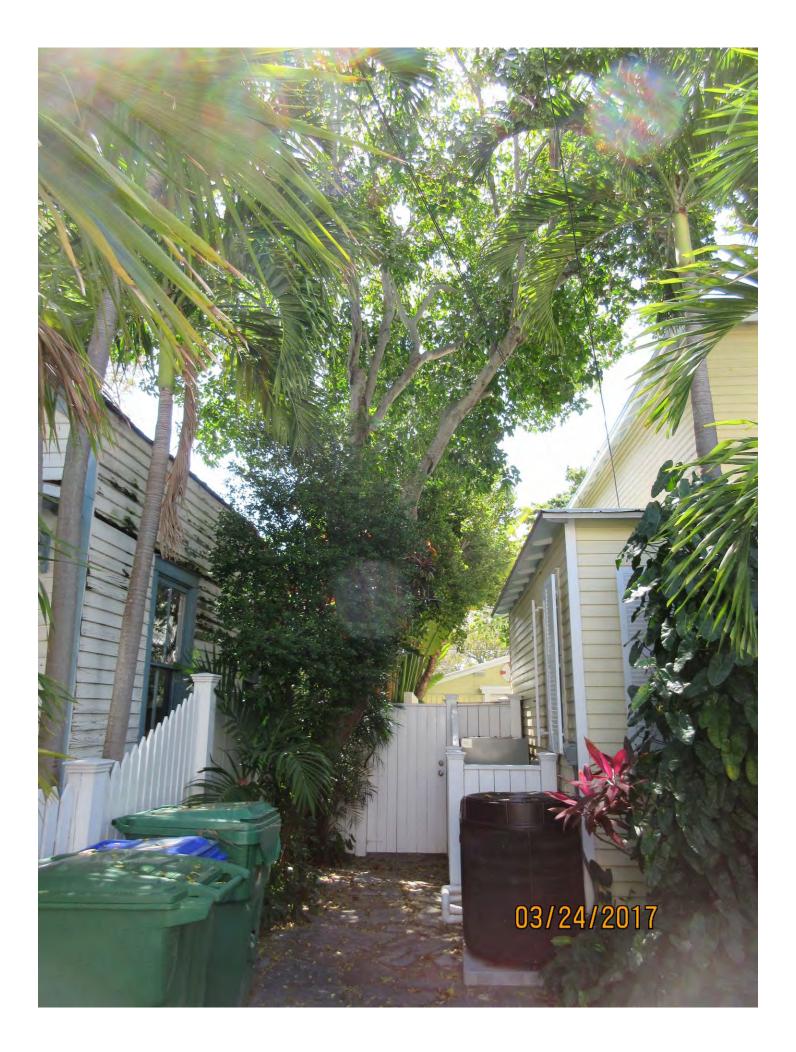
Tree Species: Spanish Lime (Melicoccus bijugatus)

