



Application For Easement

City of Key West, Florida • Planning Department

3140 Flagler Avenue • Key West, Florida 33040-4602 • 305-809-3720 • www.keywestcity.com

Application Fee: \$2,150.00

(includes \$100.00 advertising/noticing fee and \$50.00 fire review fee)

(\$400 for each additional easement for same parcel)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3720.

PROPERTY DESCRIPTION:

Site Address: 1529 Von Phister Street, Key West, Florida 33040

Zoning District: Single Family Real Estate (RE) #: 00042640-000000

Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Richard McChesney, Esq.

Mailing Address: 500 Fleming Street

City: Key West State: Florida Zip: 33040

Home/Mobile Phone: _____ Office: (305) 294-9556 ext. 211 Fax: _____

Email: richard@spottswood.com

PROPERTY OWNER: (if different than above)

Name: The Wendy Perks Fisher Living Trust dated April 19, 1996

Mailing Address: 4720 East State Street

City: Rockford State: Illinois Zip: 61108

Home/Mobile Phone: _____ Office: _____ Fax: _____

Email: _____

Description of requested easement and use: Applicant seeks to obtain an easement over a small portion of property situated outside of the boundary lines, as depicted on the attached survey. The easement will cure the encroachment and protect both the City of Key West and the Applicant moving forward.

Are there any easements, deed restrictions or other encumbrances attached to the property? Yes No

If yes, please describe and attach relevant documents: _____

REQUIRED SUBMITTALS: All of the following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

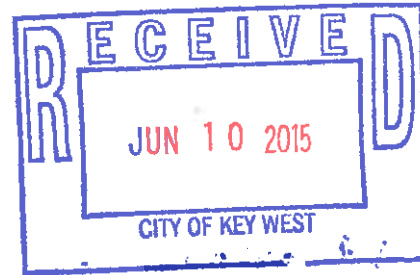
- Correct application fee. Check may be payable to "City of Key West."
- Notarized verification form signed by property owner or the authorized representative.
- Notarized authorization form signed by property owner, if applicant is not the owner.
- Copy of recorded warranty deed
- Property record card
- Signed and sealed Specific Purpose Surveys with a legal description of the easement area requested
- Photographs showing the proposed easement area

SPOTTSWOOD, SPOTTSWOOD AND SPOTTSWOOD
ATTORNEYS
500 FLEMING STREET
KEY WEST, FLORIDA 33040

JOHN M. SPOTTSWOOD, JR.
WILLIAM B. SPOTTSWOOD
ERICA HUGHES STERLING
CRISTINA L. SPOTTSWOOD
WILLIAM B. SPOTTSWOOD, JR.

OF COUNSEL:
JOHN M. SPOTTSWOOD (1920-1975)
ROBERT A. SPOTTSWOOD

VIA HAND DELIVERY



PHONE
305-294-9556
FAX
305-292-1982

June 8, 2015

Thaddeus Cohen, AICP, Planning Director
City of Key West Planning Department
3140 Flagler Avenue
Key West, Florida 33040

RE: Application for Easement at 1529 Von Phister Street, Key West, FL 33040

Dear Mr. Cohen,

Please find enclosed a completed easement application for the property located at 1529 Von Phister Street, Key West, Florida 33040 ("Property"), pursuant to City of Key West Code Section 2-938.

If you need additional information or have any questions regarding this application, please do not hesitate to contact me.

Very Truly Yours,

Richard McChesney, Esq.

RJM
Enc:
As stated

Verification

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an individual)

I, Richard McChesney, 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:

1529 Von Phister Street, Key West, Florida 33040

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.

Richard McChesney

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this June 8, 2015 by

date

Richard McChesney

Name of Authorized Representative

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

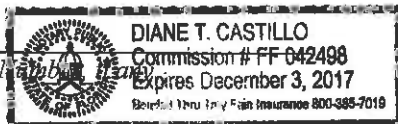
Diane I. Castillo

Notary's Signature and Seal

Diane I. Castillo

Name of Acknowledger typed, printed or stamped

Commission Expires



Authorization

**City of Key West
Planning Department**



**Authorization Form
(Individual or Joint Owner)**

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

I, WENDY PERKS FISHER, TRUSTEE V/A/D 4/14/96 authorize
Please Print Name(s) of Owner(s) as appears on the deed

RICHARD McCHESEY, ESQ
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

DocuSigned by:
Wendy Perks Fisher, Trustee
Signature of Owner

N/A
Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this 15TH DAY OF MAY, 2015
Date

by WENDY PERKS FISHER, TRUSTEE
Name of Owner

He/She is personally known to me or has presented N/A as identification.
PER CHAPTER 64B, F.S.

