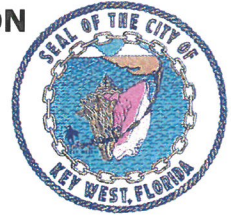


Application

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
City of Key West Planning Department
1300 White Street, Key West, FL 33040
(305) 809-3720



RECEIVED
JUL 09 2018
 BY: NLH

Development Plan & Conditional Use Application

Applications will not be accepted unless complete

Development Plan

Major
 Minor

Conditional Use

Historic District

Yes
 No

Please print or type:

- 1) Site Address 1124 Truman Ave
- 2) Name of Applicant Trepanier & Associates, Inc.
- 3) Applicant is: Owner Authorized Representative
 (attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 1421 1st Street unit 101
Key West, FL 33040
- 5) Applicant's Phone # 305-293-8983 Email lori@owentrepanier.com
- 6) **Email Address:** _____
- 7) Name of Owner, if different than above Land 10031 LLC; Land 2708 LLC; Land 1701 LLC; Land 7009 LLC; Land 4027 LLC; Land 8601 LLC; Land 8351 LLC; Land 2421 LLC _____
- 8) Address of Owner 4900 W Hundred Rd, Chester, VA 23831
- 9) Owner Phone # c/o 305-293-8983 Email c/o lori@owentrepanier.com
- 10) Zoning District of Parcel _____ RE# 00032360-000000
- 11) Is Subject Property located within the Historic District? Yes No
 If Yes: Date of approval _____ HARC approval # _____
 OR: Date of meeting _____
- 12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).

Renovation of retail grocery and restaurant adding a 166 sq. ft. addition
and converting 90 sq. ft. of retail space to consumption area.

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13) Has subject Property received any variance(s)? Yes No

If Yes: Date of approval _____ Resolution # _____

Attach resolution(s).

14) Are there any easements, deed restrictions or other encumbrances on the subject property?

Yes No

If Yes, describe and attach relevant documents.

- A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.
- B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
- C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
- D. For both *Conditional Uses* and *Development Plans*, one set of plans **MUST** be signed & sealed by an Engineer or Architect.

Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.



Conditional Use

Chapter 122, Article III, Sections 122-61 and 122-62

Dion's Store 202

1124 Truman Avenue, Key West, Florida (RE# 00032360-000000)



Executive Summary:

This application is a request for conditional use approval to redevelop a retail gas/convenience store and a restaurant at 1124 Truman Avenue to convert 90 sq. ft. of retail space to consumption area and an additional 166 sq. ft. for back of house space.

Breakdown of F.A.R.:

Use	Existing	Proposed
Retail	2,190 sq. ft.	2,073 sq. ft.
Restaurant service area	512 sq. ft.	705 sq. ft.
Consumption	0	90 sq. ft.
TOTAL:	2,702 sq. ft.	2,868 sq. ft.

Key persons and entities (Sec. 108-228) involved in this project are as follows:

Owner: Land 10031, LLC
 Authorized Agent: Trepanier & Associates, Inc.
 Architect: Robert Steele, Bob Architecture
 Engineer: NA
 Surveyor: Florida Keys Land Surveying
 Landscape Architect: NA
 Legal and Equitable Owners: Land 1003, LLC; Land 10031, LLC; LAND 10031, LLC; LAND 113, LLC; LAND 1701, LLC; LAND 2421, LLC; LAND 2708, LLC; LAND 4027, LLC; LAND 7009, LLC; LAND 8351' LLC; and LAND 8601 LLC

Project Description (Sec. 108-229):

According to the Monroe County Property Appraiser, the existing CBS structure was built in 1969 to replace a previous gas and auto service station. The existing commercial site is used as a convenience store and gas station. The building is not historic; however, it is within the Historic District and will require a HARC application and approval process.

All required parking is provided on site with the addition of bicycle spaces.

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HNC-1	HNC-1	HNC-1	Conditional Use
Flood Zone	X	X	X	Complies
Height	35 ft	<35 ft	35 ft	Complies
Site Size ¹	≥ 4,000 sq. ft.	15,201 sq. ft.	15,201 sq. ft.	Complies
Density:	16 u/ac	0	0	Complies
Floor Area Ratio Total	1.0	17% (2,702 sq. ft.)	18% (2,868 sq. ft.)	Complies
Building Coverage	50% (7,600.5 sq. ft.)	28% (4,300 sq. ft.)	29% (4,460 sq. ft.)	Complies
Impervious Surface	60% (9,120.6 sq. ft.)	~97%	~97%	No Change
Open Space/landscape	20% (3,040.2 sq. ft.)	~3%	~3%	No Change
Setback – Front	5 ft.	5 ft.	5 ft.	Complies
Setback – Side	5 ft.	2.05 ft.	2.05 ft.	No Change
Setback – Street Side	7.5 ft.	7.5 ft.	7.5 ft.	Complies
Setback – Rear	15 ft.	1.3 ft.	1.3 ft.	Variance Requested
Consumption Area	N/A	0	90 sq. ft.	Complies
Parking:				
auto	9	9	9	No Change
handicap	1	1	1	No Change
bicycle	2.25	0	6	No Change

Sec. 122-62. – Specific criteria for approval:

(a) Findings.

A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan comply with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and the land development regulations.

(b) Characteristics of use:

(1) Scale and intensity

a. Floor area ratio

FAR for the HNC-1 zoning district is 1.0. Existing FAR is 17% with 2,702 sq. ft. of commercial floor area. With the small addition, FAR will increase to 18% for a total of 2,868 sq. ft. of commercial floor area. This site will remain 100% commercial use.

¹ According to the Monroe County Property Appraiser's Records

b. Traffic generation:

Land Use		Size	Pk Hr Wkday Trips
Existing	Gas Station w/ Convenience Mart - ITE 945 (77.68 trips/1k sq. ft.)	2,190	170.1
	Fast-Food w/o Drive-thru - ITE 933 (43.87 trips/1k sq. ft.)	512	22.5
	Existing Subtotal		192.6
Proposed	Gas Station w/ Convenience Mart - ITE 945 (77.68 trips/1k sq. ft.)	2,073	161.0
	Fast-Food w/o Drive-thru - ITE 933 (43.87 trips/1k sq. ft.)	705	30.9
	Proposed Subtotal		191.9
Total Change			-0.7

c. Enclosed building square footage is as follows:

Use	Existing	Proposed
Retail	2,190 sq. ft.	2,073 sq. ft.
Restaurant service area	512 sq. ft.	705 sq. ft.
Consumption	0	90 sq. ft.
TOTAL:	2,702 sq. ft.	2,868 sq. ft.

d. Proposed employment:

Not applicable. No new employment is proposed. Existing employment for the retail/service station and restaurant will remain the same.

e. Proposed number and type of service vehicles:

Not applicable. No new service vehicles are proposed.

f. Off-street parking needs:

The current parking situation is conforming and this proposal will not generate additional parking requirements. The parking required for the proposed consumption area will be offset by the reduction in retail.

Parking Demand		Area/ Units	Automobile		Bikes/Scooters	
			Req'd	Existing	Req'd	Existing
Existing	Commercial (1/300 sq. ft.)	2,190 sq. ft.	7.3	9.0	2.3	0.0
	Consumption Area (1/45 sq. ft.)	0 Sq. ft.	0.0	0.0	0.0	0.0
	Existing Subtotal		7.3	9.0	3.0	0.0
Proposed	Commercial (1/300 sq. ft.)	2,703 sq. ft.	6.9	7.0	1.7	2.0
	Consumption Area (1/45 sq. ft.)	90 Sq. ft.	2.0	2.0	0.5	1.0
	Proposed Subtotal		8.9	9.0	2.2	3.0

	Total Change	+1.6	0.0	-0.8	3.0
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(2) On- or off-site improvement needs:

a. Utilities

Concurrency Facilities and Other Utilities or Services are summarized as follows:

Levels of Service – The impacts of the proposed project are generally summarized as follows:

- The LOS analysis concludes that overall trip generation from the site will be expected to **decrease** by approximately **0.7 trips per weekday**.
- Supply of parking follows the demand of the Land Development Regulations Section 108-572 and Section 122-1470.
- Potable water demand for the additional commercial space is estimated to increase by **26.2 gal/day**.
- The wastewater flow for the additional commercial space is anticipated to stay the same at **230 gal/day**.
- The recyclable waste LOS for the additional commercial space is anticipated to increase by **0.46 lbs/day**.
- The solid waste LOS for the additional commercial space is anticipated to increase by **2 lbs/day**
- The proposed change is not expected to impact Storm water LOS.
- The proposed change is not expected to impact Recreation LOS.
- The team will coordinate with FKAA to ensure the water pressure and flow will be adequate for fire protection for the type of construction proposed.
- No adverse impacts to the quality of receiving waters are anticipated before, during or after construction.
- Changes to the existing storm water management system is depicted on the attached plans.

b. Public facilities

See concurrency analysis below.

c. Roadway or signalization improvements

NA - No roadway or signalization improvements are required or proposed.

d. Accessory structures or facilities

NA - No accessory structures or facilities are required or proposed.

e. Other unique facilities/structures proposed as part of site improvements

NA - No other unique facilities/structures proposed as part of site improvements are required or proposed.

- (3) On-site amenities proposed to enhance site and planned improvements.
 - a. Open space:
No changes proposed to open space.
 - b. Setbacks:
A setback variance is requested to recognize the existing principal structure and the additional square footage.
 - c. Screening and buffers:
No landscaping impacted, or changes proposed.
 - d. Landscaped berms proposed to mitigate against impacts to adjacent sites:
No landscaping impacted, or changes proposed.
 - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts:
This project proposes no changes to existing use which would induce or increase smoke, odor, noise or other noxious impacts.

(c) Criteria for conditional use review and approval:

(1) Land use compatibility.

The project site is located in the HNC-1 zoning district. The intent of the Historic Neighborhood Commercial (HNC-1) zoning district is to implement comprehensive plan policies for areas designated "HNC-1 through 3" on the comprehensive plan future land use map. The HNC districts shall accommodate both residential and neighborhood commercial uses typically located along major thoroughfares which lead into or are adjacent to the central core commercial area of the city. Residential activities permitted within the HNC-1 include single-family and duplex structures as well as multiple-family structures. Commercial uses generally permitted in these districts include professional offices; Banking and financial institutions; Personal service shops; Specialty shops; Retail sales and services, excluding automotive sales and services as well as drive-through restaurants, theaters or other drive-through facilities which potentially generate similar traffic flow problems; and transient living accommodations and guest cottages.

(2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.

As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. Site data table is included.

(3) Proper use of mitigative techniques.

No adverse impacts to adjacent land uses are anticipated. The community character is a mix of retail commercial, office space and single-family homes of various sizes, age and architectural style. Community infrastructure will not be burdened by this project.

(4) Hazardous Waste.

The proposed use will not produce any hazardous waste or use hazardous materials in its operation.

(5) Compliance with applicable laws and ordinances.

All applicable permits required from agencies other than the City of Key West will be obtained.

(6) Additional criteria applicable to specific land uses.

Residential Developments (Sec. 108-231):

This development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

- Chapter 102 – This property is located within the Historic District and is subject to HARC approvals and process.
- Articles III, IV and V of Chapter 108 – As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.
- Section 108-956 – The project team will coordinate with FCAA to ensure access to potable water and a wastewater disposal system.
- Chapter 110 – As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

Article III Site Plan (Sections 108-276 – 289)

Site Location and Character of Use (Section 108-277):

Location:

This commercial property is located at the corner of a busy intersection located at the 1100 block of Truman Avenue and the 1000 block of White Street. Both Truman Avenue and White Street are busy commercial thoroughfares with various stretches of commercial, residential and mixed-use structures. This site is within the Historic Neighborhood Commercial district and



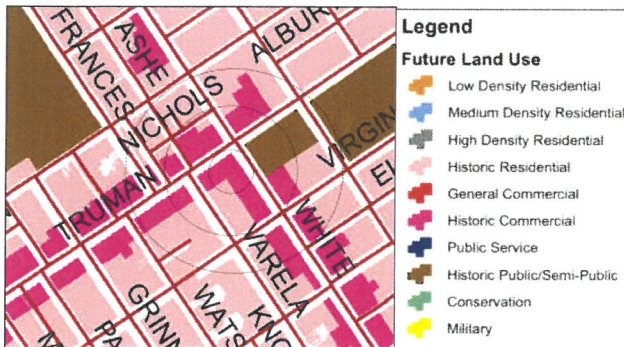
immediately adjacent to the Historic Medium Density Residential district.

Legal Description:

All Lots 1-2 and the NEly 36'-11" of Lot 3 Sqr 1 Tr 13 collectively known as 1124 Truman Avenue and located on the westernmost corner of White Street and Truman Avenue.

Flood Zone:

According to the 2005 FEMA Flood Insurance Map, the property is located within the X Flood Zone. This means that there are no LDR requirements for elevating structures within this designated area.



Future Land Use Map Designation ("FLUM"):

According to the City of Key West 2013 Comprehensive Plan, the property's FLUM designation is Historic Commercial ("HC").

Zoning ("HNC-1")

According to the City of Key West Zoning Map, the property is zoned Historic Neighborhood Commercial ("HNC-1").



The historic neighborhood commercial districts, *HNC-1* through 3 districts, are established to implement comprehensive plan policies for areas designated "*HNC-1* through 3" on the comprehensive plan future land use map. The *HNC* districts shall accommodate both residential and neighborhood commercial uses typically located along major thoroughfares which lead into or are adjacent to the central core commercial area of the city. Residential activities permitted within the *HNC-1* through 3 districts include single-family and duplex structures as well as multiple-family structures. Commercial uses generally permitted in these districts include the following:

- (1) Professional offices;
- (2) Banking and financial institutions;
- (3) Personal service shops;
- (4) Specialty shops;

(5) Retail sales and services, excluding automotive sales and services as well as drive-through restaurants, theaters or other drive-through facilities which potentially generate similar traffic flow problems; and

(6) Transient living accommodations and guest cottages within the *HNC-1* and *HNC-3* districts but not within the *HNC-2* district.

(b) The *HNC-1* through 3 districts may also accommodate customary accessory uses and community facilities. The *HNC* district regulations include criteria for managing issues surrounding land use compatibility; historic preservation; access to public facilities with available capacity; urban design amenities; and related issues which must be managed to ensure effective implementation of the comprehensive plan goals, objectives, and policies. Within the *HNC* districts redevelopment or conversion of permanent housing structures to transient residential, office, or other allowable commercial uses shall be permitted only if no on-site reduction in housing units for permanent residents occurs. The minimum size dwelling shall be 750 square feet.

(c) Performance standards shall restrict the allowable neighborhood commercial uses to very limited square footage in order to maintain land use compatibility with residential uses in the vicinity. In addition, the performance standards shall require minimum open space ratios, restrict the floor area based on traffic-generating characteristics, and incorporate other qualitative and quantitative standards which protect residential properties.

(d) In order to manage the impacts of future development on transportation and public facilities, the city shall limit the intensity of development within the *HNC* district by establishing the following thresholds within subdistricts *HNC-1*, *HNC-2*, and *HNC-3*, respectively:

(1) Within the *HNC-1* subdistrict, excepting sites abutting Simonton Street and Truman Avenue, land use activities shall generate no more than 100 trips per 1,000 square feet of gross leasable floor area per day.

(2) Within the *HNC-2* and *HNC-3* subdistricts, land use activities shall generate no more than 50 trips per 1,000 square feet of gross leasable floor area per day.

(3) Within the *HNC-2* transient accommodations shall be prohibited.

(e) The *HNC* subdistricts are generally located on the official zoning map as provided in subdivisions II through IV of this division.

Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279):

All mechanical equipment and utility hardware will be appropriately screened. All waste storage areas will be screened from adjacent properties.

Front-end loaded refuse container requirements (Sec. 108-280):

All refuse container requirements will be met as per this section of code.

Roll-off Compactor Container location requirements (Sec. 108-281):

A roll-off compactor is not proposed as part of the operation.

Utility lines (Section 108-282):

The proposed project will not require installation of new utility services. Maintaining the utility service and any required disconnects will be coordinated with the appropriate utility agency and in accordance with Section 108-282.

