

THE CITY OF KEY WEST
Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

22 Apr 11 12:47 PM	Email from Mr. Gaffney to Michael Halpern & Scott Saunders; "Please contact me Monday regarding the removal of signs that will take place on or before May 31 <sup>st</sup> ".
22 Apr 11 2:51 PM	Email from Mr. Gaffney to Scott Saunders; "Let me know who to contact Monday to arrange to pick up the signs on June 1."
14 May 11 8:12 PM	Email from Mr. Gaffney to Michael Halpern & Scott Saunders; "Before signs are replaced, I wanted to contact you one more time to see if you are ready to end our 10 year relationship with the Fury, or if you would like to attempt one more time to reach common agreement to continue to work together."
18 May 11 4:38 PM	Email from Mr. Gaffney to Scott Saunders; "We will return the signs to you if you wish. We can also cover them up, or if Mike is set and our agreement is still in place we will be happy to start selling Fury again per your email today as soon as I can get this confirmed."
22 May 11 9:58 AM	A burglary structure / grand theft complaint is filed with KWPD. Mr. Gaffney is the reporting party. Mr. Gaffney reported that sometime between 21 May 11 at 10:00 PM and 22 May 11 at 9:00 AM the three Fury signs were missing from the booth located at 431 Front Street.
21 Jun 11	A HARC Certificate of Appropriateness is issued to "Laminate new sign over existing sign located @ top of structure as illustrated in photos sign size approx. 6'X8'."  A building permit is issued to "Laminate new sign over existing sign approx. 6' X 24' approx. 24 S.F."
23 Jun 11 5:43 PM	Email from Mr. Gaffney to Scott Saunders; "As discussed, we will be happy to put your sign up on a month to month situation above the counter and see how that goes for all concerned. Mike said there was no Fury sign there today."
24 Jun 11 6:15 PM	Email from Mr. Gaffney to Scott Saunders; "I will proceed with other signage above the booth counter next week unless I hear from you Saturday.
29 Jun 11 19 Jul 11	Mr. Gaffney is advised by Senior Planner Brendon Cunningham that City Planner Don Craig had determined whatever signage was replaced it would have to be conforming. A new sign is attached to the roof of the booth, without the benefit of a HARC or Building

permit.

11/30/2010

Paid

2010 Paid Real Estate

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

MILLAGE CODE ALTERNATE KEY NUMBER ESCROW CD 10KW 1000141

MUST PAY BY CASH, CASHIER CK, OR MONEY ORDER ALLF CECIL E IRREVOCABLE TRUST 10/15/94 KNABE FAMILY LTD PARTNERSHIP T/C

111 VIA DLIOMO

NEW SMYRNA BEACH, FL 32169

00000150000000066825 UNIT E 431 FRONT ST

KW PT LOT 1 AND PT LOT 2 SOR 3 G24-269 G24-271 OR490-875/877 OR636-140/141 OR765-1672/74

OR998-4

	*****	AD VALOREM TAXE	S		-
TAXING AUTHORITY MILLA	GE RATE	ASSESSED VALUE EXE	MPTION AMOUNT	TAXABLE VALUE	TAXES LEVIED
SCHOOL STATE LAW	1.9440	3,123,754	0	3,123,754	6,072.58
SCHOOL LOCAL BOARD	1.8795	3,123,754	0	3,123,754	5,871.10
GENERAL REVENUE FUND	1.0971	3,123,754	0	3,123,754	3,427.07
F&F LAW ENFORCE JAIL JUDICIAL	2.2060	3,123,754	0	3,123,754	6,891.00
HEALTH CLINIC	0.0414	3,123,754	0	3,123,754	129.32
FLORIDA KEYS MOSQUITO CONTROL	0.4596	3,123,754	0	3,123,754	1,435.68
CITY OF KEY WEST	2.9132	3,123,754	0	3,123,754	9,100.12
SO FL WATER MANAGEMENT DIST	0.2549	3,123,754	0	3,123,754	796.24
OKEECHOBEE BASIN	0.2797	3,123,754	0	3,123,754	873.71
EVERGLADES CONSTRUCTION PRJT	0.0894	3,123,754	0	3,123,754	279.26