[Signature]
Notary's Signature and Seal

RICHARD M. KLITENICK
Name of Acknowledger typed, printed or stamped

EE 222606 EXP 11/11/2016
Commission Number, if any



Deed

PREPARED BY AND RETURN TO:
RICHARD M. KLITENICK
RICHARD M. KLITENICK, P.A.
1009 SIMONTON STREET
KEY WEST, FL 33040
305-292-4101
FILE NUMBER: RE15-024
RECORDING PAID: \$18.50
DOC STAMPS PAID: \$10,465.00

[Space above this line for Recording Data]

WARRANTY DEED

THIS WARRANTY DEED is made on this 15th day of May, 2015, between JOE T. CLERICO and MARGARET M. CLERICO, husband and wife, whose address is 23 Equestrian Lane, East Falmouth, MA 02536 (hereinafter collectively referred to as "Grantor"), and WENDY PERKS FISHER, AS TRUSTEE OF THE WENDY PERKS FISHER LIVING TRUST dated April 19, 1996, whose address is 4720 East State Street, Rockford, IL 61108 (hereinafter referred to as "Grantee").

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

Witnesseth, that said Grantor, for and in consideration of the sum of ONE MILLION FOUR HUNDRED NINETY-FIVE THOUSAND & 00/100th DOLLARS (\$1,495,000.00) and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, with the street address of 1529 Von Phister Street, Key West, FL 33040, more particularly described as:

IN THE CITY OF KEY WEST, AND IS PART OF TRACT 20, OF THE MAP OF THE ISLAND OF KEY WEST, DELINEATED IN FEBRUARY 1829 BY WILLIAM A. WHITEHEAD, AND IS BETTER KNOWN AS LOT 1, SQUARE 4 OF THE MONROE INVESTMENT COMPANY'S DIAGRAM OF SAID TRACT 20 AS SURVEYED BY W.A. GWYNN, AND RECORDED IN PLAT BOOK 1, AT PAGE 41, MONROE COUNTY RECORDS.

COMMENCING AT THE NORTHWEST CORNER OF THOMPSON AND VON PHISTER STREETS AND RUNNING THENCE ALONG VON PHISTER STREET IN A SOUTHWESTERLY DIRECTION 50 FEET, 3 INCHES; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION 93 FEET AND 7 INCHES; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 50 FEET, 3 INCHES OUT TO THOMPSON STREET, THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION ALONG THOMPSON STREET 93 FEET AND 6 INCHES, BACK TO THE POINT OF BEGINNING

PARCEL IDENTIFICATION NUMBER: 00042640-000000; ALTERNATE KEY ("AK") NUMBER: 1043273

SUBJECT TO CONDITIONS AND RESTRICTIONS OF RECORD, IF ANY, BUT THIS DECLARATION SHALL NOT OPERATE TO RE-IMPOSE THE SAME.

SUBJECT TO: TAXES FOR THE YEAR 2015 AND SUBSEQUENT YEARS.


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

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2014, and those items listed above.

In Witness Whereof, Grantor has hereunto set their hand and seal the day and year first above written.

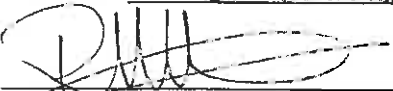
Signed, sealed and delivered in our presence:
(as to both)



Witness # 1 signature
Print name: DAVID SCHMITZ



JOE T. CLERICO



Witness # 2 signature
Print name: RICHARD M. KLITENICK

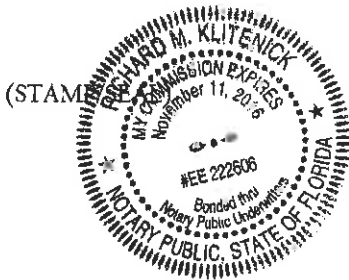


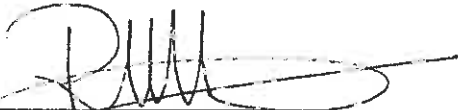
MARGARET M. CLERICO

STATE OF FLORIDA
COUNTY OF MONROE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, JOE T. CLERICO and MARGARET M. CLERICO, who are personally known to me to be the same persons who are the named Grantors in the foregoing Warranty Deed, or who produced W/M as identification, and they acknowledged to me that they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Key West, Monroe County, Florida on this 15th day of May, 2015.