Commercial and manufacturing activities conducted in enclosed buildings (Section 108-283):

No new commercial activities are proposed for this development. The existing gas station, restaurant and retail grocery will remain.

Exterior Lighting (Section 108-284):

All proposed lighting shall be shielded and lighting sources shall be arranged to eliminate glare from roadways and streets and shall direct light away from properties lying outside the district. Shielding of lighting elements shall be accomplished by using directional fixtures or opaque shades.

Signs (Section 108-285):

Any new signage will be in compliance with code requirements and meet HARC approval.

Pedestrian sidewalks (Section 108-286):

No new sidewalks are proposed.

Loading docks (Section 108-287):

No new loading docks are required or proposed.

Storage Areas (Section 108-288):

No exterior storage areas are proposed.

Land Clearing, Excavation, and Fill (Sec 108-289):

There is no land clearing or tree removal proposed.

Article IV. Traffic Impacts (Sections 108-316 – 319):

There are no proposed changes to current traffic pathways, drives, curb cuts, parking space dimensions, access & egress patterns or parking.

Article V. Open Space, Screening, Buffers and Landscaping (Sections 108-346 – 108-352)

No changes are proposed.

CONCURRENCY ANALYSIS:

Concurrency Facilities and Other Utilities or Services (Sec. 108-233):

The City's Comprehensive Plan directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

The following specific issues are outlined:

1. Roads/Trip Generation
2. Potable Water
3. Sanitary Sewer
4. Solid Waste
5. Recyclables
6. Drainage

The following concurrency analysis reflects the proposed removal of existing commercial use and replacement with residential use of five units.

Policy 2-1.1.1- Transportation

The maximum predicted potential trip generation of the current land uses is more than the maximum predicted potential trip generation from the proposed land uses.

The LOS analysis concludes that overall trip generation from the site will be expected to decrease by approximately 0.7 trips per day as part of the proposal.

Notwithstanding the proposed trip generation, Policy 2-1.1.3: Dense Urban Land Area effectively eliminates the transportation concurrency requirement in favor of a prioritization of safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development)

Policy 2-1.1.3: Dense Urban Land Area. The City of Key West is a substantially developed dense urban land area and is thereby exempted from transportation concurrency requirements for roadways. The City recognizes that its development characteristics make substantive expansion of capacity of the roadway system prohibitive. The City will therefore prioritize improving the safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development) as its primary strategies for addressing current and projected transportation needs.

Policy 4-1.1.2.C – Potable Water

Based on the City of Key West adopted level of service the potable water demand is anticipated to increase slightly at the end of this renovation (pursuant to Policy 4-1.1.2.C, the potable water LOS for residential and nonresidential development is 100 gal/capita/day)

The potable water flow is anticipated to be **454.0 gal/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by approximately **+26.2** gallons per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Commercial		Total
	LOS	Daily Capacity	
Existing	100g/capita/day	2,702/ 1000*1.5833 ² =4.27 x 100g = 427.8 gal	427.8 gal
Proposed	100g/capita/day	2,868/ 1000*1.5833 ³ =4.54 x 100g = 454.0 gal	454.0 gal

The Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated below.

Potable water to the City of Key West is provided by the Florida Keys Aqueduct Authority (FKAA). The FKAA has the capacity to provide 23 million gallons per day to Monroe County as a result of: The South Florida Water Management District's issuance of Water Use Permit #13-0005, which allocates 17 million gallons per day in the dry season; 17.79 million gallons per day which can be withdrawn from the Biscayne Aquifer; and six million gallons per day provided by a reverse osmosis treatment plant in Florida City. As documented above, the City is meeting its Level of Service Standard for Potable Water. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development during short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements will be necessary to maintain and improve standards and service delivery.

Policy 4-1.1.2.A- Sanitary Sewage

Based on the City of Key West adopted level of service the sanitary sewer demand is not anticipated to increase at the end of this renovation project. Pursuant to Policy 4-1.1.2.A, the sanitary sewer LOS for nonresidential development is 660 gal/acre/day and the sanitary sewer LOS for residential development is 100 gal/capita/day.

The sanitary sewer flow is anticipated to be **230 gal/day**

Summary Response: The proposed renovation will not change from the existing use of the property and therefore will not result in excess capacity on this public facility.

Designation	Commercial		Total
	Rate	Daily Capacity	
Existing	660 gal/acre/day	0.34 acres x 660 gal = 230.3 gal	230 gal
Proposed	660 gal/acre/day	0.34 acres x 660 gal = 230.3 gal	230 gal

The City contracts out the operation of the Richard A. Heyman Environmental Pollution Control Facility, its wastewater treatment plant (Plant), and the associated collection system to Operations Management International, Inc. (OMI). The Plant currently has the capacity to treat 10 million gallons per day, exceeding the capacity required to achieve the existing Level of Service Standard by approximately seven million gallons per day. Actual daily flow is 4.5 million gallons per day. This is a reduction from eight (8) million gallons per day due to a 67 million dollars capital improvement to the City's wastewater

² Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood retail

³ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood retail

treatment during the past short term planning period, including \$56 million for collection system rehabilitation.

As documented above, the City is exceeding its Level of Service Standard for Wastewater. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements and continuing conservation efforts will continue to maintain and improve service delivery.⁴

Policy 4-1.1.2.D- Solid Waste

Based on the City of Key West adopted level of service the solid waste demand is anticipated to increase slightly at the end of this renovation plan. Pursuant to Policy 4-1.1.2.D, the solid waste LOS for nonresidential development is 6.37 lbs/capita/day and the solid waste LOS for residential development is 2.66 lbs/capita/day.

The solid waste impact is anticipated to be **27 lbs/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by **+2 pounds per day**; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Commercial		Total
	LOS	Daily Capacity ⁵	
Existing	6.37 lbs/capita/day	$2,702/1000 \times 1.5833 = 4.27 \times 6.37 \text{ lbs} = 27.25$	27 lbs.
Proposed	6.37 lbs/capita/day	$2,868 / 1000 \times 1.5833 = 9.08 \times 4.54 \text{ lbs} = 28.92 \text{ lbs}$	29 lbs.

The City currently contracts with Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. Commercial recyclables and other non-franchised collection services such as construction and demolition debris and yard waste are available on the open market to all licensed haulers. The City owns and operates a solid waste transfer station on Rockland Key that received 45,402.10 tons of solid waste for disposal and 3,607 tons of recyclables in 2009/10. Waste Management disposes of the solid waste collected in Monroe County, including the City of Key West, at its Central Sanitary Landfill in Broward County. In 2009 Waste Management Inc. reported a reserve capacity of 17 years at this facility. There is therefore an estimated reserve capacity of 15 years as of the date of this report.

As documented above, the City is meeting its Level of Service Standard for solid waste. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-

⁴ City of Key West Comprehensive Plan Data and Analysis, Pg. A-16

⁵ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood Retail

range planning periods, and the current capacity should remain adequate. Ongoing capital improvements will be necessary to improve standards and service delivery.⁶

Policy 4-1.1.2. D- Recyclable Waste Generation Level of Service

Based on the City of Key West adopted level of service the recyclable waste demand is anticipated to increase slightly at the end of this renovation plan. Pursuant to Policy 4-1.1.2. D, the recyclable waste LOS for nonresidential development is 0.25 lbs/capita/day and the recyclable waste LOS for residential development is 0.50 lbs/capita/day.

The recyclable waste impact is anticipated to be **1.13 lbs/day**

Summary Response: The proposed renovation will impact the existing use of the property by **+0.46** pounds per day. The team will coordinate with waste management services to provide an adequately sized waste & recycling container.

Designation	Commercial	Total
	Daily Capacity	
Existing	$2,702/1000 \times 1.5833^7 = 2.7 \times 0.25 \text{ lbs} = 0.67 \text{ lbs.}$	0.67 lbs.
Proposed	$2,868/1000 \times 1.5833^8 = 4.54 \times 0.25 \text{ lbs} = 1.13 \text{ lbs.}$	1.13 lbs.

Policy 4-1.1.2. E- Drainage Facilities Level of Service

The project is exempt from storm water management permitting requirements in accordance with Section 108-716(3), "Any maintenance, alteration, renewal, repair, use or improvement of an existing structure or the construction of any structure or modification thereto which does not create impervious surface exceeding 500 square feet. This shall not exempt the applicant from retaining the first one inch of rainfall on site as required by F.A.C. 17-25".

Existing Level of Service Standard

1. Post development runoff shall not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration.
2. Storm water treatment and disposal facilities shall be designed to meet the design and performance standards established in Chapter 62-25 Section 25.025, Florida Administrative Code, with treatment of the runoff from the first one inch of rainfall on-site to meet the water quality standards required by Chapter 62-302, Florida Administrative Code. Storm water facilities which directly discharge into "Outstanding Florida Waters" (OFW) shall provide an additional treatment pursuant to Section 62-25.025 (9), Florida Administrative Code.
3. Storm water facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 62-302 Florida Administrative Code.

⁶ City of Key West Comprehensive Plan Data and Analysis, Pg. A-17

⁷ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood retail

⁸ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood retail

Warranty Deed

This Instrument prepared by & return to

Name: Frances C. Lowe, Esq.
Guilday, Schwartz, Simpson, West, Hatch & Lowe, P.A.
Address: 68 A Feli Way
Crawfordville, Florida 32327

02/11/2016 11:08AM
DEED DOC STAMP CL: Krys \$145,250.00

NOTE TO RECORDER: A DUPLICATE COUNTERPART OF THIS GENERAL WARRANTY DEED IS BEING RECORDED IN MIAMI-DADE COUNTY, FLORIDA. ALL DOCUMENTARY STAMP TAXES DUE IN CONNECTION WITH THE SALE OF REAL PROPERTY HEREIN ARE BEING PAID WITH THIS MONROE COUNTY RECORDATION.

GENERAL WARRANTY DEED

Doc# 2063429
Bk# 2781 Pg# 1779

Parties and Addresses

1.01. This General Warranty Deed (this "Deed") is made by and between Dion Commercial Properties, LLC, a Florida limited liability company, (the "Grantor"), whose principle business address is 638 United Street, Key West, Florida 33040, and LAND 10031, LLC as to a 11.077% interest, LAND 2708, LLC as to a 8.451% interest, LAND 113, LLC as to a 13.353% interest, LAND 1701, LLC as to a 11.077% interest, LAND 8601, LLC as to a 8.226% interest, LAND 7009, LLC as to a 9.644% interest, LAND 2421, LLC as to a 9.611% interest, LAND 4027, LLC as to a 13.410% interest, and LAND 8351, LLC as to a 15.151% interest, in Common among all of the aforementioned LLC's, all Virginia limited liability companies qualified to do business in Florida, (collectively the "Grantees"), whose principal business address is 4900 West Hundred Road, Chester, Virginia 23831.

Granting Clause

2.01. Grantor grants and conveys ownership of the property described below to Grantees, along with all of its rights and appurtenances, including any right, title, and interest of Grantor in adjacent streets, alleys, and rights-of-way.

Description of Property

3.01. The property consists of all the parcels of land and other structures on the land in the Counties of Miami-Dade and Monroe, of the State of Florida; (the "Property").

3.02. The legal description of the Property is described on **Exhibit A** attached to and incorporated herein.

Covenants by Grantor

5.01. Grantor makes the following covenants with Grantee:

- (1) That Grantor is lawfully seized of the Property described in this Deed.
- (2) That Grantor has the right to convey the Property described in this Deed to Grantee.
- (3) That the Property is free from all former mortgages, judgments, executions, and all other encumbrances.
- (4) That Grantor will warrant generally the Property conveyed by this Deed, so that Grantees will remain in peaceful ownership of the Property.
- (5) That Grantees shall have quiet possession of the Property, and Grantees will not be disturbed in possession of or removed from the Property by persons who have claims against the Property.
- (6) That Grantor will execute any further assurances as may be reasonably required by Grantees, to correct any defect in the title.

Exceptions, Reservations, and Restrictions

6.01. The conveyance of this Property is made subject to the exceptions, reservations and restrictions listed and outlined on **Exhibit B** attached hereto and incorporated herein.

Parties Bound by This Deed

7.01. The covenants made in this Deed are legally binding on Grantor and all who lawfully succeed to Grantor's rights and responsibilities, including Grantor's heirs, personal representatives, successors in interest, and assigns. These covenants may be enforced by Grantees and all future owners of the Property, including Grantees' heirs, personal representatives, successors in interest, and assigns.

IN WITNESS WHEREOF, Grantor has signed and sealed this General Warranty Deed on February 8, 2016.

Frances C. Lowe
Witness Signature

Frances C. Lowe
Printed Name

DION COMMERCIAL PROPERTIES, LLC, a Florida limited liability company
By: Dion Partnership, Ltd., as Managing Member of Dion Commercial Properties, LLC
By: Larry Dion Corporation, as General Partner of Dion Partnership Ltd.

By: Suzanne D. Banks
SUZANNE D. BANKS, as President

Judith K. Simons
Witness Signature

Judith K. Simons
Printed Name

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 8th day of February, 2016, by SUZANNE D. BANKS, President of Larry Dion Corporation, General Partner of Dion Partnership, Ltd., managing member of Dion Commercial Properties, LLC, a Florida limited liability company, who is personally known to me or has produced X X as identification.

Lani E. Musgrove
Notary Public-State of Florida

Lani E. Musgrove
Printed Name:

My Commission Expires: _____



**EXHIBIT A
LEGAL DESCRIPTION**

The land referred to herein below is situated in the County of Miami-Dade, State of Florida, and is described as follows:

434 SW 1st Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0020)

Lot 3, Brown's Re-Subdivision, according to the Map or Plat thereof as recorded in Plat Book 6, Page 60, of the Public Records of Miami-Dade County, Florida.

1500 North Krome Avenue, Homestead, Florida (Parcel ID: 10-7812-006-0011)

The East 145.00 feet of the South 250.00 feet of Block 1, of DOWNER PALMS DIVISION NO. 2, according to the Plat thereof, as recorded in Plat Book 14 at Page 28, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Beginning at the intersection of the South line of said Block 1 with a line that is 145.00 feet West of and parallel with the East line of said Block 1; thence run N90°00'00"E along the South line of said Block 1 for 119.91 feet to a point of curve; thence run Northeasterly along a circular curve concave to the Northwest having for its elements a radius of 25.00 feet and a central angle of 90°12'00" for an arc distance of 39.36 feet to a point of tangency with the East line of said Block 1; thence run N00°12'00"W along the East line of said Block 1 for 124.91 feet to a point; thence run N90°00'00"W for 145.00 feet to a point; thence run S00°12'00"E for 150.00 feet to the Point of Beginning.

16 North Krome Avenue, Florida City, Florida (Parcel IDs: 16-7824-000-0670; 16-7824-000-0761; 16-7824-000-0764)

From the Southeast corner of Section 24, Township 57 South, Range 38 East, Miami-Dade County, Florida, run North 50 feet and West 40 feet, for a Point of Beginning;

Thence run North along the West line of Krome Avenue, Florida City, as shown and designated on the Plat of INDUSTRIAL ADDITION NO. 2, according to the plat thereof, as recorded in Plat Book 30 at Page 80 of the Public Records of Miami-Dade County, Florida; a distance of 200 feet; thence run West parallel to the North line of Palm Avenue, a distance of 100 feet; thence run South, parallel to Krome Avenue, a distance of 40 feet; thence run West parallel to the North line of Palm Avenue, a distance of 100.36 feet; thence run South, parallel to Krome Avenue, a distance of 160 feet; thence run East along the North line of Palm Avenue, a distance of 200.36 feet to the Point of Beginning.

26917-29 S. Dixie Highway, Naranja, Florida (Parcel ID: 30-6933-006-0190)

Lots 6, 7, 8 and 9, Block 12, NARANJA PARK, SECOND ADDITION, according to the Plat thereof as recorded in Plat Book 60, at Page 67, of the Public Records of Miami-Dade County, Florida.