TOTAL MILLAGE AD VALOREM TAXES 11.1648

\$34,876.08

LEVYING AUTHORITY

NON-AD VALOREM ASSESSMENTS

RATE

AMOUNT

NON-AD VALOREM ASSESSMENTS

\$0.00

COMBINED TAXES AND ASSESSMENTS		\$34,876.08		See reverse side for important information	n,
If Received By Please Pay	Aug 31, 2011 \$0.00	Sep 30, 2011 \$0.00	Oct 31, 2011 \$0.00		

IF PAID BY ...

DANISE D. HENRIQUEZ, C.F.C. MONROE COUNTY TAX COLLECTOR

2010 Paid Real Estate

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ALTERNATE KEY NUMBER	ESCROW CD		MILLAGE CODE
1000141			10KW

MUST PAY BY CASH, CASHIER CK, OR MONEY ORDER

ALLF CECIL E IRREVOCABLE TRUST 10/15/94

KNABE FAMILY LTD PARTNERSHIP T/C 111 VIA DLIOMO

RETURN WITH PAYMEN

NEW SMYRNA BEACH, FL 32169

000001500000000066825 UNIT E 431 FRONT ST

KW PT LOT 1 AND PT LOT 2 SOR 3 G24-269 G24-271 OR490-875/877 OR636-140/141 OR765-1672/74

OR998-4

CHECKS ON U.S. BANKS ONLY TO DANISE D. HENRIQUEZ, C.F.C TAX COLLECTOR P.O. BOX 1129, KEY WEST, FL 33041-1129

If Received By Please Pay	Aug 31, 2011 \$0.00	Sep 30, 2011 \$0.00	Oct 31, 2011 \$0.00		
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# **RE: HARC Building Application**

1 message

Carolyn Walker < cwalker@keywestcity.com>

To: Jim Young <jjyoung@keywestcity.com>

Mon, Aug 8, 2011 at 9:28 AM

Here's the computer record:

Application number . . . . : 11 01000695

RE #/PARCEL #/TAX ID etc .: - - -

Address . . . . . . . . 431 FRONT

Type information, press Enter.

2=Change 4=Delete 5=Display

Opt Code Date Print Miscellaneous Information

DESC 5/27/11 Y Laminate new sign over existing sign

DESC 5/27/11 Y located @ top of structure as

DESC 5/27/11 Y illustratted in photos attached sign

DESC 5/27/11 Y size approx. 6'X8' H11-01-695. GH

DESC 5/27/11 Y T/S: 05/27/2011 10:37 AM KEYWGRC -

Application number . . . : 11 00002077

RE #/PARCEL #/TAX ID etc .: 0000-0150-000000-

Address ..... 431 FRONT C

Type information, press Enter.

2=Change 4=Delete 5=Display

Opt Code Date Print Miscellaneous Information

DESC 6/16/11 Y LAMINATE NEW SIGN OVER EXISTING SIGN

DESC 6/16/11 Y APPROX 6'X 24' APPROX 24 S.F., SIGN

DESC 6/16/11 Y COPY: TROLLEY TOURS AS PER HARC

DESC 6/16/11 Y #11-01-695 staff approved 6/2/11 ET.MC.

From: Jim Young [mailto:jjyoung@keywestcity.com]

**Sent:** Monday, August 08, 2011 9:21 AM **To:** Enid Torregrosa; Carolyn Walker **Subject:** HARC Building Application

Can you provide me a copy of HARC application # 11-01000695 and building permit application # 11-00002077?

Thanks,

Jim Young

Code Compliance Manager

City of Key West Office: 305. 809.3737

# THE CITY OF KEY WEST

Building Department 809-3956

# H.A.R.C.

Certificate of Appropriateness

FOR NEXT BUSINESS DAY INSPECTIONS, CALL 293-6462 BEFORE 3:00 PM.