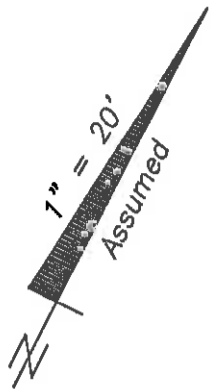




Notary Public - State of Florida
Commission Expires: 11-11-2016

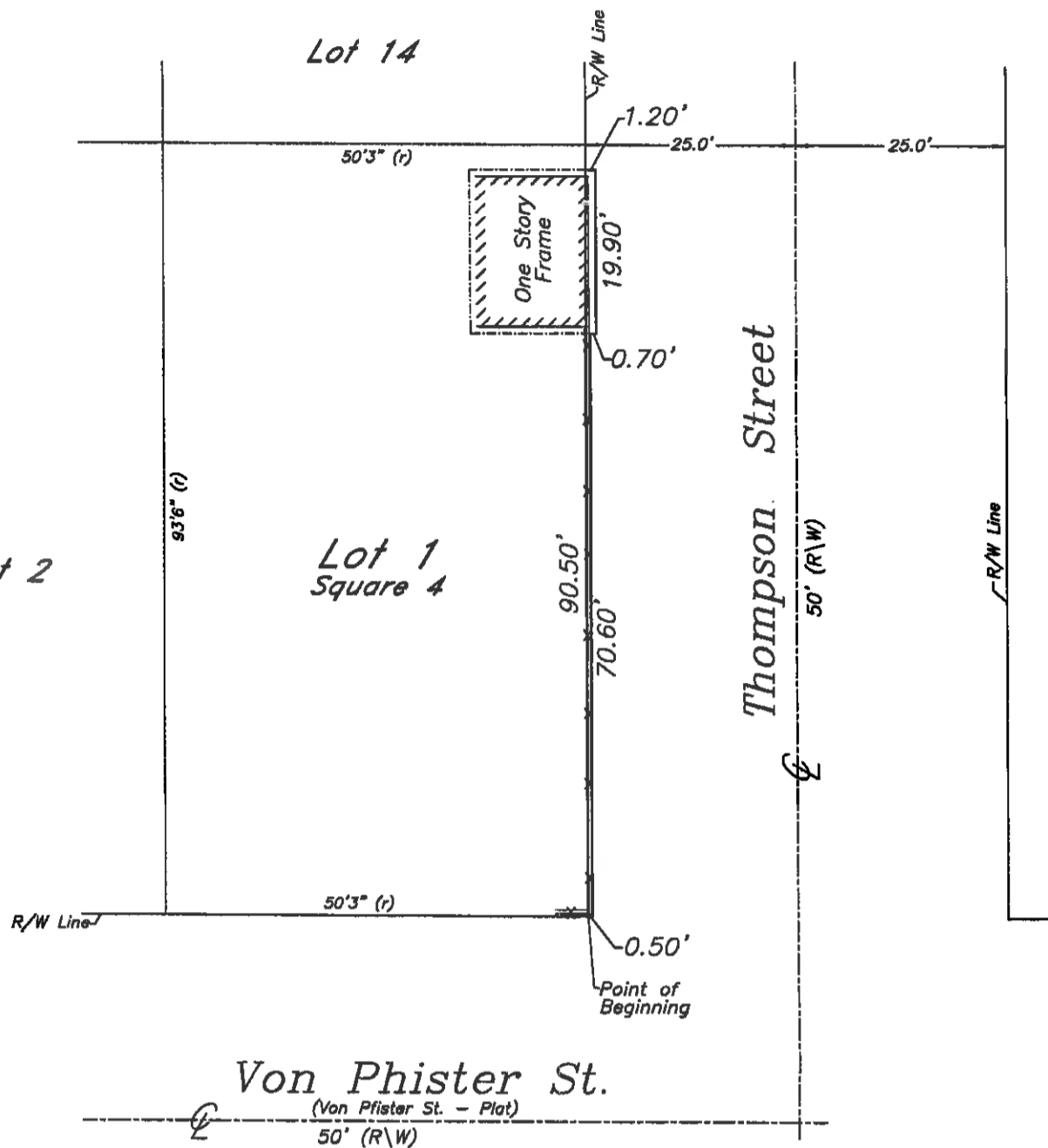
Survey

Specific Purpose Survey to illustrate a legal description
of a portion of Thompson Street, adjacent to Lot 1, Square 4,
MONROE INVESTMENT CO'S DIAGRAM of part of Tract 20
prepared by the undersigned