5 NE 15th Street, Homestead, Florida (Parcel ID: 10-7907-021-0580)

All of Lots 1 and 2 less the North 100 feet thereof and all of Lot 3 less the North 100 feet and East 15 feet thereof and also all of Lot 16 less the East 15 feet thereof and all of Lots 17 and 18, and all of Block 16, of DOWNER PALMS DIVISION NO. 1, according to the Plat thereof recorded in Plat Book 14, at Page 27, of the Public Records of Miami-Dade County, Florida, more particularly described as follows: Begin at a point on the West line of Lot 1, Block 16 of Downer Palms Division No. 1, according to the Plat thereof recorded in Plat Book 14, Page 27, of the Public Records of Miami-Dade County, Florida; said point being 100 feet South of, as measured at right angles to, the North line of said Lot 1 and its prolongation Westerly, thence run due South along the West line of Lots 1 and 18, Block 16, of said Downer Palms Division No. 1 for a distance 144.70 feet to the beginning of a tangential circular curve; thence run in a Southeasterly and Easterly direction along said curve having a radius of 25 feet through a

central angle of 90 degrees 00 minutes 15 seconds for an arc distance of 39.27 feet to the end of said curve; thence run North 89 degrees 59 minutes 45 seconds East along the South line of Lots 18, 17 and 16 Block 16 of said Downer Palms Division No. 1 for a distance of 111.13 feet to a point 15 feet West of, as measured at right angles to, the East line of Lot 16 Block 16 of said Downer Palms Division No. 1, thence run due North along a line parallel to and 15 feet West of, as measured at right angles to, the East line of Lot 16 Block 16 of said Downer Palms Division No. 1, for a distance of 169.70 feet to a point; said point being 100 feet South of, as measured at right angles to, the North line of Lots 1, 2 and 3, Block 16 of said Downer Palms Division No. 1, thence run South 89 degrees 59 minutes 45 seconds West along a line parallel to and 100 feet South of, as measured at right angles to, the North line of Lots 1, 2 and 3, Block 16 of said Downer Palms Division No. 1, for a distance of 136.13 feet to the Point of Beginning.

777 Homestead Boulevard, Homestead, Florida (Parcel ID: 10-7918-000-0220)

All that part of the South 208.71 feet of the West 208.71 feet of Tract 14, Block 3, Section 18, Township 57 South, Range 39 East, of MIAMI LAND DEVELOPMENT COMPANY SUBDIVISION according to the plat thereof recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, lying East of the right-of-way of State Road No. 5 as shown on the plat thereof recorded in Plat Book 60 at Page 36, Sheet 3, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Commencing at the S.W. corner of said Tract 14, being also the S.W. corner of the SE 1/4 of the SW 1/4 of SW 1/4 of Section 18; thence run East a distance of 63.36 feet along the South boundary of said Section 18 to the point of intersection with the arc of a curve, said point being the Point of Beginning of the Tract of land hereinafter described; thence run East along the South line of said Section 18, being also the South line of said Tract 14, a distance of 145.35 feet to a point; thence run N. 0°35'00" W. along a line that is parallel, to the West boundary of said Tract 14 and parallel to the West boundary of SE 1/4 of the SW 1/4 of the SW 1/4 of said Section 18 a distance of 208.71 feet to a point; thence run West along a line that is parallel to the South boundary of said Section 18 and parallel to the South boundary of said Tract 14 a distance of 128.79 feet to the point of intersection with a circular curve, said curve being the Easterly Right-of-Way Line of State Road No. 5; thence run Southwesterly 209.21 feet along the arc of said curve having a radius of 3761.83 feet, and a central angle of 3°11'11", and a chord bearing of S 3°26'44" W to the Point of Beginning.

444 SW 1st Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0040)

Lot 5, Brown's Re-Subdivision, according to the Map or Plat thereof as recorded in Plat Book 6, Page 60, of the Public Records of Miami-Dade County, Florida.

412 South Flagler Avenue, Homestead, Florida (Parcel ID: 10-7813-048-0010 and 10-7813-048-0020) and 458 South Flagler Avenue, Homestead, Florida (10-7813-048-0031)

Lots 1 through 6 inclusive of NELSON'S ADDITION TO HOMESTEAD, FLA., according to the Plat thereof, as recorded in Plat Book 1, at Page 94, of the Public Records of Dade County, Florida, less the area bounded by the North line of said Lot 1, and bounded by the Easterly line of said Lot 1, and bounded by a 15 foot radius arc, concave to the Southwest, said arc being tangent to both of the last described lines.

457 South Flagler Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0050)

Lot 6 of Brown's Re-subdivision, according to the map or plat thereof, recorded in Plat Book 6, Page 60, of the Public Records of Dade County, Florida.

467 South Flagler Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0030)

Lot 4, Brown's Re-Subdivision, according to the Map or Plat thereof as recorded in Plat Book 6, Page 60, of the Public Records of Miami-Dade County, Florida.

The land referred to herein below is situated in the County of Monroe, State of Florida, and is described as follows:

1409 Overseas Highway, Marathon, Florida (Parcel ID: 00326840-000000)

1415 Overseas Highway, Marathon, Florida (Parcel ID: 00326820-000000)

1417-1421 Overseas Highway, Marathon, Florida (Parcel ID: 00326810-000000)

Lots 3, 4, 5, and 6, Block 2, PARRISH SUBDIVISION, according to the plat thereof recorded in Plat Book 2, Page 18, of the Public Records of Monroe County, Florida.

451 Overseas Highway, Big Coppitt Key, FL (Parcel ID: 00121470-000000)

A parcel of land in a part of Government Lots 2 and 3, all in Section 22 Township 67 South, Range 26 East on BIG COPPITT KEY, Monroe County, Florida, and being more particularly described by metes and bounds as follows: Commencing at the intersection of the South line of Government Lot 3, Section 22, Township 67 South, Range 26 East, and the West line of Government Lot 2, Section 22, Township 67 South, Range 26 East, bear West along the South line of Government Lot 3 a distance of 15 feet to a point; thence at right angles bear North 101.2' to a point of intersection with the South property line of Lot 1 of Big Coppitt Subdivision according to a Survey by C. G. Bailey, Registered Surveyor, dated September 1, 1958; thence at right angles bear East along said South property line of Lot 1 of Big Coppitt Subdivision a distance of 60' to a point; thence at right angles bear South a distance of 7' to a point; thence bear East 45 degrees South to a point of intersection with a line running North from the Northerly right of way line of U.S. Highway No. 1, 105' East of and parallel to the West line of Government Lot 2, Section 22, Township 67 South, Range 26 East; thence bear South along said parallel line of the intersection with the Northerly right of way line of U.S. Highway No. 1; thence bear Westerly along the Northerly right of way line of U.S. Highway No. 1 to a point of intersection with the West line of Government Lot 2, Section 22, Township 67 South, Range 26 East; thence bear North along said West line of Government Lot 2, 119.94 feet back to the point of beginning.

Together with the Grant of Easement and Joint Use Agreement, dated April 27, 2015, and recorded on April 29, 2015 in Official Records Book 2737, Page 2103, Public Records of Monroe County, Florida.

Tract A, Big Coppitt Key, Florida (Parcel ID: 00151010-000000)

Tract "A", Amended Plat of COPPITT SUBDIVISION, located in Government Lot 5, Section 22, Township 67 South, Range 26 East, BIG COPPITT KEY, according to the plat thereof, recorded in Plat Book 4, Page 50, of the Public Records of Monroe County, Florida.

Lot 1, Gulfview, Big Coppitt Key, Florida (Parcel ID: 00153330-000000)

Lot 1 of GULF VIEW, according to the Plat thereof recorded in Plat Book 3, at Page 17 of the Public Records of Monroe County, Florida, said property being on Big Coppitt Key, together with improvements thereon.

Lot 2, Gulfview, Big Coppitt Key, Florida (Parcel ID: 00153340-000000)

Lot 2 of GULF VIEW, according to the Plat thereof recorded in Plat Book 3, at Page 17 of the Public Records of Monroe County, Florida, said property being on Big Coppitt Key, together with improvements thereon.

3228 Flagler Ave, Key West, Florida (Parcel ID: 00069040-000000)

In RIVIERA SHORES SUBDIVISION, a subdivision of a part of the City of Key West, according to plat thereof recorded in Plat Book 3, Page 148, Public Records of Monroe County, Florida;

Begin at the Northeast corner of Block 2 of said subdivision, thence run in a Southwesterly direction along the Southeasterly right-of-way line of Flagler Avenue a distance of 100 feet;

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thence at a right angle and in a Southeasterly direction a distance of 120 feet to the Northwesterly right-of-way line of Riviera Drive; thence at a right angle and in a Northeasterly direction along the said Northwesterly right-of-way of Riviera Drive a distance of 100 feet to the corner of the intersection of the said Riviera Drive with Riviera Street; thence at a right angle and in a Northwesterly direction along the Southwesterly right-of-way line of Riviera Street a distance of 120 feet to the point of beginning.

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6203 Overseas Hwy, Marathon, Florida (Parcel ID: 00338730-000600)

A part of Tract 10 of EDMONDS ACREAGE TRACTS as recorded in Plat Book 2, Page 100, of the Public Records of Monroe County, Florida, and being more fully described as follows: From a point formed by the intersection of the West line of Government Lot 1, Section 11, Township 66 South, Range 32 East, and the Southerly boundary line of U.S. Highway No. 1, run Northeasterly along the Southerly boundary line of the said U.S. Highway No. 1 a distance of 498.1 feet to the point of beginning. From said point of beginning run due South a distance of 156.04 feet to a point; thence due West a distance of 104.44 feet to a point; thence due North a distance of 126.75 feet to a point; thence Northeasterly along the Southerly right-of-way line of U.S. Highway No. 1 a distance of 108.47 feet to the point of beginning.

6209 Overseas Highway, Marathon, Florida (Parcel ID: 00339960-000000)

Lots 1, 2, 3, and 4, inclusive in Block "C", SHERYL SUBDIVISION NO. 2, according to the Plat thereof as recorded in Plat Book 4, Page 43, of the Public Records of Monroe County, Florida; less that part of Lots 3 and 4 of Block C of SHERYL SUBDIVISION NO. 2 according to the Plat thereof as recorded in Plat Book 4 at Page 43 of the Public Records of Monroe County, Florida, being more particularly described as follows: Begin at the Northeast corner of said Lot 4; thence run S 0° 30'48" E, along the East line of said Lot 4, for 21.07 feet; thence run N 67° 31'05" W, through said Lots 4 and 3, for 32.46 feet to the point of intersection with the North line of said Lot 3; thence run N 73° 48'17" E along the North lines of said Lots 3 and 4, for 31.04 feet to the Point of Beginning.

81644 Overseas Hwy, Islamorada, Florida (Parcel ID: 00095130-000000)

On the Island of Upper Matecumbe, being a part of Government Lot 1, Section 32, Township 63 South, Range 37 East, according to a plat thereof made by George L. McDonald, C.E., recorded in Plat Book 1, Page 41, Public Records of Monroe County, Florida, as more particularly described as follows:

Commencing at a point on the Northwest side of the right of way of the Florida East Coast Railway Company, and now known as the Overseas Highway Road right of way, where the said land joins the Southwest boundary line of the Hugh Matheson property, and a/k/a Cephas Pinder property, and run thence along said Overseas Highway Road right of way in a Southwesterly direction 242 feet for a point of beginning; thence along said right of way in a Southwesterly direction 150 feet; thence at right angles in a Northwesterly direction 100 feet; thence at right angles in a Northeasterly direction 150 feet; thence at right angles in a Southeasterly direction 100 feet back to the point of beginning and out to said Overseas Highway right of way.

1127 (1124) Truman Avenue, Key West, Florida (Parcel ID: 00032360-000000)

On the Island of KEY WEST and being part of Tract 13, according to William A. Whitehead's Map of said Island, delineated in February, 829, more particularly described as follows:

Lots 1 and 2 and the Easterly 36 feet 11 inches of Lot 3, all in Block 1 of Tract 13, according to Gwynn's Diagram recorded in Deed Book "O", Page 195, Public Records of Monroe County, Florida.

24996 Overseas Highway, Summerland Key, Florida (Parcel ID: 00188900-000000)

Lot 1, Block 1, SUMMERLAND KEY COVE SUBDIVISION, according to the Plat thereof recorded in Plat Book 4, Page 35, of the Public Records of Monroe County, Florida.

3700 N. Roosevelt Blvd, Key West, Florida (Parcel ID: 00066080-000000)

A parcel of land on the ISLAND OF KEY WEST, Monroe County, Florida and is part of Parcel No. 3 according to "PLAT OF SURVEY (on two sheets) part of lands formerly owned by Key West Improvement, Inc." as recorded in Plat Book 4, Page 69, Monroe County Official Records and more particularly described as follows:

From the intersection of the West line of said Parcel #3 and the Southerly right-of-way (curb) line of Roosevelt Boulevard go North 84 degrees 14 minutes 40 seconds East along said Southerly right-of-way (curb) line a distance of 266.89 feet to a point which point is the point of beginning;

thence continue North 84 degrees 14 minutes 40 seconds East along said Southerly right-of-way (curb) line a distance of 150 feet to a point, thence South 05 degrees 45 minutes 20 seconds East a distance of 224.82 feet to a point; thence South 84 degrees 14 minutes 40 seconds West a distance of 150 feet to a point; thence North 05 degrees 45 minutes 20 seconds West a distance of 224.82 feet back to the point of beginning.

Less and except the property granted to the State of Florida Department of Transportation, described in Official Records Book 2593, Page 957, of the Public Records of Monroe County, Florida.

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EXHIBIT B
EXCEPTIONS, RESERVATIONS and RESTRICTIONS

The land referred to herein below is situated in the County of Miami-Dade, State of Florida:

434 SW 1st Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0020)

1. Ordinance Number 2006-06-26 recorded in Book 25166, Page 63.
2. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).

1500 North Krome Avenue, Homestead, Florida (Parcel ID: 10-7812-006-0011)

1. Oil, gas and mineral reservations contained in Deed from Board of Commissioners of Everglades Drainage District, recorded in Deed Book 2476, Page 69; as affected by: Instrument, recorded in Book 958, Page 570.
2. Oil, gas and mineral reservations contained in that certain Special Warranty Deed, recorded in Book 14290, Page 997.
3. Oil, gas and mineral reservations contained in that certain Special Warranty Deed, recorded in Book 18409, Page 3281.
4. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

16 North Krome Avenue, Florida City, Florida (Parcel ID: 16-7824-000-0670; 16-7824-000-0761; 16-7824-000-0764)

1. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

26917-29 S. Dixie Highway, Naranja, Florida (Parcel ID: 30-6933-006-0190)

1. Restrictions as shown on the plat of NARANJA PARK, SECOND ADDITION, as recorded in Plat Book 60, Page(s) 67, including, but not limited to, provisions for the following: Wells and the re-subdivision of Lots, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
2. Terms and provisions contained in Unity of Title, recorded in Book 11082, Page 806.
3. Grant of Easement granted to John Van Rachmuth, recorded in Book 13200, Page 3622.
4. Covenant Running With The Land in favor of Metropolitan Dade County, recorded in Book 13656, Page 3897, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
5. Covenant Running With The Land in favor of Metropolitan Dade County, recorded in Book 14311, Page 1666, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
6. Restrictions as set forth in Book 25754, Page 2274.
7. Agreement for Water and Sanitary Sewage Facilities recorded in Book 26655, Page 1434.
8. Covenant in favor of Miami-Dade County recorded in Book 26655, Page 1429.
9. Terms and conditions of the Unity of Title recorded in Book 26655, Page 1425.
10. Declaration of Covenants, Conditions and Restrictions recorded in Book 4339, Page 365, but deleting and covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

11. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
12. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

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5 NE 15th Street, Homestead, Florida (Parcel ID: 10-7907-021-0580)

1. Ordinance No. 85-12-111 recorded in Book 12780, Page 877.
2. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

777 Homestead Boulevard, Homestead, Florida (Parcel ID: 10-7918-000-0220)

1. Covenant Running with the Land recorded in Book 26748, Page 2068.
2. Order of Taking by City of Homestead recorded in Book 28978, Page 717.
3. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
4. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

444 SW 1st Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0040)

1. Reservations contained in Deed from Board of Commissioners of Everglades Drainage District, filed in Deed Book 3071, Page 301.
2. Reservations unto the State of Florida for oil, gas, minerals, fissionable materials and 200 foot State Road Right of Way as contained in Deed recorded in Deed Book 3071, Page 304. Note: The right of entry and exploration has been released pursuant to S270.11, F.S.
3. Ordinance Number 2006-06-26 recorded in Book 25166, Page 63.

