

Prepared by and return to:
George B. Wallace
Assistant City Attorney
PO Box 1409
Key West, FL 33041-1409

UNITY OF TITLE

WHEREAS, the City of Key West, Florida, a municipal corporation, is the owner of the property located in Key West, Monroe County, Florida, and described as:

All that property described in exhibit "A" attached hereto which are currently treated as separate parcels of property with separately assigned real estate property identification numbers by the Monroe County Property Appraiser, and;

WHEREAS, the undersigned recognizes and acknowledges that the herein described property should not be divided into separate parcels as long as the same is put to the hereinafter use; and

WHEREAS, the undersigned hereby executes this written document to affect the above stated purpose.

NOW, THEREFORE, in consideration of other goods and valuable considerations, the undersigned hereby agrees to restrict the use of the above described real properties in the following manner:

1. That the separate parcels of property described in exhibit "A" shall be considered as one plot and parcel of land, and that no portion of said lot and parcel of land shall be sold, transferred, devised or assigned separately, except in its entirety as one plot or parcel of land for so long as the united parcel is utilized for the affordable housing project known as Garden View Apartments.
2. The undersigned further agrees that this Unity of Title is being made for the purpose of the issuance of a major development plan approval by the City of Key West, which requires that the parcels be joined together in the herein described manner.
3. The undersigned further agrees that this condition, restriction, and limitation shall be deemed a covenant running with the land and shall remain in full force and effect and shall be binding upon the undersigned, it's successors and assigns in perpetuity. The City of Key West retains the authority, by resolution, to terminate this covenant should the planned Garden View Apartments not be completed or otherwise be abandoned.
4. The combined parcels result in one parcel of land more particularly described in exhibit "B" attached hereto.

(THIS AREA INTENTIONALLY BLANK)

SIGNED, SEALED, EXECUTED and acknowledged on this _____ day of May, 2020.

CITY OF KEY WEST, FLORIDA

By: _____
Teri Johnston Mayor

Witnesses:

Printed Name: _____

Printed Name: _____

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Teri Johnston, as Mayor of the City of Key West, to me personally known, and who executed the foregoing instrument and he acknowledged before me that she executed the same individually and for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State last aforesaid, this _____ day of May, 2020.

Notary Public, State of Florida

My Commission Expires:

EXHIBIT "A"

EASTER SEALS PARCEL

...the following described property situate, lying and being in the County of Monroe and State of Florida, to wit:

Located on Stock Island, Monroe County, Florida and is more particularly described as follows:

From the intersection of the centerline of the east bound traffic lane of U.S. Highway Number 1 and the east abutment of the southerly of the two Stock Island Highway Bridges go easterly along the said centerline a distance of 300.00 feet to a point; thence northerly making a deflection angle of 91 degrees 10 minutes with the prolongation of the previously described course a distance of 305.64 feet to a point; thence northwesterly making a deflection angle of 32 degrees 40 minutes with the prolongation of the previously described course a distance of 330.00 feet to Traverse Point Number 1; thence northerly making a deflection angle of 15 degrees 13 minutes with the prolongation of the previously described course a distance of 300.00 feet to Traverse Point Number 2; thence northerly making a deflection angle of 8 degrees 49 minutes with the prolongation of the previously described course a distance of 265.00 feet to Traverse Point Number 3; thence northerly making a deflection angle of 27 degrees 16 minutes with the prolongation of the previously described course a distance of 137.67 feet to a point which point is the point of beginning; thence continue northerly along the prolongation of the previously described course a distance of 14.33 feet to Traverse Point Number 4; thence northeasterly making a deflection angle of 23 degrees 21 minutes with the prolongation of the previously described course a distance of 300.00 feet to a point; thence easterly and at right angles a distance of 200.00 feet to a point; thence southerly and at right angles a distance of 136.79 feet to a point; thence southwesterly making a deflection angle of 48 degrees 26 minutes 30 seconds with the prolongation of the

previously described course a distance of 265.67 feet back to the point of beginning.

Containing 1.05 acres, more or less.

Parcel ID 00072082-002200

ANIMAL SHELTER PARCEL:

...situated in lying in being Monroe County, State of Florida, to wit: A parcel of land on Stock Island, Monroe County, Florida, and described by metes and bounds as follows:

From the intersection of the centerline of the south land of U.S. Highway No. 1 and the easterly abutment of the Cow Key Channel Bridge go North 71 Degrees 19 Minutes East a distance of 300 feet to a point of intersection with the approximate centerline of Country Club Road; thence along said approximate centerline North 19 degrees 51 Minutes West a distance of 330 feet to Point #1; thence North 39 Degrees 18 Minutes West a distance of 300 feet to Point #2; thence North 30 Degrees 29 Minutes West a distance of 265 feet to Point #3; thence North 03 Degrees 13 Minutes West a distance of 152 feet of Point #4; thence North 20 Degrees 08 Minutes East a distance of 600 feet to Point #5; thence South 69 Degrees 52 Minutes East, 28.8 feet to the Point of Beginning of the parcel of land herein described; thence continue South 69 Degrees 52 Minutes East, along a cyclone fence, 145.7 feet to a point; thence South 30 Degrees 08 Minutes West, along a cyclone fence, 19.1 feet to a point; thence North 83 Degrees 08 Minutes West, along a cyclone fence, 36.7 feet to a point; thence South 20 Degrees 08 Minutes West, along a cyclone fence, 120.1 feet to a point; thence North 69 Degrees 52 Minutes West, along a cyclone fence, 119.4 feet to a point; thence Northeasterly, along a cyclone fence, 149.2 feet back to the Point of Beginning.