LEGEND

(R) Record
R\W Right of Way



NOTES:

1. The legal description shown hereon was authored by the undersigned.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 1529 Von Phister Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. This survey is not assignable.
9. Adjoiners are not furnished.
10. The description contained herein and sketch do not represent a field boundary survey.

**SPECIFIC PURPOSE SURVEY TO ILLUSTRATE A LEGAL DESCRIPTION
AUTHORED BY THE UNDERSIGNED**

A parcel of land on the Island of Key West, and known as a portion of Thompson Street adjacent to Lot 1, Square 4 of THE MONROE INVESTMENT COMPANY'S DIAGRAM of part of Tract 20 as surveyed by W.A. Gwynn, and recorded in Plat Book 1, at Page 41, of the Public Records of Monroe County, Florida, said parcel being more particularly described by metes and bounds as follows:
BEGIN at the Southeasterly corner of the said Lot 1 and run thence Northwesterly along the Southwesterly right of way line of Thompson Street for a distance of 90.50 feet to the Northwesterly face of an existing overhang of a One Story Frame Structure; thence Northeasterly and at right angles and along the overhang for a distance of 1.20 feet; thence Southeasterly and at right angles along the overhang for a distance of 19.90 feet; thence Southwesterly and at right angles along the overhang for a distance of 0.70 feet to the Northeasterly face of a wood fence; thence Southeasterly and along said fence, and extension thereof, for a distance of 70.60 feet; thence Southwesterly and at right angles for a distance of 0.50 feet back to the Point of Beginning, containing 60 square feet, more or less.

SPECIFIC PURPOSE SURVEY FOR: Wendy Perks Fisher, Trustee;

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg. #6298

June 1, 2015

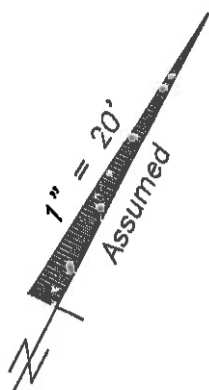
J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