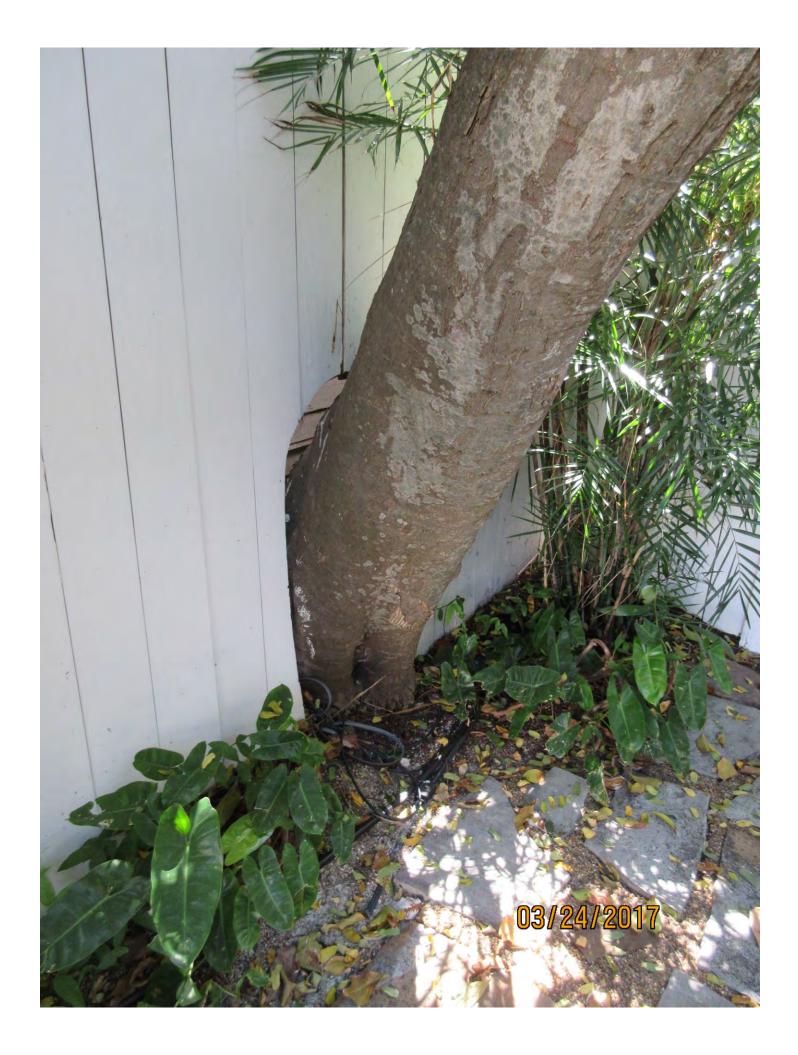


Tropical Almond tree also being removed <23" diameter (no permit required for removal)