412 South Flagler Avenue, Homestead, Florida (Parcel ID: 10-7813-048-0010 and 10-7813-048-0020) and 458 South Flagler Avenue, Homestead, Florida (10-7813-048-0031)

1. Covenant running with the land in favor of Metropolitan Dade County, recorded in Book 12438, Page 1998, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
2. Ordinance Number 2006-06-26 recorded in Book 25166, Page 63

457 South Flagler Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0050)

1. Reservations unto the State of Florida for oil, gas, minerals, fissionable materials and 200 foot State Road Right of Way as contained in Deed recorded in Deed Book 2847, Page 65. Note: The right of entry and exploration has been released pursuant to S270.11, F.S.
2. Ordinance Number 2006-06-26 recorded in Book 25166, Page 63.

467 South Flagler Avenue, Homestead, Florida (Parcel ID: 10-7813-005-0030)

1. Reservations contained in Deed from Board of Commissioners of Everglades Drainage District, filed in Deed Book 3071, Page 306.
2. Ordinance Number 82-04-26 recorded in Book 11443, Page 1720
3. Reservations unto the State of Florida for oil, gas, minerals, fissionable materials and 200 foot State Road Right of Way as contained in Deed recorded in Deed Book 3071, Page 308. Note: The right of entry and exploration has been released pursuant to S270.11, F.S.
4. Ordinance Number 2006-06-26 recorded in Book 25166, Page 63.

The land referred to herein below is situated in the County of Monroe, State of Florida:

1409 Overseas Highway, Marathon, Florida (Parcel ID: 00326840-000000)

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1415 Overseas Highway, Marathon, Florida (Parcel ID: 00326820-000000)

1417-1421 Overseas Highway, Marathon, Florida (Parcel ID: 00326810-000000)

1. Sewer Lateral Wastewater Easement recorded in Book 2647, Page 1290.
2. Planning Commission Resolution No. PC01-05-05 recorded in Book 1706, Page 189.
3. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

451 Overseas Highway, Big Coppitt Key, FL (Parcel ID: 00121470-000000)

1. Easement according to instrument recorded in Book 457, Page 758.
2. Easement according to instrument recorded in Book 457, Page 759.
3. Terms and provisions contained in Instrument, recorded in Book 668, Page 43.
4. Terms and provisions contained in Instrument, recorded in Book 787, Page 234.
5. Notice of Environmental Resource or Surface Water Management Permit recorded in Book 2460, Page 131.
6. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

Tract A, Big Coppitt Key, Florida (Parcel ID: 00151010-000000)

1. Easement, according to instrument recorded in Book 390, Page 946.
2. Easement, according to instrument recorded in Book 457, Page 758.
3. Easement, according to instrument recorded in Book 457, Page 759.
4. Terms and provisions contained in Instrument, recorded in Book 668, Page 43.
5. Terms and provisions contained in Instrument, recorded in Book 787, Page 234.
6. Notice of Environmental Resource or Surface Water Management Permit recorded in Book 2460, Page 131.

Lot 1, Gulfview, Big Coppitt Key, Florida (Parcel ID: 00153330-000000)

1. Easement, according to instrument recorded in Book 457, Page 758.
2. Easement, according to instrument recorded in Book 457, Page 759.
3. Terms and provisions contained in Instrument, recorded in Book 668, Page 43.
4. Terms and provisions contained in Instrument, recorded in Book 787, Page 234.
5. Grant of Easement and Joint Use Agreement recorded in Book 2737, Page 2103.
6. Notice of Environmental Resource or Surface Water management Permit recorded in Book 2460, Page 131.

Lot 2, Gulfview, Big Coppitt Key, Florida (Parcel ID: 00153340-000000)

1. Easement, according to instrument recorded in Book 457, Page 758.
2. Easement, according to instrument recorded in Book 457, Page 759.
3. Terms and provisions contained in Instrument, recorded in Book 668, Page 43.
4. Terms and provisions contained in Instrument, recorded in Book 787, Page 234.

3228 Flagler Ave, Key West, Florida (Parcel ID: 00069040-000000)

1. Declaration of Covenants, Conditions and Restrictions recorded in Book 69, Page 381, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
2. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

3. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).

6203 Overseas Hwy, Marathon, Florida (Parcel ID: 00338730-000600)

1. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws

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Bk# 2781 Pg# 1789

6209 Overseas Highway, Marathon, Florida (Parcel ID: 00339960-000000)

1. Terms and provisions contained in Instrument, recorded in Book 668, Page 43.
2. Deed to State Road Department, recorded in Book 368, Page 630.
3. Terms and conditions of Settlement Agreement, recorded in Book 1383, Page 1790.
4. Declaration of Covenants, Conditions and Restrictions recorded in Book 121, Page 304, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
5. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).

81644 Overseas Hwy, Islamorada, Florida (Parcel ID: 00095130-000000)

1. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

1127 (1124) Truman Avenue, Key West, Florida (Parcel ID: 00032360-000000)

1. Subject to Restrictions imposed on property lying within the Historical Preservation Area of the City of Key West. Subject premises are within this area as stated in Executive Office of the Governor Administration Commission Chapter 27F-15 Land Planning Boundary and Principles for Guiding Development For the City of Key West recorded in OR Book 901, Page 201.
2. City of Key West Area of Critical State Concern, Rule 27F-15, of the Florida Administrative Code, adopted by the Administration Commission pursuant to Section 380.05 F.S. on February 7, 1984, effective February 28, 1994, recorded in Book 906, Page 200-208, of the Public Records of Monroe County, Florida.
3. Subject to City Ordinance No. 81-43 and Amendment 82-5 thereof, which provides for the assessment and collection of waste in the City of Key West, Monroe County, Florida.
4. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

24996 Overseas Highway, Summerland Key, Florida (Parcel ID: 00188900-000000)

1. Declaration of Covenants, Conditions and Restrictions recorded in Book 110, Page 497 , but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
2. Resolution No. 197-2012 recorded in Book 2588, Page 739.
3. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

3700 N. Roosevelt Blvd, Key West, Florida (Parcel ID: 00066080-000000)

1. Terms and conditions of the Right of Entry Agreement recorded in Book 1414, Page 2192.
2. The fact, as disclosed by that certain document or documents recorded in Book 1414, Page 2192, that some violation of the environmental protection laws may have occurred, which may affect the land.
3. Terms and Conditions as set forth in Deed recorded in Book 2593, Page 957.
4. Easement recorded in Book 93, Page 562.
5. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

Doc# 2063429
Bk# 2781 Pg# 1790

MONROE COUNTY
OFFICIAL RECORDS

Property Record Card



Summary

Parcel ID 00032360-000000
 Account # 1033146
 Property ID 1033146
 Millage Group 10KW
 Location 1124 TRUMAN Ave., KEY WEST
 Address
 Legal KW GWYNN SUB 0-195 ALL LOTS 1-2 AND THE NELY 36 FT
 Description 11 INCHES OF LOT 3 SQR 1 TR 13 OR414-297/302
 OR415-336/338 OR417-572/577 OR826-2357/2362
 OR1913-1673/74 OR2781-1779/90
 (Note: Not to be used on legal documents)
 Neighborhood 32080
 Property Class SERVICE STATION (2600)
 Subdivision
 Sec/Twp/Rng 05/68/25
 Affordable No
 Housing



Owner

LAND 10031 LLC 4900 W Hundred Rd Chester VA 23831	LAND 2708 LLC	LAND 1701 LLC
	LAND 7009 LLC	LAND 4027 LLC
LAND 8601 LLC	LAND 8351 LLC	LAND 2421 LLC
LAND 113 LLC		

Valuation

	2017	2016	2015	2014
+ Market Improvement Value	\$291,623	\$299,489	\$314,874	\$314,874
+ Market Misc Value	\$46,656	\$47,090	\$22,483	\$20,440
+ Market Land Value	\$1,033,668	\$582,369	\$514,803	\$514,803
= Just Market Value	\$1,371,947	\$928,948	\$852,160	\$850,117
= Total Assessed Value	\$1,371,947	\$928,948	\$852,160	\$850,117
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,371,947	\$928,948	\$852,160	\$850,117

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(2600)	15,201.00	Square Foot	103	148

Commercial Buildings

Style 1 STY STORE-B / 11B
 Gross Sq Ft 4,519
 Finished Sq Ft 2,584
 Perimeter 0
 Stories 2
 Interior Walls
 Exterior Walls C.B.S.
 Quality 400 ()
 Roof Type
 Roof Material
 Exterior Wall1 C.B.S.
 Exterior Wall2
 Foundation
 Interior Finish
 Ground Floor Area
 Floor Cover
 Full Bathrooms 2
 Half Bathrooms 0
 Heating Type
 Year Built 1969
 Year Remodeled
 Effective Year Built 1995
 Condition

Code	Description	Sketch Area	Finished Area	Perimeter
CAN	CANOPY	1,598	0	0
DUF	FINDET UTILIT	98	0	0

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	2,584	2,584	0
OPU	OP PR UNFIN LL	239	0	0
TOTAL		4,519	2,584	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1975	1976	1	201 SF	3
PATIO	1971	1972	1	10000 SF	2
FENCES	2012	2013	1	1470 SF	2

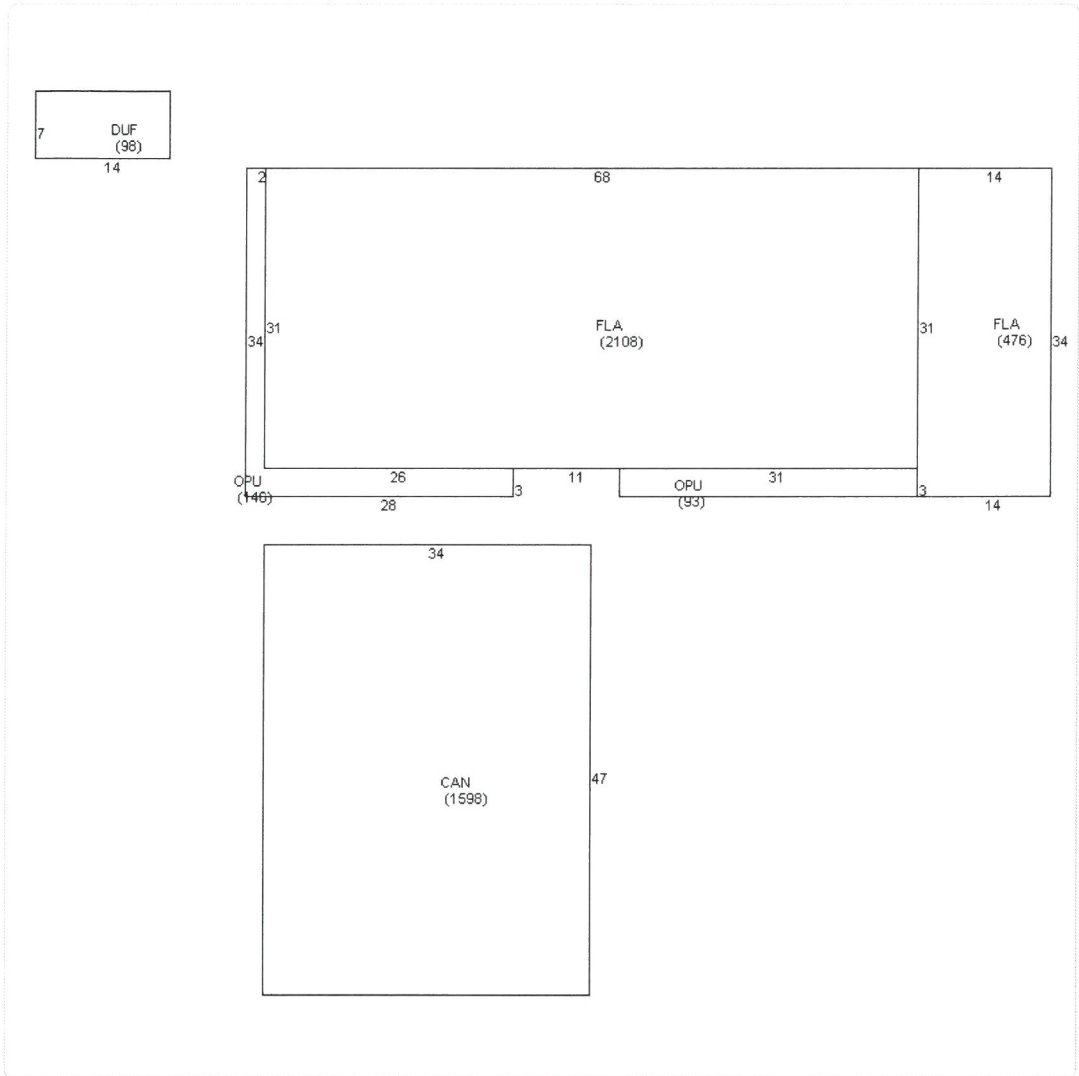
Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
2/8/2016	\$20,750,000	Warranty Deed		2781	1779	37 - Unqualified	Improved

Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
16-0228	1/20/2016		\$1,900	Commercial	REMOVE & REPLACE ROTTEN WOOD FACIA
13-4465	2/10/2014	4/6/2016	\$25,850	Commercial	REMOVE 17.5LF OF ALUMINUM STORE FRONT AND REPLACE WITH CMV WALL (ALUMINUM STORE FRONT, GLASS EXTERIOR WALL)
13-4460	10/17/2013	4/6/2016	\$1,000	Commercial	WIRE NEW COOLER DOORS VIA EXISTING WIRING. DOORS INSTALLED BY OTHERS.
13-4281	10/15/2013	4/6/2016	\$500	Commercial	DISCONNECT AND RECONNECT ELECTRICAL SIGN, TWO SETS OF ILLUMINATED CHANNEL LETTERS.
13-4284	10/15/2013	4/6/2016	\$2,700	Commercial	INSTALL VINYL STICK ON WHITE PANELS ON FRONT OF STORE AND TWO SETS OF ILLUMINATED CHANNEL LETTERS WITH TRIMARK
06-0701	2/15/2006		\$300	Commercial	FUEL DISPENSER REPLACEMENT
05-5812	1/15/2006	9/27/2006	\$300	Commercial	ELECTRIC FOR ID SIGN
04-1140	4/12/2004	11/9/2004	\$2,150	Commercial	SEWER LINING - 52'
04-1157	4/12/2004	11/8/2004	\$2,250	Commercial	SEWER LINING - 46'
9900883	3/11/1999	11/29/1999	\$4,800	Commercial	CHANGEOUT HOOD
9801109	4/30/1998	12/31/1998	\$555	Commercial	SECURITY ALARM SYSTEM
9801096	4/13/1998	12/31/1998	\$2,000	Commercial	REPLACE DISPENSER PANS
9602313	6/1/1996	8/1/1996	\$8,000	Commercial	SIGN
9600919	2/1/1996	8/1/1996	\$1	Commercial	PAINTING

Sketches (click to enlarge)



Photos



Map



No data available for the following modules: Buildings, Mobile Home Buildings, Exemptions.