Property ID 00072082-002400

(FROM MAY 6, 1959 LEASE MONROE COUNTY ANTI-MOSQUITO DISTRICT)

...the following described premises situate, lying and being on the Island of Stock Island, in the City of Key West, Monroe County, State of Florida, to-wit:

Starting on a tangent line at Station 5, as noted on the plat prepared by E.R. McCarthy, Registered Surveyor #645, dated May 24, 1957; thence in a southerly direction from starting point along the front property line of the Key West Humane Society property for a distance of 150 feet to a point; thence turn 90 degrees in an easterly direction for 200 feet along the southerly property line of the Key West Humane Society, to the place of beginning; thence continuing along this line extended in an easterly direction 100 feet to the westerly property line of the Florida Keys Aqueduct Commission; thence turn 90 degrees in a southerly direction along the property line of the Florida Keys Aqueduct Commission, 239.20 feet; thence turn 90 degrees in a westerly direction 100.18 feet to a point; thence turn 90 degrees in a northerly direction 232.21 feet to the place of beginning.

Parcel ID 00072082-002100

(FROM MAY 7, 2002 LEASE WITH FL KEYS MOSQUITO CONTROL DISTRICT)

---the following described premises situate, lying and being on the Island of Stock Island, Florida, in the City of Key West, Monroe County, State of Florida, to wit:

Parcel B: Being a part of land located on Stock Island, City of Key West, Monroe County, Florida and being more particularly described as follows:

Commencing at coordinates of which are N 87,107.701 and E 251,328.207, based on the United States Coast and Geodetic Survey Mercator Grid Coordinate System which has for its zero coordinate a point of latitude 24'20'00" North and 500,000 feet west of longitude 81'00'00" West, said point being the intersection of the Easterly Right-of-Way Line of Junior College Road and the Northerly Right-of-Way of U.S. Highway No. 1 (State Road No. 5),

at the Westerly end of Junior College Road; thence along the Easterly and Southerly new Right-of-Way line of Junior College Road for the following seven (7) metes and bounds; thence N.19°01'57"W., a distance of 36.16 feet to the point of curvature of a curve to the left, having: a radius of 265.00 feet, a central angle of 35°06'00", a chord bearing of N.36°34'57"W. and a chord length of 159.82 feet; thence along the arc of said curve, an arc length of 162.34 feet to the point of tangency of said curve; thence N.54°07'57"W., a distance of 272.58 feet to the point of curvature of a curve to the right, having: a radius of 361.02 feet, a central angle of 14°25'40", a chord bearing of N.46°55'07"W. and a chord length of 90.67 feet; thence along the arc of said curve, an arc length of 90.91 feet to the point of tangency of said curve thence curve to the right, having a radius of 446.85 feet, a central angle of 62°35'30", a chord bearing of N.08°24'32"W. and a chord length of 464.24 feet; thence along the arc of said curve, an arc length of 488.15 feet to the point of tangency of said curve; thence N.22°53'13"E., a distance of 286.56 feet; thence S.70°12'57"E., to the Point of Beginning; thence S.70°12'57"E., a distance of 160.57 feet; thence S.19°47'03"W., a distance of 150.00 feet; thence N.70°12'57"W., a distance of 200.00 feet; thence N.19°47'03"E., a distance of 150.00 feet to the Point of Beginning.

Property ID 00072080-002200

FKAA Easement OR Book 130 Page 168-169

In the City Limits of the City of Key West, in Monroe County, Florida,

From the intersection of the centerline of U.S. Highway Number 1 and the east abutment of the Stock Island Highway Bridge go easterly along the centerline of U.S. Highway Number 1 a distance of 300.00 feet to a point; thence making a deflection angle of 91 degrees 10 minutes to the left with the prolongation of the last described course a distance of 305.64 feet to a point; thence making a deflection angle of 32 degrees 40 minutes to the left with the prolongation of the last described course a distance of 330.00 feet to Traverse Point Number 1; thence making a deflection angle of 13 degrees 13 minutes to the right with the prolongation of the last described course a distance of 300.00 feet to Traverse Point Number 2; thence making a deflection angle of 8 degrees 49 minutes to the right with the prolongation of the last described course a distance of 265.00 feet to Traverse Point Number 3;

thence making a deflection angle of 27 degrees 16 minutes to the right with the prolongation of the last described course a distance of 106 feet to a point which point is the point of beginning; thence making a deflection angle of 71 degrees 18 minutes to the right with the prolongation of the last described course and along the northwesterly line of a ditch a distance of 372.71 feet to a point; thence making a deflection angle of 96 degrees 26 minutes 30 seconds to the left with the prolongation of the last described course a distance of 40.09 feet; thence making a deflection angle of 131 degrees 33 minutes 30 seconds to the left with the prolongation of the last described course a distance of 399.31 feet to a point; thence making a deflection angle of 71 degrees 18 minutes to the left with the prolongation of the last described course a distance of 31.67 feet back to the point of beginning.