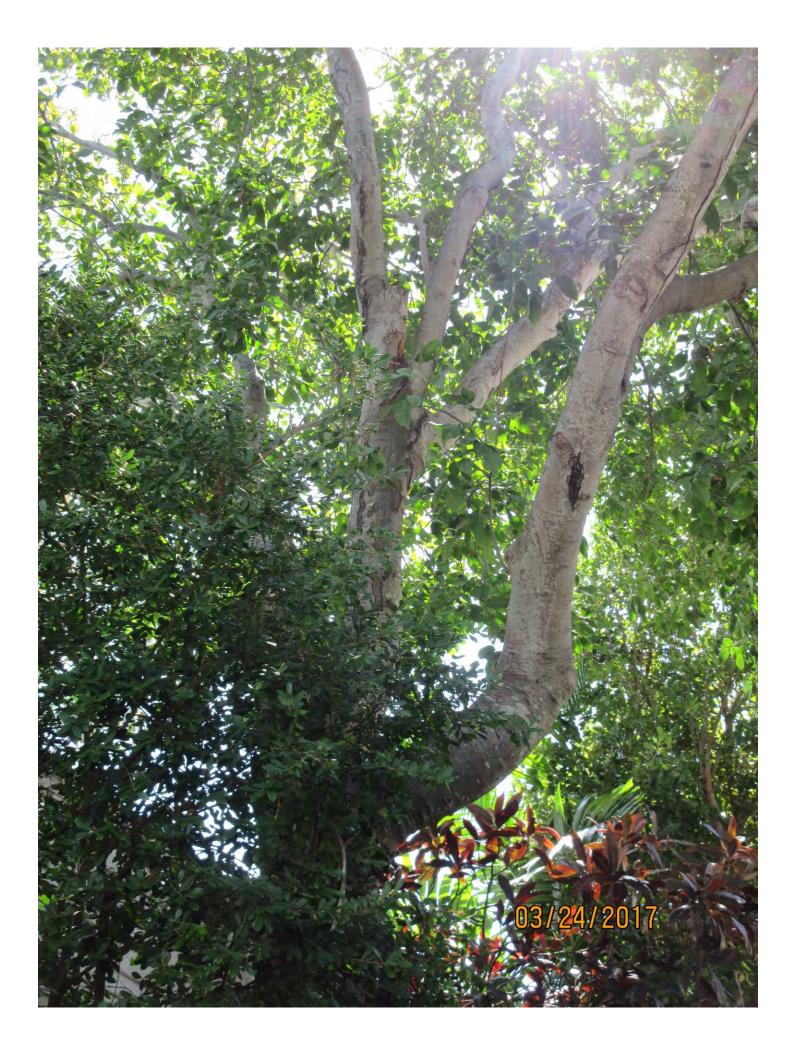


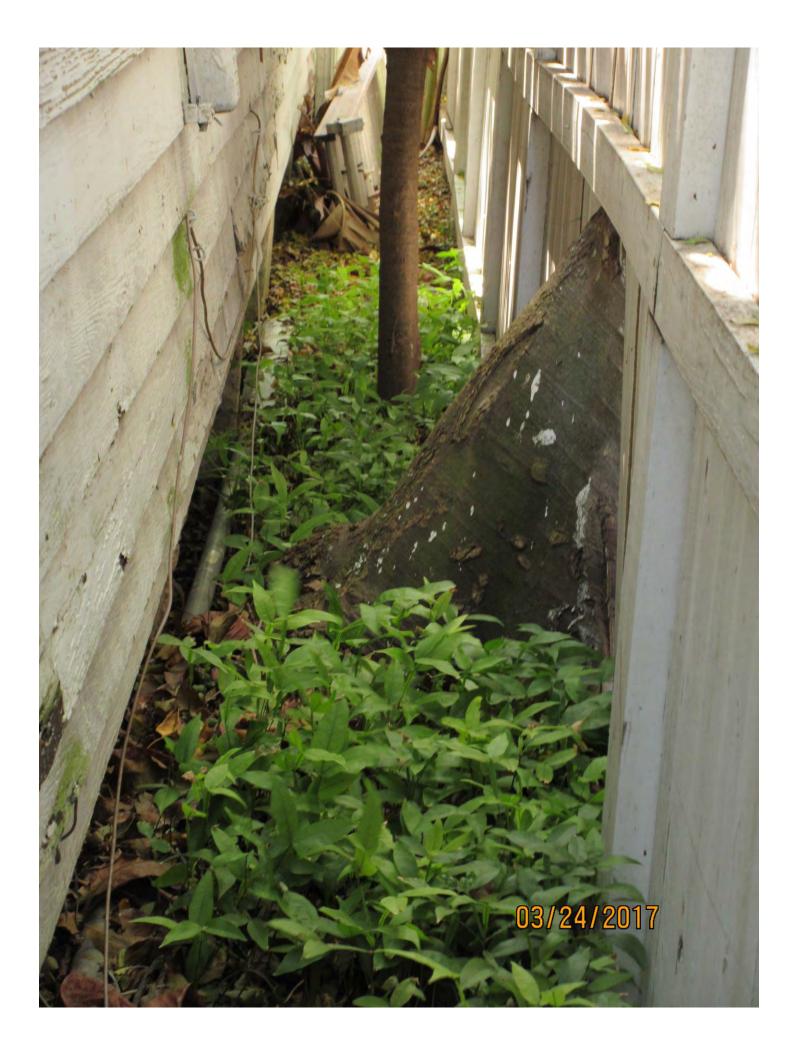
Tree trunk is on 1124 but all of the canopy of the tree is growing over the neighbor's property.













Diameter: 16.2"

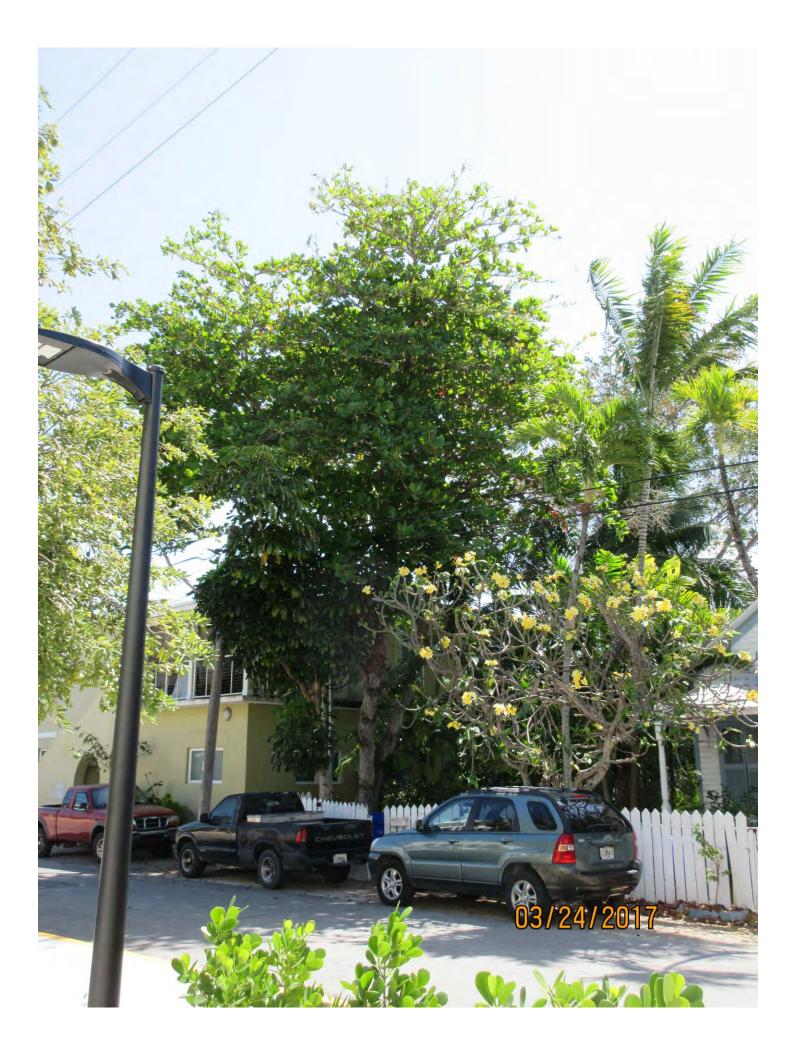
Location: 40% (roots of the tree are impacting the foundation of historic house, canopy on neighbor's property)