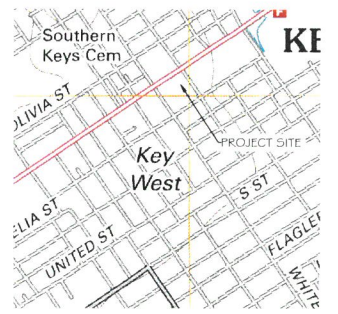
The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the

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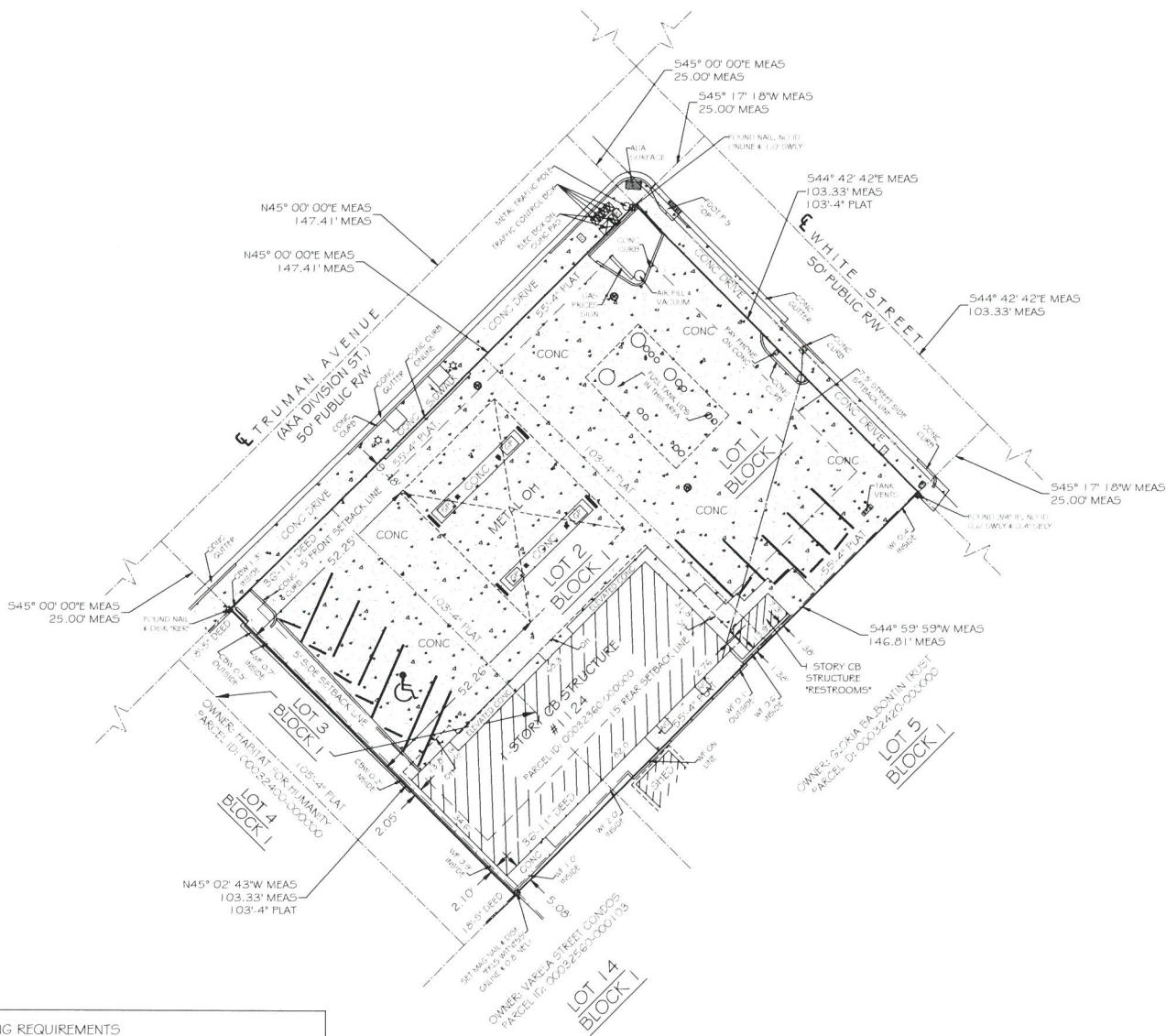


Survey

ALTA / NSPS LAND TITLE SURVEY



LOCATION MAP - NTS
SEC. 05-T685-R25E



ZONING REQUIREMENTS

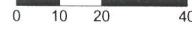
WITH REFERENCE TO THE GRS GROUP'S ZONING ASSESSMENT REPORT, FOR: 1124 Truman Avenue, Key West, FL, Final Report (revised), Dated: April 8, 2016, 54# 23096.

- Building Setback Requirements:**
 - Front: 5 Feet; No accessory structures.
 - Street Side: 7.5 feet; No accessory structures.
 - Side: 5 Feet; No accessory structures.
 - Rear: 15 Feet; 5 feet for accessory structures and no more than 30% of yard.
- Height Restrictions:**
 - Height: 35 Feet.
- Area Requirements:**
 - Minimum Lot Area: 4,000 SF.
 - Minimum Lot Width: 40 Feet.
 - Minimum Lot Depth: 100 Feet.
- Density Requirements:**
 - Maximum Floor Area Ratio: 1.0.
 - Maximum Building Coverage: 50%.
 - Maximum Impervious Coverage: 60%.
- Parking Requirements:**
 - Parking Space Formula: Offices, Retail Stores and Service Establishments: 1 Space per 300 Square Feet of Gross Floor Area (2632/300=9).
 - Parking Spaces Required: 9 Total Parking Spaces.
 - Existing Parking Spaces: 9 Total Parking Spaces.

SYMBOL LEGEND:

- BENCH MARK
- CATCH BASIN
- DRAINAGE MANHOLE
- CONCRETE UTILITY POLE
- MANHOLE
- FIRE HYDRANT
- GAS VALVE
- GAS PUMP
- MANHOLE
- SANITARY CLEANOUT
- SANITARY MANHOLE
- SIGN
- TELEPHONE MANHOLE
- WATER VALVE
- WATER METER
- MONITORING WELL
- WOOD UTILITY POLE
- METAL SUPPORT COLUMN
- OVERHEAD UTILITY LINES
- LIGHT POLE
- BELOW GROUND ELECTRIC BOX

1"=20'



*VERIFY ORIGINAL SCALE OF 2"

TOTAL AREA = 15,200.95 SQFT ±
0.35 ACRES ±

TITLE REVIEW NOTES

WITH REFERENCE TO THE FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, CUSTOMER REFERENCE NO. 15-1283, FIRST AMERICAN FILE NO. 1056-3482606, EFFECTIVE DATE: DECEMBER 10, 2015 AT 8:00 AM, I HEREBY CERTIFY AS FOLLOWS:

SCHEDULE BII - PART II:

- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment. NOT A SURVEY MATTER.
- Any rights, interests, or claims of parties in possession of the land not shown by the public records. NOT A SURVEY MATTER.
- Any encumbrance, easement, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land. DEPICTED ON SURVEY.
- Any lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the public records. NOT A SURVEY MATTER.
- Any dispute as to the boundaries, caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously under water. NOT APPLICABLE TO SUBJECT PROPERTY.
- Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy. NOT A SURVEY MATTER.
- Liens and assessments for the year 2016 and subsequent years, which are not yet due and payable. NOT A SURVEY MATTER.
- NOTES FOR STANDARD EXCEPTIONS: Standard Exceptions for parties in possession, for mechanics' liens, and for taxes or special assessments not shown as liens in the public records shall be deleted upon receipt of an acceptable Non Lien and Possession Affidavit establishing who is in possession of the lands, that there are no liens or encumbrances upon the lands other than as set forth in the Commitment, that no improvements to the lands have been made within the past 90 days, or are contemplated to be made before closing that will not be paid in full, and that there are no unrecorded taxes or assessments that are not shown as existing liens in the public records. Any Policies issued hereunder may be subject to a Special Exception for matters disclosed by said Affidavit. NOT A SURVEY MATTER.
- Standard Exception(s) for questions of survey may be deleted upon receipt and review of a properly certified Survey meeting the Florida Minimum Technical Standards for all land surveys dated no more than 90 days prior to closing or such other proof as may be acceptable to the Company. Any Policies issued hereunder may be subject to a Special Exception for matters disclosed by said survey or proof. DEPICTED ON SURVEY.
- Terms and conditions of any existing unrecorded leases(s), and all rights of lessor(s) and any parties claiming through the lessor(s) under the lease(s). (As to Parcels 6, 8, 12, 16, 21, 24, 25 and 26). NOT A SURVEY MATTER.
- Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§1811 et seq.) or under similar state laws. (As to Parcels 1, 2, 6, 7, 9, 10, 11, 12, 13, 14, 22, 23, 24, 25 and 26). NOT A SURVEY MATTER.
- Subject to Restrictions imposed on property lying within the Historical Preservation Area of the City of Key West. Subject premises are within this area as stated in Executive Office of the Governor Administration Commission Chapter 27F-15 Land Planning Boundary and Principles for Guiding Development for the City of Key West recorded in Book 906, Page 200. DOCUMENT AFFECTS SUBJECT PROPERTY BUT NOT A SURVEY MATTER.
- City of Key West Area of Critical State Concern, Rule 27F-15, of the Florida Administrative Code, adopted by the Administration Commission pursuant to Section 380.05 F.S. on February 7, 1984, effective February 28, 1994, recorded in Book 906, Page 200, 205, of the Public Records of Monroe County, Florida. DOCUMENT AFFECTS SUBJECT PROPERTY BUT NOT A SURVEY MATTER.
- Subject to City Ordinance No. 81-43 and Amendment 82-5 thereof, which provides for the assessment and collection of waste in the City of Key West, Monroe County, Florida. DOCUMENT AFFECTS SUBJECT PROPERTY BUT NOT A SURVEY MATTER.

SURVEYOR NOTES

- BEARING BASE: ALL BEARINGS ARE BASED ON N45°00'00" ASSUMED ALONG THE CENTERLINE OF TRUMAN AVENUE.
- ALL ANGLES DEPICTED ARE 90 DEGREES UNLESS OTHERWISE INDICATED.
- ALL UNITS ARE SHOWN IN SURVEY FEET.
- ADDRESS: 1124 TRUMAN AVENUE, KEY WEST, FL 33040
- FLOOD ZONE CLASSIFICATION: COMMUNITY NO. 1201 G8, MAP NO.: 12087C-151 G6, MAP DATE: 02-18-05; FIRM REVISION DATE: 06-05-15; FLOOD ZONE: X SHADED; BASE ELEVATION: NA
- THE CURRENT ZONING CLASSIFICATION AND BUILDING SETBACK REQUIREMENTS, HEIGHT AND FLOOR SPACE AREA RESTRICTIONS AS SET FORTH IN THAT CLASSIFICATION, OF THE SUBJECT PROPERTY ARE INDICATED ON THE SURVEY, RELYING ON THE SAID REPORT BY THE GRS GROUP SUPPLIED TO FLORIDA KEYS SURVEYING BY THE CLIENT AND/OR THEIR AGENT.
- SQUARE FOOTAGE OF EXTERIOR FOOTPRINT OF BUILDINGS: 1-STORY CB STRUCTURE #1124 - 2632.00 SQFT ±, THE BUILDING HEIGHT IS 15.30 FEET ABOVE THE ADJACENT GRADE, MEASURED ON THE NORTHEASTERN SIDE OF THE BUILDING; 1-STORY CB STRUCTURE "RESTROOMS" = 101.00 SQFT ±, THE BUILDING HEIGHT IS 6.30 FEET ABOVE THE ADJACENT GRADE, MEASURED ON THE NORTHWESTERN SIDE OF THE BUILDING.
- THERE ARE 8 DEDICATED STRIPED REGULAR PARKING SPACES AND 1 DEDICATED STRIPED HANDICAP PARKING SPACE.
- THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY SHOWN ON THIS SURVEY WAS DETERMINED BY OBSERVED EVIDENCE ONLY, AS PER THE CLIENT'S REQUEST.
- THERE WAS NO OBSERVED EVIDENCE OF EARTH MOVING WORK AT THE TIME OF THE SURVEY.
- THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF THE SURVEY.
- THERE WAS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL AT THE TIME OF THE SURVEY.
- NO WETLAND AREAS WERE IDENTIFIED TO SURVEYOR AT THE TIME OF SURVEY, AND NO WETLAND DELINEATION MARKERS WERE OBSERVED IN THE FIELD BY THE SURVEYOR AT THE TIME OF SURVEY.
- REVISION (1) - 06/06/2016 - REVISED SURVEYOR NOTES, TITLE REVIEW NOTES & ADDED ZONING REQUIREMENTS.

LEGAL DESCRIPTION

"PARCEL 10" WITH REFERENCE TO THE FIRST AMERICAN TITLE INSURANCE COMPANY EXHIBIT A, CUSTOMER REFERENCE NO. 15-1283, FIRST AMERICAN FILE NO. 1056-3482606, EFFECTIVE DATE: DECEMBER 10, 2015 AT 8:00 AM:

On the Island of KEY WEST and being part of Tract 13, according to William A. Whitehead's Map of said Island, delineated in February, 829, more particularly described as follows:
Lots 1 and 2 and the Eastern 36 feet 11 inches of Lot 3, all in Block 1 of Tract 13, according to Gwynn's Diagram recorded in Deed Book "O", Page 195, Public Records of Monroe County, Florida.

TO, LAND 10031, LLC as to a 11.077% interest, LAND 2705, LLC as to a 8.451% interest, LAND 113, LLC as to a 3.353% interest, LAND 1701, LLC as to a 11.077% interest, LAND 901, LLC as to a 8.226% interest, LAND 7009, LLC as to a 9.644% interest, LAND 2421, LLC as to a 8.611% interest, LAND 4027, LLC as to a 13.410% interest, and LAND 8351, LLC as to a 15.151% interest, in Common among all of the aforesaid LLCs; Capital One National Association, its successors and/or assigns as their interests may appear; and First American Title Insurance Company;

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7, 9, 11, 13, 14, 16, 17, 18, 19, 20 OF TABLE A. THE FIELD WORK WAS COMPLETED ON FEBRUARY 3, 2016.

DATE OF MAP: MARCH 31, 2016

NOTE: LEGAL DESCRIPTION HAS BEEN PREPARED BY THE CLIENT OR THEIR REPRESENTATIVE(S) AND DOES NOT REPRESENT THE SURVEYOR'S DETERMINATION OF THE ACCURACY OF THESE DESCRIPTIONS. THE SURVEYOR HAS REVIEWED THE LEGAL DESCRIPTION FOR CLARITY AND FOR CONFORMANCE WITH THE FLORIDA STANDARDS AND PRACTICES FOR PROFESSIONAL SURVEYORS AND MAPPERS NUMBER 15-7, FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS TO SECTION 472.027, F.S. THE MEASUREMENT LINE HAS NOT BE DETERMINED.

THE SURVEYOR HAS REVIEWED THE LEGAL DESCRIPTION FOR CLARITY AND FOR CONFORMANCE WITH THE FLORIDA STANDARDS AND PRACTICES FOR PROFESSIONAL SURVEYORS AND MAPPERS NUMBER 15-7, FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS TO SECTION 472.027, F.S. THE MEASUREMENT LINE HAS NOT BE DETERMINED.

NOT VALID WITHOUT THE SEAL AND SIGNATURE OF THE SURVEYOR AND MAPPING ENGINEER.