PERMIT # 11-01000695-000-000--90

ISSUED 6/21/11 EXPIRES 6/20/13

LICENSE# 11-00014216 HIGH DENSITY RES/COMM

APPLICATION BY... MATTERGLY CONSTRUCTION

ON PROPERTY OF ... ALLF CECIL & KNABE ROBERT

FOR A PERMIT TO .. Laminate new sign over existing sign

located @ top of structure as illustratted in photos attached sign

size approx. 6'X8' H11-01-695. GH T/S: 05/27/2011 10:37 AM KEYWGRC

431 FRONT ST

Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

This card and approved plans must be posted in a location clearly visible from the street. The location of construction must have posted a clearly legible address visible from the street.

FINAL INSPECTION REQUIRED.

FINAL INSPECTION

APPROVED BY

DATE / /

# THE CITY OF KEY WEST

Building Department 809-3956 3140 Flagler Avenue, Key West, Florida 33040

# **BUILDING PERMIT**

FOR NEXT BUSINESS DAY INSPECTIONS, CALL 293-6462 BEFORE 3:00 PM.

PERMIT # 11-00002077-000-000-SIGN-00 ISSUED 6/21/11
LICENSE# 11-00014216 EXPIRES 6/10/13
HIGH DENSITY RES/COMM
APPLICATION BY. MATTINGLY CONSTRUCTION
ON PROPERTY OF... KNABE ROBERT H & ALLF CECIL E
FOR A PERMIT TO.. LAMINATE NEW SIGN OVER EXISTING SIGN
APPROX. 6'X 24' APPROX. 24 S.F. SIGN

COPY: TROLLEY TOURS AS PER HARC #11-01-695 staff approved 6/2/11 ET.MC.

431 FRONT ST C

## WARNING TO OWNERS

YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY PRIOR TO RECORDING YOUR NOTICE OF COMMENCEMENT.

Notice: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

This eard and approved plans must be posted in a location clearly visible from the street. The location of construction must have posted a clearly legible address visible from the street.

PERMIT VOID IF CONSTRUCTION IS NOT STARTED WITHIN 180 DAYS.

Commercial construction allowed M-F 8:00 am - 7:00 pm, Saturday 9:00 am - 5:00 pm.

FOUNDATION APPROVED BY DATE / /	FOOTING APPROVED BY DATE ///	FRAMING APPROVED BY DATE / /
STRAPPING APPROVED BY DATE / /	SHEATHING APPROVED BY DATE / /	FINAL APPROVEDBY DATE/

July 20, 2011

City of Key West Code Enforcement Attn: Jim Young 3139 Riviera Drive Key West, FL 33040

Re: Tim Gaffney

Dear Mr. Young:

Enclosed please find copies of emails from the above referenced individual, which support that I did not "steal" signs from Tim's booth located on Front Street. As you can see from the emails, I was given a deadline in which to remove the signs since I was unwilling to pay the amounts he was asking for sponsorship and to post signage at his location. Be advised that Tim charges companies to post signage at his location; the amount varies depending on placement and size of the sign.

You will note from the emails provided, Tim requested that the signs be removed since we were unwilling to enter into an agreement with him. In accord with his direction, we removed the signs that were rightfully ours.

I will be meeting with the City of Key West Police Dept because it's my opinion that Tim filed a false police report. He told the local authorities that the signs were stolen when in fact he knew we took the signs down pursuant to his demand that they be removed.

Should you care to further discuss this matter, please don't hesitate to contact me. My cell is 305 360 2375

Sincerely

Scott Saulyders

Court. David Black, City of Key West Police Department



From: Scott Saunders [scottsaunderskw@me.com]

**Sent:** 07/20/2011 9:40 AM

To: Scott Saunders

Subject: Fwd: Courtesy of Final Notice:

Scott Saunders scottsaunderskw@me.com

Begin forwarded message:

From: TGofKW@aol.com

Date: April 22, 2011, 12:47:28 PM EDT

To mhpa@bellsouth.net STLLC@Bellsouth.net

Subject: RE: Courtesy of Final Notice:

4/22/11

Scott/Michael-- Fury Management

Per my 3rd discussion with Scott this week, I extended a revised offer for Fury to continue our marketing agreement with your company.