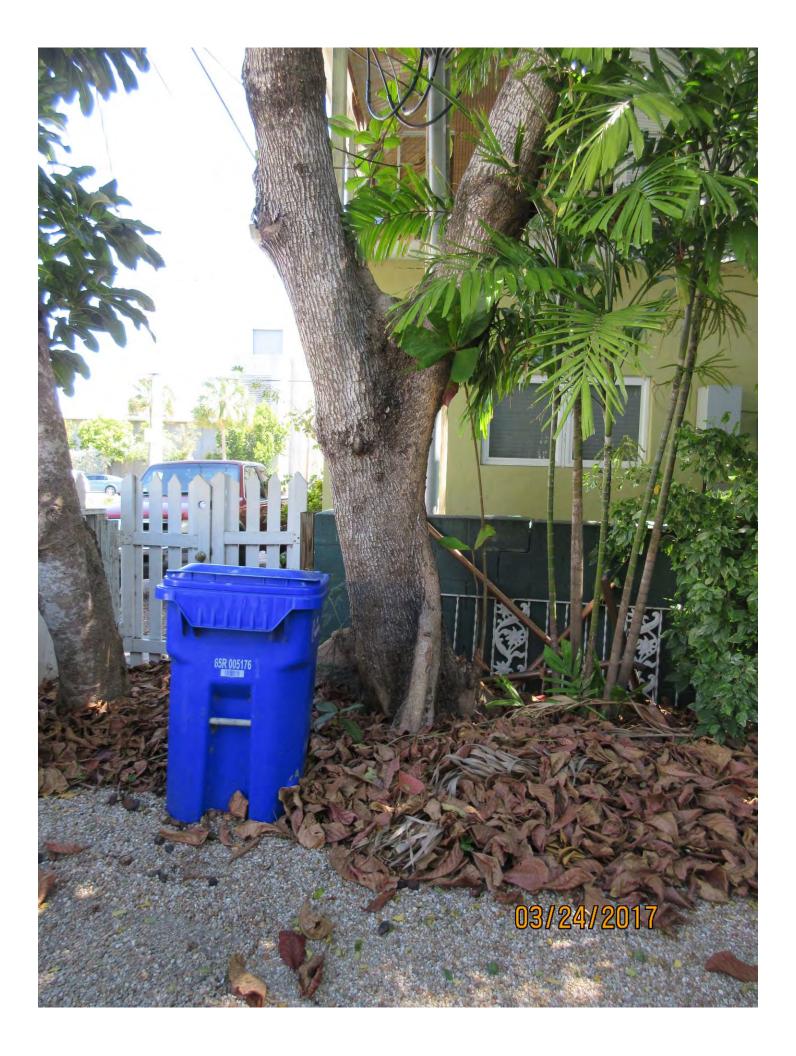
Species: 100% (on protected tree list)

Condition: 60% (fair, strong lean at base of tree, stretched growth, some decay in canopy at old cuts, tree appears to have been maintained) Total Average Value = 66%

Value x Diameter = 10.6 replacement caliper inches

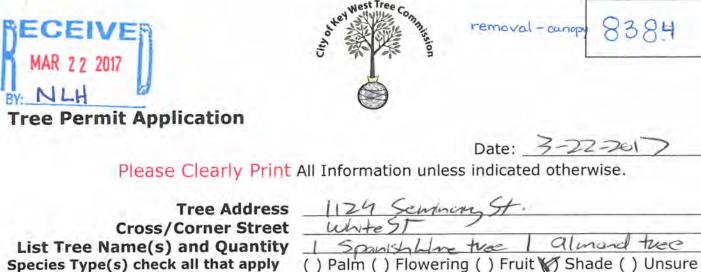
NOTE: House being renovated. Requested additional information from contractor regarding foundation issues. Also, requested letter from neighbor regarding removal of tree since they are directly impacted by its removal.