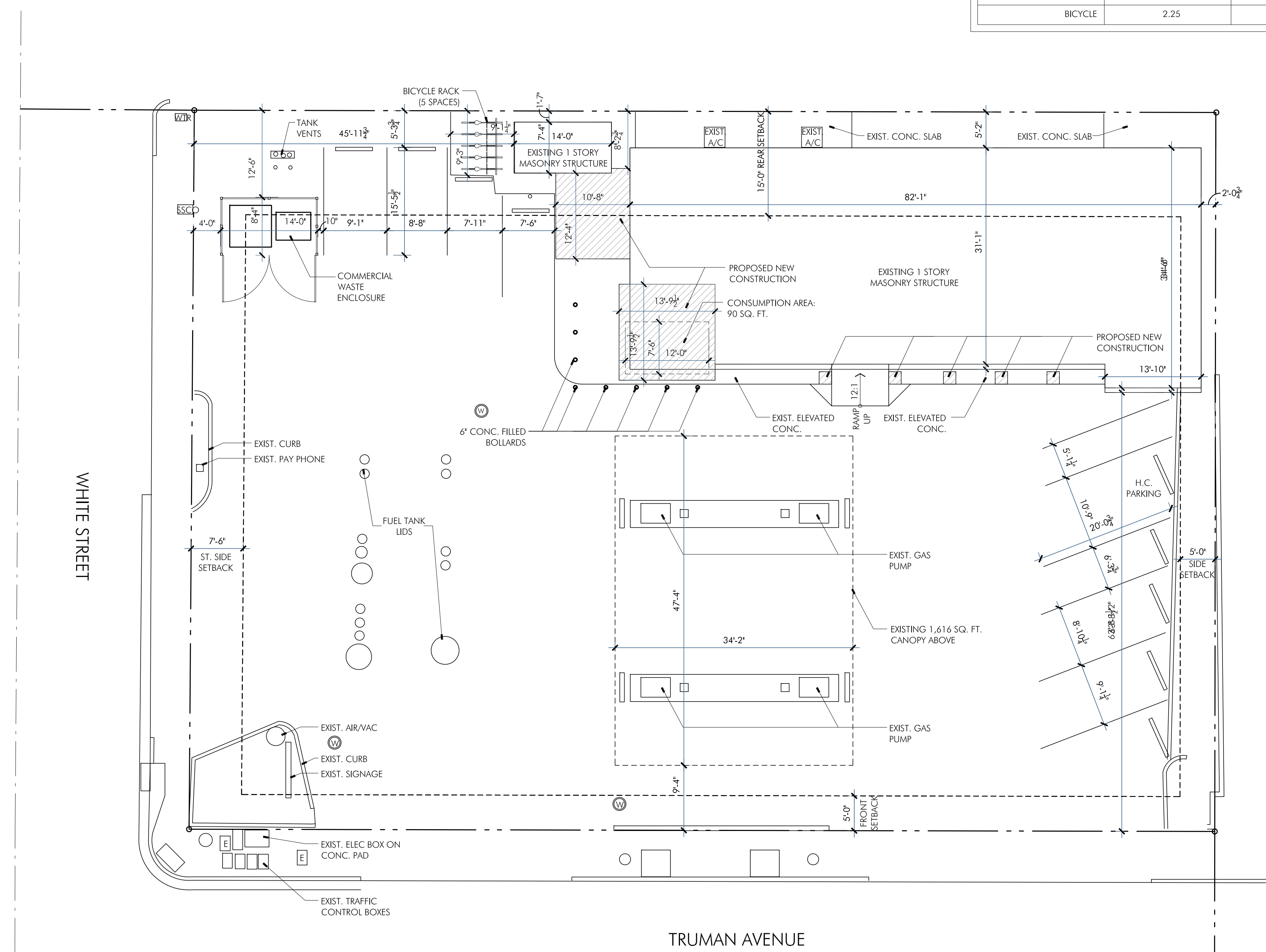
FLORIDA KEYS
LAND SURVEYING
1990 OVERSEAS HIGHWAY
SUGARLOAF KEY, FL 33042
PHONE: (305) 394-3690
EMAIL: FLK@landsurveying.net
WWW.FLKEYSLANDSURVEYING.NET

DATE: 06/06/2016
PROJECT: 15-1283
SHEET: 1 OF 1
DRAWN BY: MTH
CHECKED BY: EAL
JOB NO.: 15-1283

Proposed Plans

SITE DATA:

SITE DATA	PERMITTED	EXISTING	PROPOSED	COMPLIANCE
ZONING	HNC-1	HNC-1	HNC-1	CONDITIONAL USE
FLOOD ZONE	X	X	X	COMPLIES
HEIGHT	35 FT.	<35 FT.	35 FT.	COMPLIES
SITE SIZE	≥ 4,000 SQ. FT.	15,201 SQ. FT.	15,201 SQ. FT.	COMPLIES
DENSITY	16 U/AC	0	0	COMPLIES
FLOOR AREA RATIO TOTAL	1.0	17% (2,702 SQ. FT.)	18% (2,877 SQ. FT.)	COMPLIES
BUILDING COVERAGE	50% (7,600.5 SQ. FT.)	31% (4,727 SQ. FT.)	32.9% (5,006 SQ. FT.)	COMPLIES
IMPERVIOUS SURFACE	60% (9,120.6 SQ. FT.)	-97%	-97%	NO CHANGE
OPEN SPACE	20% (3,040.2 SQ. FT.)	-3%	-3%	NO CHANGE
LANDSCAPE	20% (3,040.2 SQ. FT.)	-3%	-3%	NO CHANGE
SETBACK: FRONT	5 FT.	5 FT.	5 FT.	COMPLIES
SIDE	5 FT.	2.05 FT.	2.05 FT.	NO CHANGE
STREET SIDE	7.5 FT.	7.5 FT.	7.5 FT.	COMPLIES
REAR	15 FT.	1.3 FT.	1.3 FT.	VARIANCE REQUESTED
PARKING: AUTO	9	9	9	COMPLIES
BICYCLE	2.25	0	5	COMPLIES



DIONS STORE 202
TRUMAN FLORIDA STORE

ORDINARY SEIBY
BOB ARCHITECTURE
108 NORTH FIRST STREET
RICHMOND, VIRGINIA 23219
Tel: 804.344.0060
email: bobstudio@bobarchitecture.net

NO.	DATE	REVISIONS
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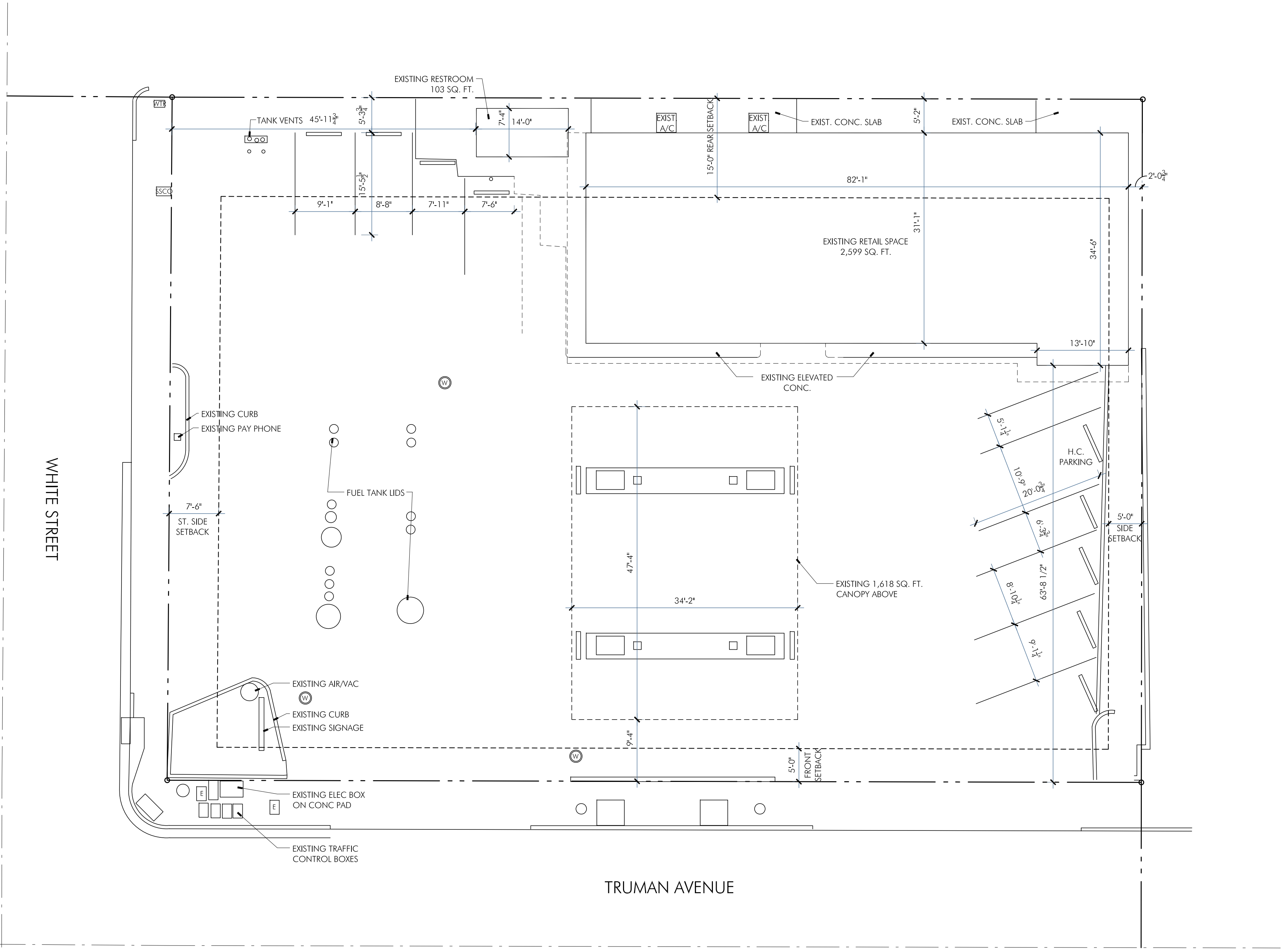
JOB NO: 16.013
DATE: 08.31.18

ARCHITECTURAL
SITE PLAN

A102



ARCHITECTURAL SITE PLAN 1
1" = 10'-0"



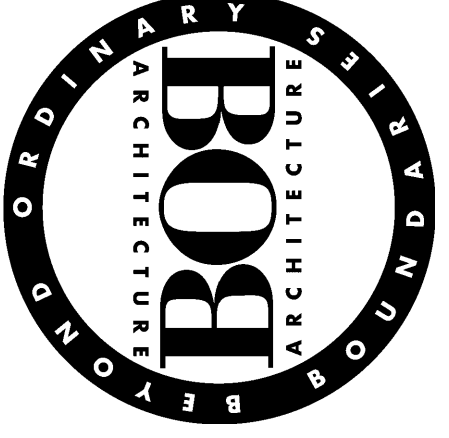
DIONS STORE 202

TRUMAN FLORIDA STORE



For: 804.344.0060

email: bobstudio@bobarchitecture.net

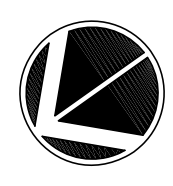


108 NORTH FIRST STREET
RICHMOND, VIRGINIA 23219

NO.	DATE	REVISIONS
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JOB NO: 16.013
DATE: 08.31.18

EXISTING SITE PLAN



EXISTING SITE PLAN 1
1" = 10'-0"

D201

DEMO NOTES

TYPICAL - CONTRACTORS ARE REQUIRED TO FIELD VERIFY ALL EXISTING BUILDING CONDITIONS DURING THE BID PERIOD TO DETERMINE THE SCOPE OF DEMOLITION WORK REQUIRED.

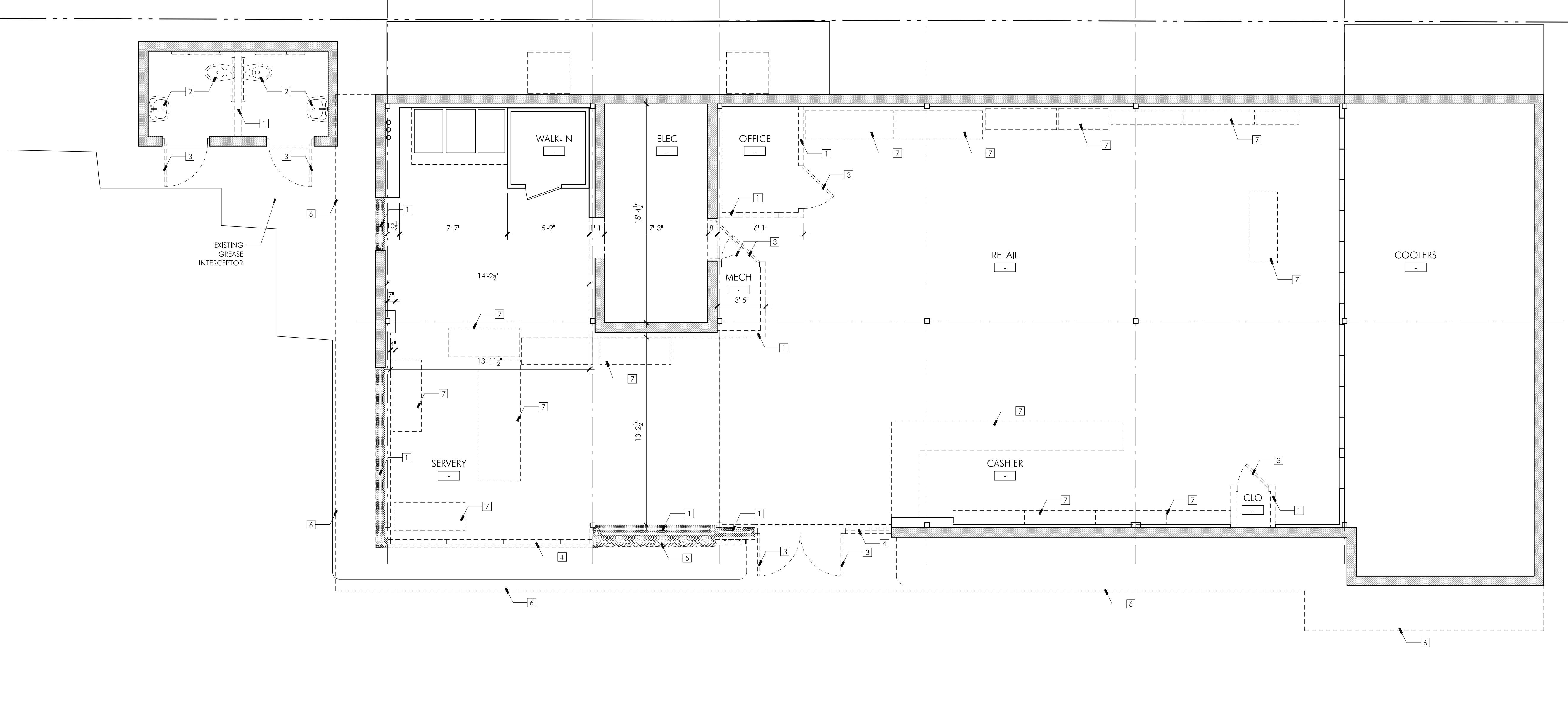
TYPICAL - DEMOLITION TO THE EXTENT SHOWN ON ARCHITECTURAL DRAWINGS ARE APPROXIMATIONS OF THE WORK REQUIRED. THE CONTRACTOR IS RESPONSIBLE FOR REVIEWING ALL DRAWINGS FOR PROPER COORDINATION OF DEMOLITION WORK AND PREPARATION FOR NEW CONSTRUCTION.

TYPICAL - CONTRACTORS ARE RESPONSIBLE FOR THE REMOVAL AND PROPER DISPOSAL OF ALL WASTE MATERIAL RELATED TO DEMOLITION ACTIVITIES PRIOR TO PROCEEDING WITH NEW CONSTRUCTION.

TYPICAL - REPAIR ALL ADJACENT STRUCTURE AND FINISH MATERIALS (INCLUDING BUT NOT LIMITED TO FLOORS, WALLS & CEILINGS) TO RECEIVE NEW CONSTRUCTION AS REQUIRED AT LOCATIONS WHERE STRUCTURE IS DEMOLISHED.

TYPICAL - PROVIDE TEMPORARY STRUCTURE (POSTS AND BEAMS) AS REQUIRED TO SUPPORT EXISTING STRUCTURE ABOVE NEW OPENINGS.

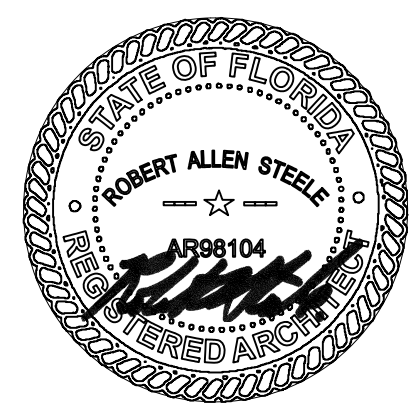
- 1 REMOVE EXIST. WALL TO FLOOR LEVEL. REPAIR CEILING AND SUB FLOOR AS NECESSARY FOR NEW WORK.
- 2 REMOVE EXIST. PLUMBING FIXTURES. CAP OR REROUTE PLUMBING FOR NEW WORK.
- 3 REMOVE EXIST. DOOR & TRIM. REMOVE THRESHOLD WHERE EXISTING.
- 4 REMOVE EXIST. WINDOW/STOREFRONT & TRIM, PREP FOR REPLACEMENT OR INFILL. COORD. W/PLANS & ELEVATIONS.
- 5 REMOVE EXIST. STONE CLADDING.
- 6 REMOVE EXIST. PARAPET ABOVE.
- 7 REMOVE EXIST. CABINETRY.