At this point, I offered to extend essentially the same payment structure in place for the past 10 years.

The offer this week was @ \$2000 per month less than the prior negotiated agreement that we had shook hand on at meeting #2. It was my understanding, after nearly 1.5 hours of negotiating each opportunity line by line, we had an agreement. However, a signed contract was not forthcoming.

The final contract was forwarded to Scott Thursday evening, with the prior understanding that all offers will now be off the table and completed by noon Friday 4/22/11.

As of 12:30 PM today, no response from Scott or Fury has been received.

I will take that to mean there is no longer interest in the Fury retaining the services of Booth One.

Please contact me Monday regarding the removal of signs that will take place on or before May 31st.

If I have somehow missed communication from you, I will extend the 2 contracts forwarded to you until 3PM today.

One of those 2 contracts will need to be signed and notarized by 3PM today if you in fact still have a desire to remain.

Thank you again for the opportunity to work with you and Fury.

Cordially,

Timothy Gaffney President

Vacation Depot

Unique Vacations: Key West & Palm Springs

305-294-1525

FAX: 305-768-2372

From: Scott Saunders [scottsaunderskw@me.com]

**Sent:** 07/20/2011 9:39 AM **To:** Scott Saunders

Subject: Fwd: Courtesy of Final Notice:

Scott Saunders

scottsaunderskw@me.com

#### Begin forwarded message:

From: TGofKW@aol.com

Date: April 22, 2011 2:51:26 PM EDT

To: scottsaunderskw@me.com

**Subject: Re: Courtesy of Final Notice:** 

Thanks Scott.

Let me know who to contact Monday to arrange to pick up the signs on June 1.

Cordially,

Timothy Gaffney President

Vacation Depot

Unique Vacations: Key West & Palm Springs

305-294-1525

FAX: 305-768-2372

www.desertprincess.cc www.vacationdepot.com

In a message dated 4/22/2011 2:18:14 P.M. Eastern Daylight Time,

From: Scott Saunders [scottsaunderskw@me.com]

**Sent:** 07/20/2011 9:37 AM **To:** Scott Saunders

Subject: Fwd: Booth

Scott Saunders scottsaunderskw@me.com

### Begin forwarded message:

From: TGofKW@aol.com

Date: May 14, 2011 8:12:03 PM EDT

To: STLLC@Bellsouth.net
Cc: mhpa@bellsouth.net
Subject: RE: Booth

Scott/ Michael,

As you know, a couple of your guys came by today to take down Fury signs.

Before signs are replaced, I wanted to contact you one more time to see if you are ready to end our 10 year relationship with the Fury, or if you would like to attempt one more time to reach common agreement to continue to work together.

The longer this goes on, the more difficult I believe it will be to ever put the pieces back together again for our mutual benefit.

Cordially,

Timothy Gaffney President

From: Scott Saunders [scottsaunderskw@me.com]

**Sent:** 07/20/2011 9:36 AM **To:** Scott Saunders

Subject: Fwd: Booth

**Scott Saunders** 

scottsaunderskw@me.com

#### Begin forwarded message:

From: TGofKW@aol.com

Date: May 18, 2011 4:38:13 PM EDT

To: scottsaunderskw@me.com

Subject: Re: Booth

Thanks Scott.

I have forwarded this to Mike. I am waiting to hear back from him.

We will return the signs to you if you wish. We can also cover them up, or if Mike is set and our agreement is still in place we will be happy to start selling Fury again per your email today as soon as I can get this confirmed.

I would be happy to meet with you. I am not downtown until this weekend.

Right now I have had 2 days of computer problems, if you could let me clear up this issue first.