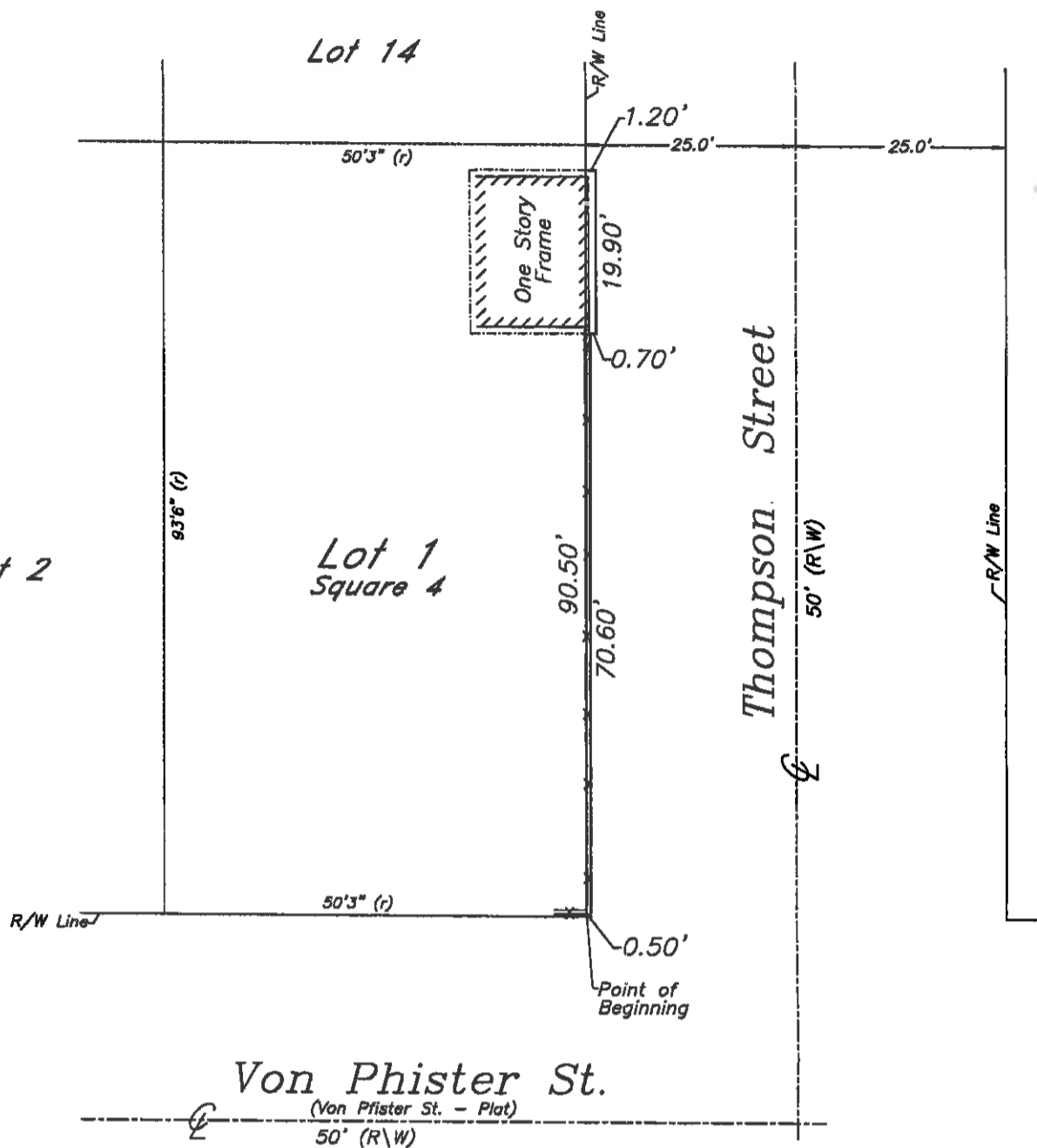
3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

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of a portion of Thompson Street, adjacent to Lot 1, Square 4,
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June 1, 2015

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

Site Photos











Property Appraiser Information



Scott P. Russell, CFA
Property Appraiser
Monroe County, Florida

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

Property Record Card -
Maps are now launching the new map application version.

Alternate Key: 1043273 Parcel ID: 00042640-000000

Ownership Details

Mailing Address:
FISHER WENDY PERKS LIVING TRUST 4/19/1996
4720 E STATE ST
ROCKFORD, IL 61108-2288

Property Details

PC Code: 01 - SINGLE FAMILY
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 05-68-25
Property Location: 1529 VON PHISTER ST KEY WEST
Subdivision: Monroe Investment Co
Legal Description: KW MONROE INVESTMENT CO SUB PB1-41 LOT 1 SQR 4 TR 20 OR48-131-132 OR379-933D/C OR860-2228/2229 OR861-2032 OR867-472 OR1168-1848/49 OR1426-958/61C OR1462-1891 OR2740-2020/21

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	0	0	4,698.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 0
Total Living Area: 2051
Year Built: 1983