Application



Reason(s) for Application:

KREMOVE () Tree Health () Safety () Other/Explain below

() TRANSPLANT () New Location () Same Property () Other/Explain below

() HEAVY MAINTENANCE () Branch Removal () Crown Cleaning/Thinning () Crown Reduction Additional The Spanish Line trees voot sustan is dynuglas

Information the have, The almond tree is just a bad tree and Explanation with a horrible structure in an inappropriate place.

Property Owner Name R. Gassen (Gassen Kiu Property Owner eMail Address Property Owner Mailing Address 1124 Semingun St. Property Owner Mailing City Property Owner Phone Number (309) 922-2903 **Property Owner Signature**

Representative Name Representative eMail Address Representative Mailing Address Representative Mailing City Representative Phone Number (309) 296 - 8101

PA

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State PL Zip 33040 Kalvast Keneth KL

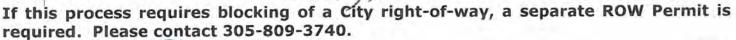
State FL Zip 33040

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 ()

Kawes/

1602 Land

<<<<< Sketch location of tree in this area including cross/corner Street >>>>> Please identify tree(s) with colored tape 1124 Sembraus St



Updated: 02/22/2014

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City of Key West Planning Department



Authorization Form (Individual Owner)

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

Please Print Name(s) of Owner(s) (as appears on the deed) authorize

KEN KING

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 of Owner

Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this 10/march 12017 by

Name of Authorized Representative

He/She is personally known to me or has presented FL Drivers Licons Pas identification.

uande (2)Notary's Signature and Sea

Ariana

Name of Acknowledger typed, printed or stamped

ARIANA COREL of any Fubic, State of Florida Commission Number State of Florida r comm. expires Aug. 04. 2018

Page

Signed, sealed and delivered in our presence:

Witness Name 2 1er na Sole Todell Petero Witness Name:

huste Bill (Seal) Christa J. Bruety

State of Florida County of Monroe

The foregoing instrument was acknowledged before me this 28th day of February, 2017 by Christa J. Bruett, who [_] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name:

My Commission Expires:

BRETT T. SMITH Commission # EE 880426 My Commission Expires MARCH 04, 2017

Prepared by and return to: Wayne LaRue Smith Attorney at Law The Smith Law Firm 509 Whitehead Street Key West, FL 33040 305-296-0029 File Number: 1874.02 Will Call No.:

[Space Above This Line For Recording Data]_

Warranty Deed

This Warranty Deed made this 28th day of February, 2017 between Christa J. Bruett, an unmarried woman whose post office address is 7331 NW 35th Court, Lauderhill, FL 33319, grantor, and Gassen Key West, LLC, a Florida limited liability company whose post office address is 3300 Riviera Drive, Key West, FL 33040, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, logal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) 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:

On the Island of Key West, and known on Wm. A. Whitehead's map delineated in February A.D. 1829, as a part of Tract 18 but now better known as Lot 11, in Square 1 of said Tract 18,, according to Geo. W. Nichols' Subdivision thereof, duly recorded in Plat Book 1, Page 47, Monroe County, Florida Records.

COMMENCING at a point on Seminary Street, distant 90 feet from the corner of White and Seminary Streets, and running thence along said Seminary Street in a SW'ly direction 44 feet 5 inches; thence at right angles in a SE'ly direction 92 feet and 6 inches; thence at right angles in a NE'ly direction 44 feet and 5 inches; thence at right angles in NW'ly direction 92 feet and 6 inches to the place of beginning.

Parcel Identification Number: 00040160-000000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise 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 31, 2016.

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

The owner (Gassen Properties LLC) of 1124 Seminary Street agrees to the following terms for the removal of the tree adjoining the properties of 1122 and 1124 Seminary Street provided by the owner (Bonnie Boccitto) of 1124 Seminary Street.

- 1. obtain any permit/permission that may be required to remove the tree.
- 2. have the tree removed by a professional.
- 3. be responsible for the re-planting of another tree and all associated costs, if this is required by Key West regulations.
- 4. be responsible for any damage that may be done to my property (e.g. fence, house, pool heater or parking space) in the process of the tree removal, including repairing/replacing any such damaged property.
- 5. be responsible for any liability arising from the tree removal.
- 6. be responsible for the removal of all debris, including debris which might fall on my property.
- 7. coordinate the timing of the removal with my Real Estate Agent Brenda Donnelly, so that any showings of the house are not disrupted by the tree removal.

-Docusigned by: Reginald a Gassen

3/18/2017

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