Cordially,

From: Scott Saunders [scottsaunderskw@me.com]

**Sent:** 07/20/2011 9:30 AM **To:** Scott Saunders

To: Scott Saun Subject: Fwd: Sign

**Scott Saunders** 

scottsaunderskw@me.com

### Begin forwarded message:

From: TGofKW@aol.com

Date: June 23, 2011 5:43:02 PM EDT

To: scottsaunderskw@me.com

Subject: Re: Sign

Scott,

Good to talk with you Wednesday.

As discussed, we will be happy to put your sign up on a month to month situation above the counter and see how that goes for all concerned.

Mike said there was no Fury sign there today.

If you don't want to put it there, please me know.

Thanks again.

Cordially,

Timothy Gaffney President

Vacation Depot

From:

Scott Saunders [scottsaunderskw@me.com]

Sent:

07/20/2011 9:29 AM

To:

Scott Saunders

Subject:

Fwd: Agreement

Attachments: FuryContract 2011-2013.doc; ATT00186.htm

**Scott Saunders** 

scottsaunderskw@me.com

#### Begin forwarded message:

From: TGofKW@aol.com

Date: June 24, 2011 6:15:17 PM EDT

To: STLLC@Bellsouth.net Subject: RE: Agreement

Scott,

Here is a copy of our understanding on the override situation as we discussed.

If you would, I would like to file this early next week.

I will proceed with other signage above the booth counter next week unless I hear from you Saturday.

Thanks again.

Cordially,

Timothy Gaffney President

# Key West Police Department Date Report Prepared 05/22/2011 09:58

## Incident Report

Case # 01-11-002752

Occupation: Books Coo Contract of 1 St. 111121	nts : KHAKI SHORTS ir Color : GRAY/PARTIALLY GF	RAY		
	Hair Length: BALDING			
Min. Weight: 170 lbs	e Color : BLUE			
Adult or Juvenile : ADULT Bu	ild: LIGHT			
Treationally : Lim corter of total transfer	eech : NORMAL sidency Type : CITY			
	sidency Status : FULL YEAR			
Will File Charges : YES Bo	dy Marks:			
Can Identify Offender: NO End of Person:	un <b>2</b> ar rocken jagens mystamer ar	ga gagagan an annan an an an an an an an an an a		
		Business Phone		
P Person Type Business/Person Name		Business Pholie		
E SUSPECT/ARRESTEE UNKNOWN				
R Home Phone Person Address				
S O Other Phone Employer Address				
Race Sex SSN UNKNOWN Unknown	DL Exp. Date	DL Number		
Birth Date Birth Place				
Relationship : STRANGER OF FURY WATER ADEVENTURES Bo	ody Marks:			
End of Person:	3			
P Category Property Type Ma		Modei		
R	siness signs	Condition		
	scription e, white and red Signs	Condition		
I G I Accordations : CWNER IS FURY WATER AUCVENTURED V	alue: \$0,001,000.00 colen Location: Use Address fro	m Incident Location Information		
End of Property:	1			
N Topic ORIGINAL				
A On 5/22/2011, at about 0920 hours, I (Ofc. T. Ane)	responded to 431 Front	Street (Fury Water		
R Adventures Booth), in reference to a criminal miscie	f. Upon arrival, I met w	ith reporting person Tim		
A 1 Gaffney, DOB 5/7/1951 (Owner).				
T .				
Gaffney said he noticed 3 of his store front signs mi	ssing this moming at at	oout 0900 hours. Gaffney		
remembers seeing the signs last night before closin	g the booth at about 22	00 hours. Gaffney described		
the signs to be blue, white, red and made of wood.	The signs read Fury Ad	ventures. The signs were		
located in three different areas of the booth, one on	top of the roof, one on	the front wall of the booth,		
land one located in the booth hanging from the roof.	Gaffney estimates the	cost of the signs to be		
labout \$1,000,00. Gaffney said he has photos of th	e signs and will email th	ne photos to me. Garrney		
said he did not know of any witness or suspects at t	he time of my investigat	tion. I did not locate any		
TO A SECOND CONTROL OF A CONTRO				
	-			
latent prints at the scene.				
latent prints at the scene.  Leave Gaffney my business card with this case nur	mber and my e-mail add	tress. Ofc. S. Mitchell took		
	mber and my e-mail add	ress. Ofc. S. Mitchell took		