EXHIBIT "B"

A PARCEL OF LAND LOCATED ON STOCK ISLAND WITHIN SECTIONS TWENTY-SEVEN (27) AND THIRTY-FOUR (34), TOWNSHIP SIXTY-SEVEN (67) SOUTH, RANGE TWENTY-FIVE (25) EAST, MONROE COUNTY, STATE OF FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE POINT OF CURVATURE (PC) OF THE SURVEY BASELINE OF U.S. HIGHWAY 1, HAVING A STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION SURVEY BASELINE STATION OF 63+33.59 AS SHOWN ON THE SPECIFIC PURPOSE SURVEY COMPLETED BY FRANCISCO L. NUNEZ, JR. AND DATED AUGUST 21, 2013, THENCE S70°53'51"W ALONG THE SAID SURVEY BASELINE OF U.S. HIGHWAY 1 FOR A DISTANCE OF 2,740.26 FEET TO THE POINT OF INTERSECTION (PI) OF THE CENTERLINE OF COLLEGE ROAD AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 90550-2612, HAVING A TRACED DATE OF JANUARY 23, 1973 AND THE SAID SURVEY BASELINE OF U.S. HIGHWAY 1; THENCE TRAVERSING ALONG THE SAID CENTERLINE OF COLLEGE ROAD AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 90550-2612, HAVING A TRACED DATE OF JANUARY 23, 1973, FOR THE FOLLOWING SEVEN COURSES AND DISTANCES: N19°06'09"W FOR A DISTANCE OF 136.16 FEET TO A POINT OF CURVATURE (PC); THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF 35°06'00", FOR AN ARC LENGTH OF 137.84 FEET TO A POINT OF TANGENCY (PT); THENCE N54°12'09"W FOR A DISTANCE OF 272.56 FEET TO A POINT OF CURVATURE (PC); THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 401.02 FEET, A CENTRAL ANGLE OF 14°25'40", FOR AN ARC LENGTH OF 100.98 FEET TO A POINT OF TANGENCY (PT); THENCE N39°46'29"W FOR A DISTANCE OF 273.51 FEET TO A POINT OF CURVATURE (PC); THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 486.85 FEET, A CENTRAL ANGLE OF 62°35'30", FOR AN ARC LENGTH OF 531.85 FEET TO A POINT OF TANGENCY (PT); THENCE N22°49'01"E FOR A DISTANCE OF 442.74 FEET TO A POINT; THENCE S67°10'59"E AND LEAVING SAID CENTERLINE OF COLLEGE ROAD FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID COLLEGE ROAD AND THE SOUTHERLY LINE OF THE KEY WEST GOLF COURSE LEASE AREA, SAID POINT BEING THE POINT OF BEGINNING; THENCE S22°49'01"W ALONG SAID EAST RIGHT OF WAY LINE OF COLLEGE ROAD FOR A DISTANCE OF 442.74 FEET TO A POINT OF CURVATURE(PC); THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE OF COLLEGE ROAD ON A CURVE TO THE LEFT, HAVING A RADIUS OF 446.85 FEET, A CENTRAL ANGLE OF 23°06'07", FOR AN ARC LENGTH OF 180.17 FEET TO A POINT ON THE SOUTH LINE OF A 30 FEET WIDE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 130 AT PAGE 168 OF MONROE COUNTY PUBLIC RECORDS; THENCE N67°36'25"E AND LEAVING SAID EAST RIGHT OF WAY LINE OF COLLEGE ROAD AND ALONG THE SOUTH LINE OF SAID 30 FEET WIDE EASEMENT FOR A DISTANCE OF 344.92 FEET TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 148 AT PAGE 425 OF MONROE COUNTY PUBLIC RECORDS; THENCE N19°39'24"E ALONG THE WEST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 148 AT PAGE 425 OF MONROE COUNTY PUBLIC RECORDS FOR A DISTANCE OF 238.08 FEET TO THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN OFFICIAL RECORDS BOOK 365 AT PAGE 324 OF MONROE COUNTY PUBLIC RECORDS; THENCE N70°20'35"W AND ALONG THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 365 AT PAGE 324 OF MONROE COUNTY PUBLIC RECORDS FOR A DISTANCE OF 150.00 FEET TO A POINT; THENCE N19°39'25"E ALONG THE WEST LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS BOOK 365 AT PAGE 324 OF MONROE

COUNTY PUBLIC RECORDS FOR A DISTANCE OF 150.00 FEET TO A POINT ON THE SOUTHERLY LINE OF THE KEY WEST GOLF COURSE LEASE AREA; THENCE N70°20'35"W ALONG THE SAID SOUTH LINE OF THE KEY WEST GOLF COURSE LEASE AREA FOR A DISTANCE OF 107.83 FEET BACK TO THE POINT OF BEGINNING.