GRAPHIC KEY:

---	REMOVED
---	EXISTING WALL

DEMO FLOOR PLAN 1
1/4" = 1'-0"



108 NORTH FIRST STREET
 RICHMOND, VIRGINIA 23219
 FOR: 804.344.0060
 email: bobstudio@bobarchitecture.net

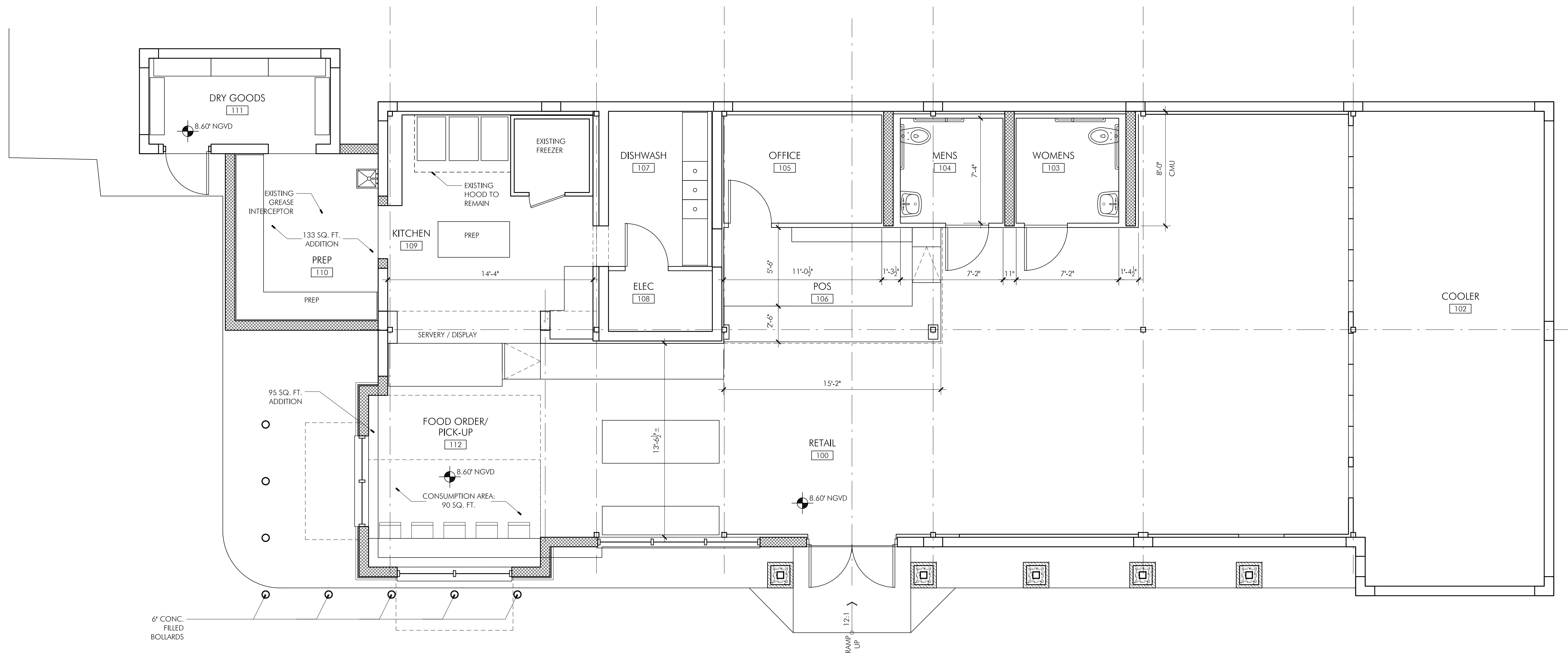


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JOB NO: 16.013
DATE: 08.31.18

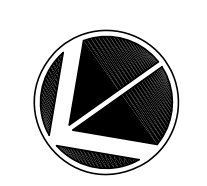
DEMO FLOOR PLAN

D202



BUILDING AREA	
EXISTING RESTAURANT:	512 GSF
EXISTING RETAIL:	2,201 GSF
TOTAL EXISTING:	2,713 GSF
PROPOSED RESTAURANT ADDITION: 164 GSF	
PROPOSED RESTAURANT:	804 GSF
PROPOSED RETAIL:	2,073 GSF
TOTAL PROPOSED:	2,877 GSF

GRAPHIC KEY:	
	NEW CMU WALL
	EXISTING WALL

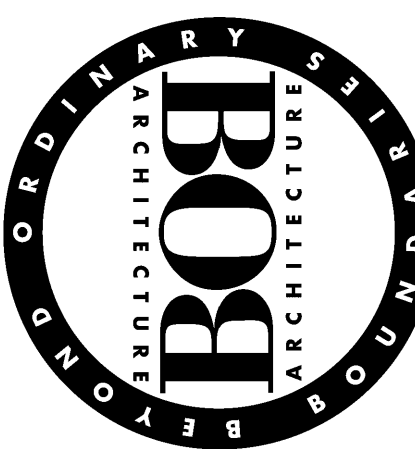


FIRST FLOOR PLAN 1
1/4" = 1'-0"

DIONS STORE 202
TRUMAN FLORIDA STORE



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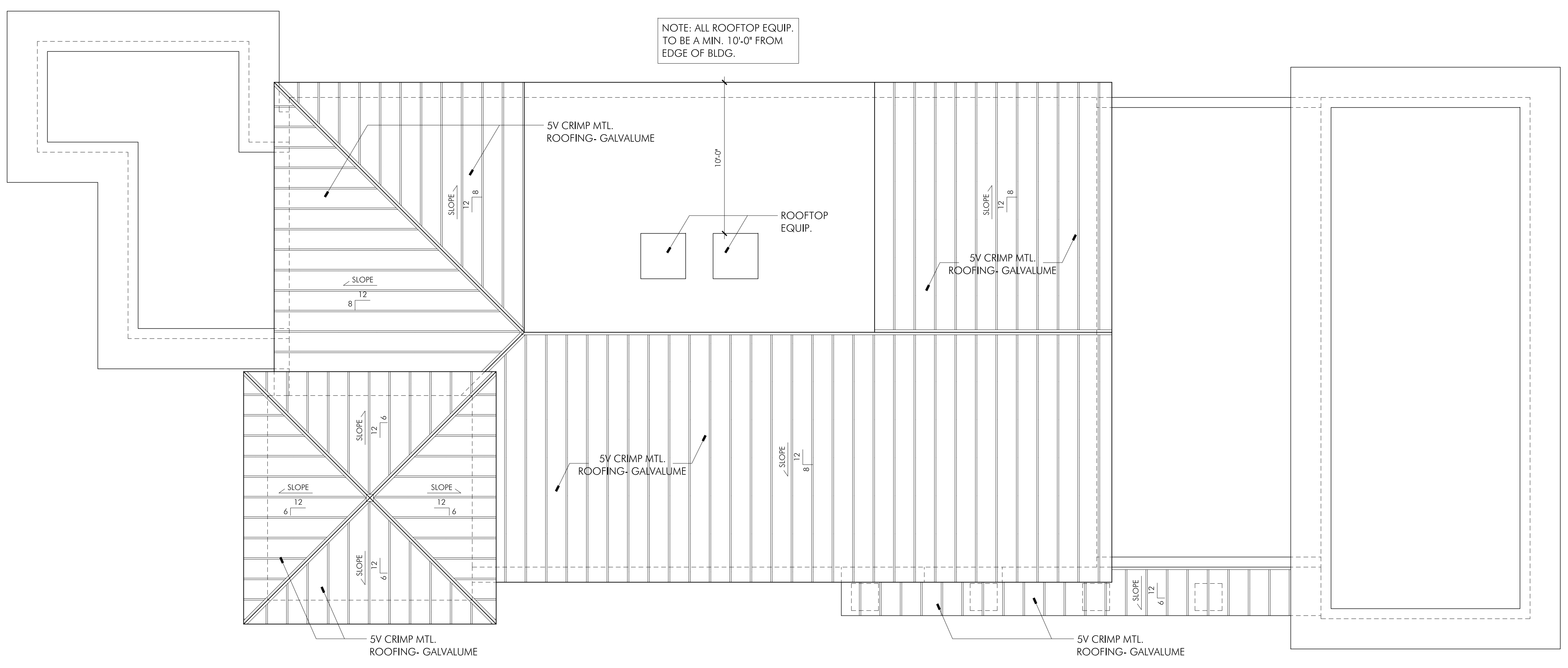
JOB NO: 16.013
DATE: 08.31.18

FIRST FLOOR PLAN

A201

1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22

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NOTE: ALL ROOFTOP EQUIP.
TO BE A MIN. 10'-0" FROM
EDGE OF BLDG.

5V CRIMP MTL.
ROOFING- GALVALUME

ROOFTOP
EQUIP.

5V CRIMP MTL.
ROOFING- GALVALUME

5V CRIMP MTL.
ROOFING- GALVALUME

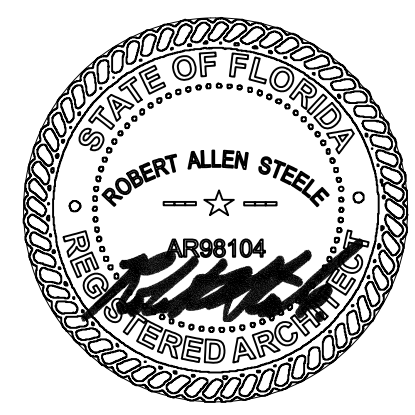
5V CRIMP MTL.
ROOFING- GALVALUME

5V CRIMP MTL.
ROOFING- GALVALUME

ROOF PLAN 1
1/4" = 1'-0"

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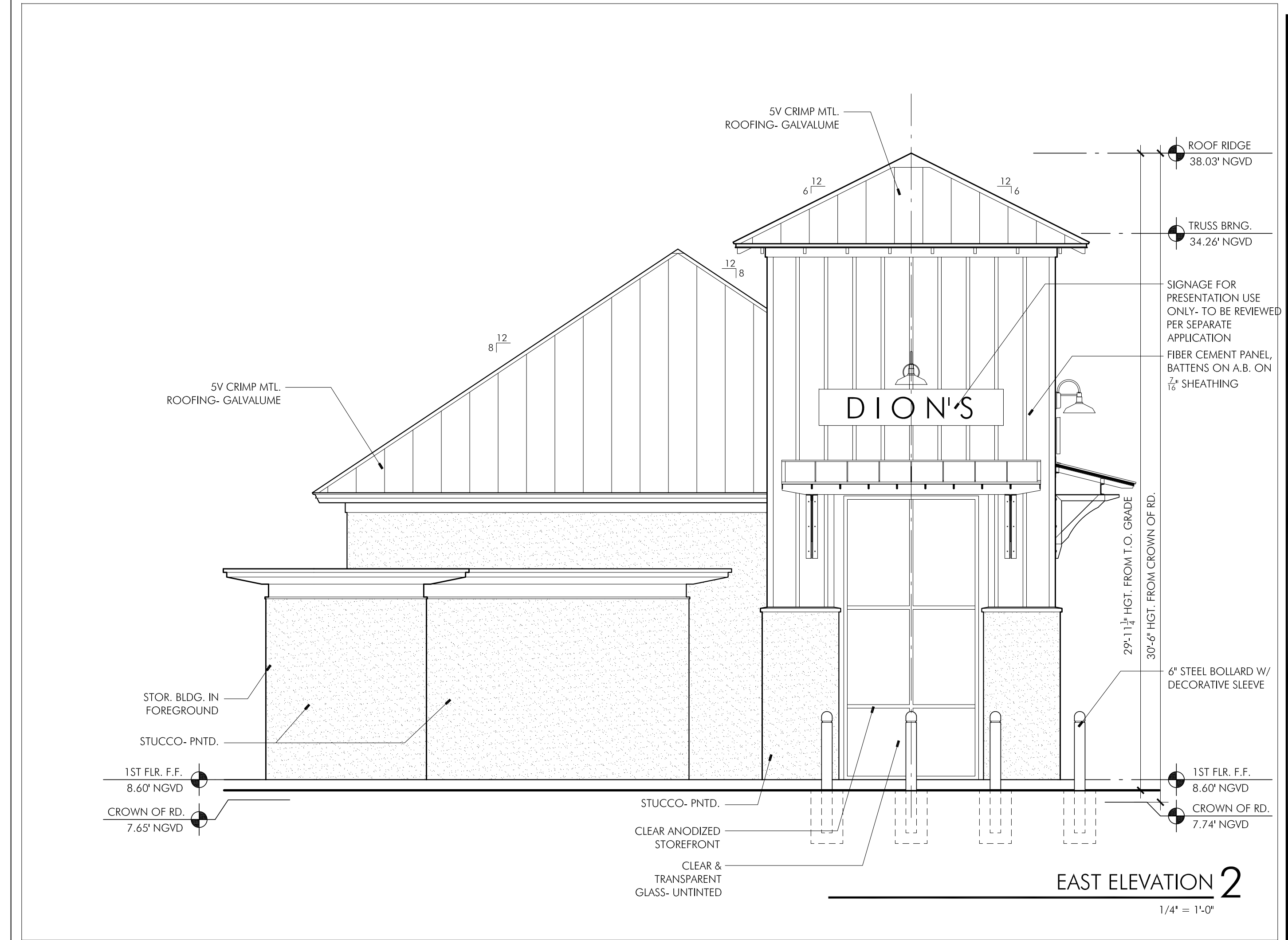
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JOB NO: 16.013
DATE: 08.31.18

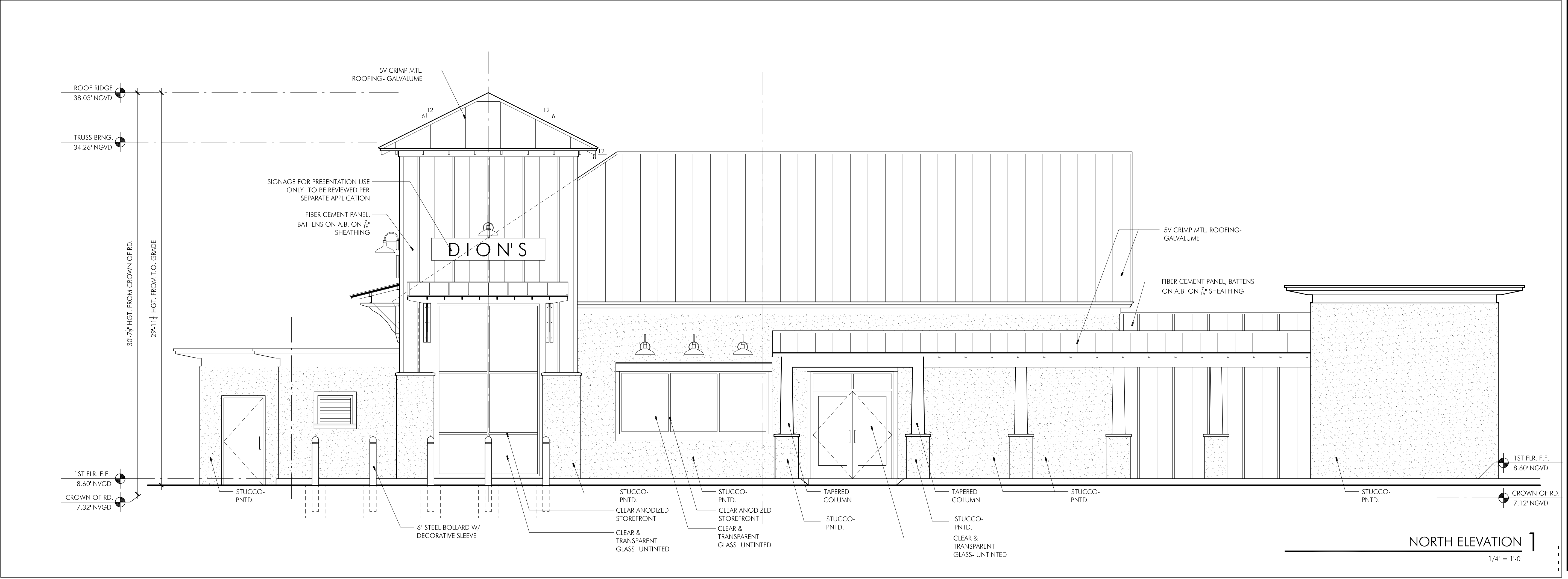
ROOF PLAN

A202

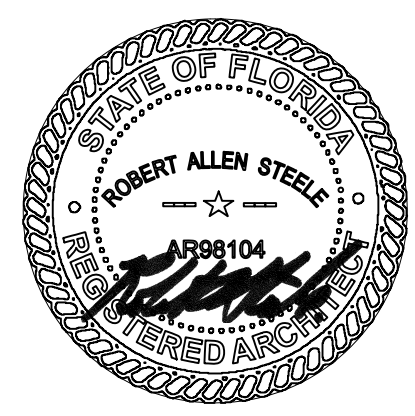
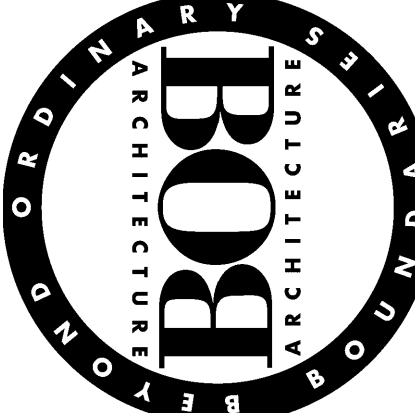
1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22