Reporting Officer ANTONIO AVRELIO ANE	(3418)	Department KEY WEST POLICE DEPARTMENT	Report Status: Approved
Officer Name			Date/Time
Verifying Officer SGT BERNARDO BARRIOS	(1555)	Department KEY WEST POLICE DEPARTMENT	Date / Time 05/22/2011 17:03

End of Narrative:

# Key West Police Department Date Report Prepared 05/22/2011 09:58

## Incident Report

Case # 01-11-002752

	e# [	Date Report Prepared	Occurred From	Occurred To	ľ	Report Type
		05/22/2011 09:58	05/21/2011 21:00	05/22/2011 09:	II	Original
	ot. Classification RGLARY RELATED O	FFENSE	Case Status OPEN	Case Status D 05/22/2011		Cleared 05/22/2011 10:00
_ 1	nmon Name		•	•		
			KEY WEST, FL 33040 (MON			
Disp Res Arm Loca	of Week: SATURDA' batched: 05/22/2011 ( ponded: 05/22/2011 ) ved: 05/22/2011 09:38 ation Type: OTHER S it Assignment: 1	09:23 09:25	Dru Tot Tot	ohol Related: NO ug Related: NO al Damaged Property-W al Stolen Property Value al Recovered Property \	s: \$1000.00	and Shaplandeley
D F	UCR by Records	Personnel ONLY		***************************************		Attempted/Committee
F	FSS or MOV Num	ber		Location Type		Disposition Date
· 1	810.02			OTHER STRUCTURE		
N •	FURY WATER AD Defined); TIM GAFFENEY (	TRUCTURE UNOCCUPI EVENTURES (VICT,Prin VICT,Primary Role,User I P,Primary Role,User Defii	nary Role, User Str Defined);	f Premises :1 ucture Occupancy:UNC	OCCUPIED	
			End of Offense:	1		
) F	UCR by Records	Personnel ONLY				Attempted/Committee
፣ ፤	FSS or MOV Num	<b>ber</b> 4088		Location Type		Disposition Date
2	Offense: THEFT ( FURY WATER AD Defined); TIM GAFFENEY (	4068  RAND =>\$300 <\$5000  EVENTURES (VICT,Prim  /ICT,Primary Role,User Defin	# o nary Role,User Stri	OTHER STRUCTURE  f Premises : 1  ucture Occupancy : UNC	OCCUPIED	1
			End of Offense:	2		
•	Person Type	Business/Pers	on Name			Business Phone
•	VICTIM		ADEVENTURES			(305) 294-1525
_	Home Phone	Person Addres	ST KEY WEST FL 33040			
1	Other Phone	Employer Addı		ONROE County		
	Race	Sex	SSN	DL Exp. Date	DL A	łumber
	Birth Date	Birth Place				
	Employer : TIM GA Relationship : STR Victim Type : BUSI Will File Charges :	ANGER OF UNKNOWN NESS	Sot	n Identify Offender : NO priety of Victim : UNKNO by Marks:	WN	-
			End of Person:	1		
	Person Type VICTIM	Business/Pers				Business Phone
_	Home Phone (305) 294-1525	Person Addres				
2	Other Phone	Employer Addr		7 ax	Ł	. 5,
	Race WHITE	Sex Male	CCM	DL Exp. Date	DL N	lumber
•	Birth Date 05/07/1951	Birth Place UNITED STATE	:S		The Control of Control of the Control of Con	a massess may a
	Age: 60		Shii	t : Green t shirt	4.	
•	ng Officer O AVRELIO ANE		epartment EY WEST POLICE DEPART	MFNT	Report Status:	
fficer N					Date/Time	