EAST ELEVATION 2
1/4" = 1'-0"



NORTH ELEVATION 1
1/4" = 1'-0"

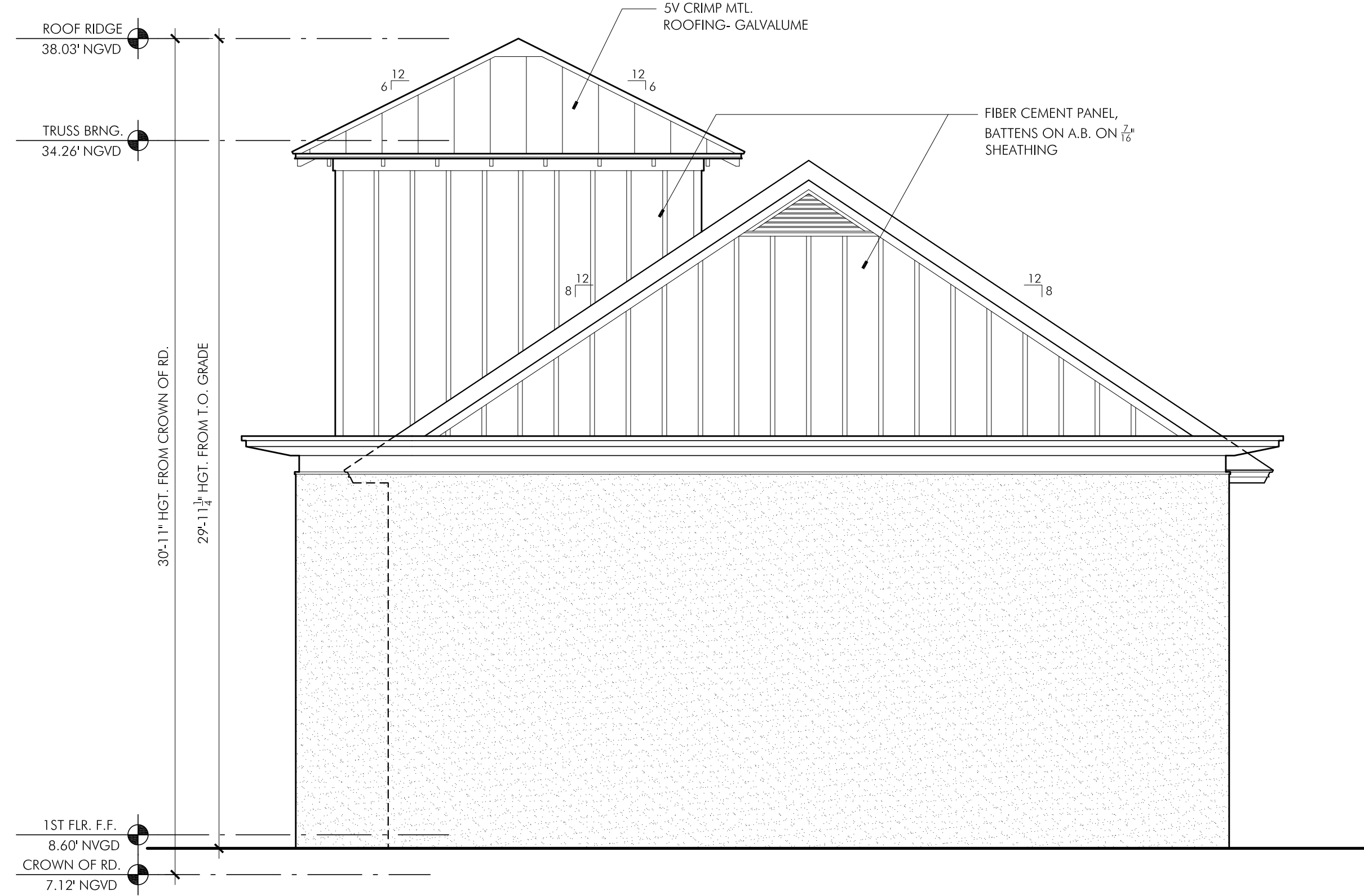
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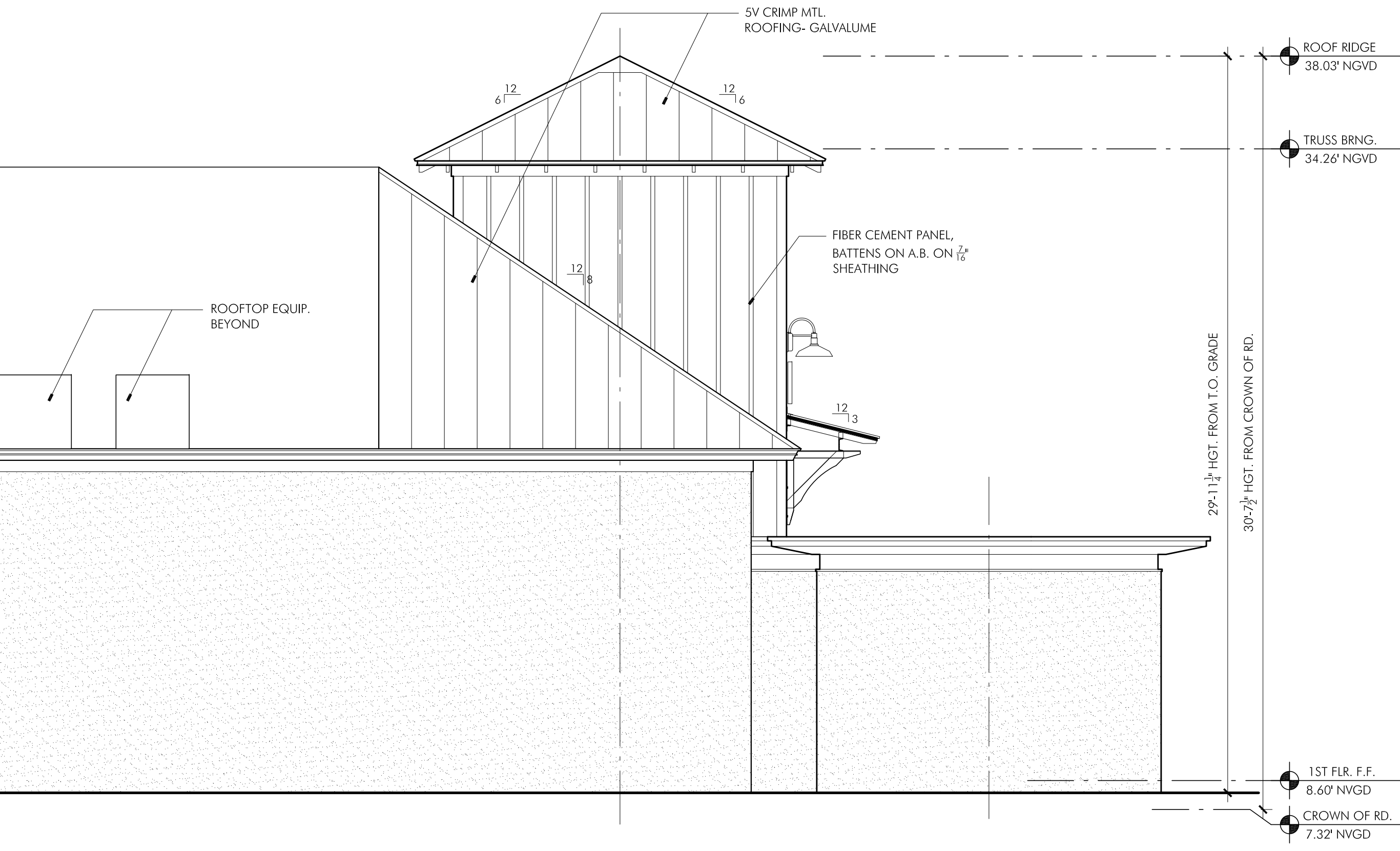
JOB NO: 16.013
 DATE: 08.31.18

ELEVATIONS

A301



WEST ELEVATION 4
1/4" = 1'-0"



SOUTH ELEVATION 3
1/4" = 1'-0"

DIONS STORE 202

TRUMAN FLORIDA STORE



108 NORTH FIRST STREET
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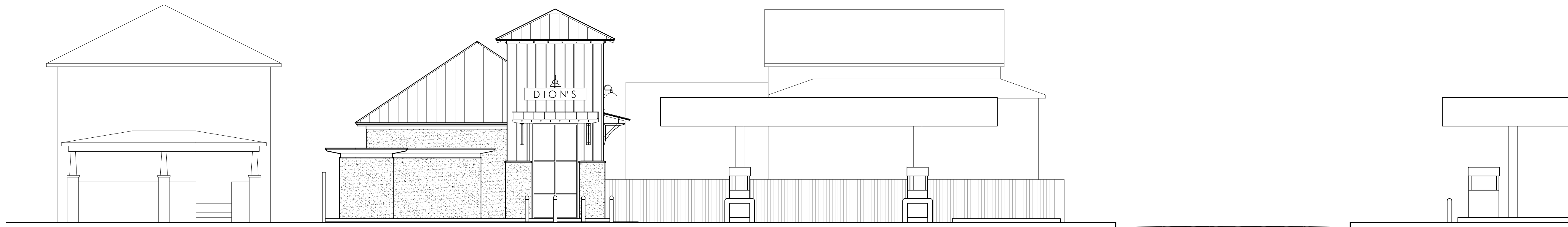
JOB NO: 16.013
DATE: 08.31.18

ELEVATIONS

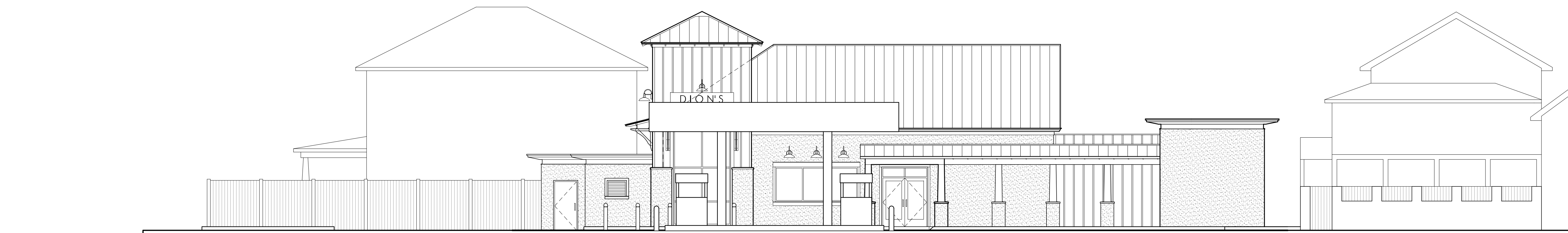
A302

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WHITE STREET ELEVATION 2
1/8"=1'-0"



TRUMAN AVENUE ELEVATION 1
1/8"=1'-0"

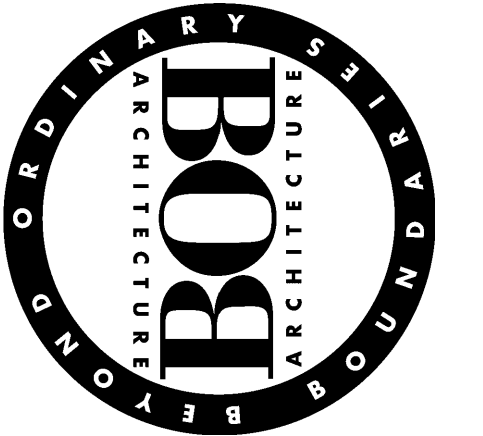
DIONS STORE 202

TRUMAN FLORIDA STORE



For 804.344.0060

email: bobstudio@bobarchitecture.net



108 NORTH FIRST STREET
RICHMOND, VIRGINIA 23219

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JOB NO: 16.013
DATE: 08.31.18

TRUMAN AVENUE &
WHITE STREET
ELEVATIONS

A303

1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |

Authorization Form

**City of Key West
Planning Department**



Authorization Form
(Where Owner is a Business Entity)

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

I, John Cary as
Please Print Name of person with authority to execute documents on behalf of entity

Managing Member of Land 7009, llc; Land 2421, llc;
Land 10031, llc; Land 2708, llc; Land 113, llc; Land 1701, llc; Land 8601, llc;
Name of office (President, Managing Member) *Name of owner from deed*

authorize 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.

[Signature]
Signature of person with authority to execute documents on behalf on entity owner

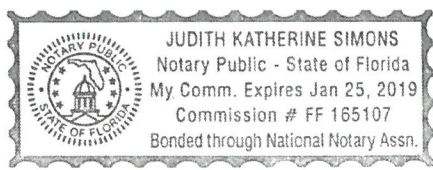
Subscribed and sworn to (or affirmed) before me on this 5/3/18
Date

by JOHN CARY
Name of person with authority to execute documents on behalf on entity owner

He/~~She~~ is personally known to me or has presented _____ as identification.

Judith Katherine Simons
Notary's Signature and Seal

Judith Katherine Simons
Name of Acknowledger typed, printed or stamped



FF165107
Commission Number, if any

Verification Form

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an Entity)

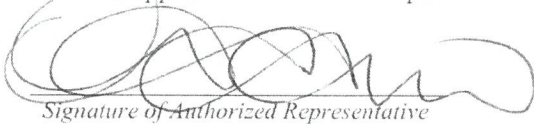
I, Owen Trepanier, in my capacity as President
(print name) *(print position; president, managing member)*
of Trepanier & Associates, Inc.
(print name of entity serving as Authorized Representative)

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:

1124 Truman Ave

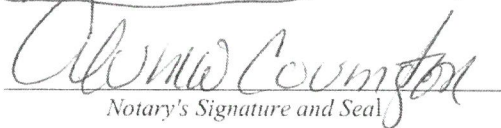
Street Address of subject property

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 of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 23rd MAY 2018 by
Owen Trepanier
Name of Authorized Representative

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


Notary's Signature and Seal



Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2019
WWW.AARONNOTARY.COM

ALVINA COVINGTON
Name of Acknowledger typed, printed or stamped

FF913801
Commission Number, if any

Sunbiz.org Search Results

Detail by Entity Name

Foreign Limited Liability Company
UPHOFF INVESTMENTS, LLC

Filing Information

Document Number M16000000506
FEI/EIN Number 81-0635109
Date Filed 01/20/2016
State VA
Status ACTIVE

Principal Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Registered Agent Name & Address

Cary, John
638 United St
Key West, FL 33040

Name Changed: 11/16/2017

Address Changed: 11/16/2017

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF, STEVEN M
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Title Authorized Member

Cary, John
638 United St
Key West, FL 33040

Annual Reports

Report Year	Filed Date
2017	01/27/2017
2017	11/16/2017
2018	04/18/2018

Document Images

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[11/16/2017 -- AMENDED ANNUAL REPORT](#)

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Detail by Entity Name

Foreign Limited Liability Company
LAND 10031, LLC

Filing Information

Document Number M16000000458
FEI/EIN Number 81-0635109
Date Filed 01/19/2016
State VA
Status ACTIVE

Principal Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Registered Agent Name & Address

Uphoff Investments, LLC
638 United St
Key West, FL 33040

Name Changed: 04/18/2018

Address Changed: 04/18/2018

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Annual Reports

Report Year	Filed Date
2017	04/24/2017
2018	04/18/2018

Document Images

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01/19/2016 -- Foreign Limited	View image in PDF format