Building 1 Details

Building Type R1
 Effective Age 15
 Year Built 1983
 Functional Obs 0

Condition A
 Perimeter 316
 Special Arch 0
 Economic Obs 0

Quality Grade 650
 Depreciation % 16
 Grnd Floor Area 2,051

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP

Heat 1 FCD/AIR DUCTED

Heat Src 1 ELECTRIC

Roof Cover METAL

Heat 2 NONE

Heat Src 2 NONE

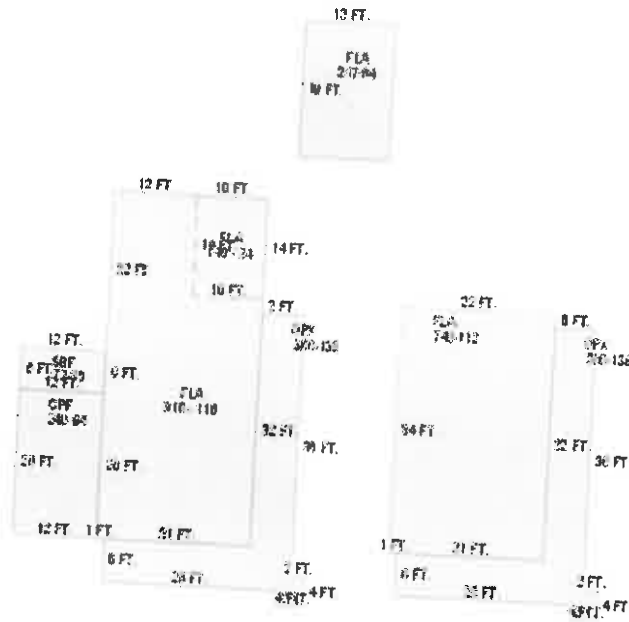
Foundation WD CONG PADS

Bedrooms 4

Extra Features:

- 2 Fix Bath 1
- 3 Fix Bath 1
- 4 Fix Bath 0
- 5 Fix Bath 0
- 6 Fix Bath 0
- 7 Fix Bath 0
- Extra Fix 0

- Vacuum 0
- Garbage Disposal 0
- Compactor 0
- Security 1
- Intercom 0
- Fireplaces 0
- Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
0	FLA	12:ABOVE AVERAGE WOOD	1	1999	Y			140
1	FLA	12:ABOVE AVERAGE WOOD	1	1983	N Y	0.00	0.00	916
2	OPX	12:ABOVE AVERAGE WOOD	1	1983	N Y	0.00	0.00	366
4	FLA	12:ABOVE AVERAGE WOOD	1	1983	N Y	0.00	0.00	748

5	<u>OPX</u>	12:ABOVE AVERAGE WOOD	1	1983	N	Y	0.00	0.00	366
6	<u>CPF</u>		1	1999	N	Y	0.00	0.00	240
7	<u>SBF</u>	1:WD FRAME	1	1999	N	Y	0.00	0.00	72
8	<u>FLA</u>	12:ABOVE AVERAGE WOOD	1	1999	N	Y	0.00	0.00	247

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	PT2:BRICK PATIO	610 SF	0	0	1999	2000	4	50
2	UB2:UTILITY BLDG	102 SF	0	0	1982	1983	3	50
3	PT2:BRICK PATIO	280 SF	0	0	1982	1983	3	50
4	RW2:RETAINING WALL	90 SF	0	0	1982	1983	3	50
5	FN2:FENCES	120 SF	0	0	1982	1983	2	30
6	WD2:WOOD DECK	460 SF	0	0	1982	1983	2	40
7	PT2:BRICK PATIO	352 SF	0	0	1999	2000	2	50
8	WF2:WATER FEATURE	1 UT	0	0	1999	2000	1	20
9	FN2:FENCES	900 SF	150	6	1999	2000	2	30
10	PT3:PATIO	30 SF	10	3	1999	2000	2	50
11	PO4:RES POOL	340 SF	34	10	1999	2000	4	50
12	FN2:FENCES	288 SF	96	3	1999	2000	2	30

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
07-335	01/24/2007	06/23/2009	4,166	Residential	CHANGE OUT OF 2-3 TON CONSENSORS
08-4577	12/23/2008	06/23/2009	4,000	Residential	CHANGE OUT TWO 3 TON AIR HANDLERS.
13-3791	09/24/2013	01/29/2014	2,100	Residential	INSTALL APPROX 250 SQ FT OF NEW PORCH T & G, PAINT SAME COLOR.
98-00393	02/25/1998	02/26/1999	111,730	Residential	REPLACE FL RM RENOVATE
98-00395	02/20/1998	02/26/1999	43,000	Residential	DEMOLITION
98-00948	03/24/1998	02/26/1999	8,000	Residential	2 A/C UNITS
98-01466	05/12/1998	02/26/1999	2,685	Residential	SECURITY ALARM
98-02348	08/06/1998	02/26/1999	21,700	Residential	POOL
98-02524	08/21/1998	02/26/1999	5,800	Residential	WOOD FENCE
00-00300	05/31/2000	08/14/2000	3,126	Residential	STORM SHUTTERS
06-6657	12/21/2006	06/23/2009	1,200	Residential	REPLACE ROTTED TRIM,REPAINT SAME COLOR

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2014	316,395	36,535	561,828	914,758	771,139	0	914,758
2013	323,839	37,485	339,712	701,036	701,036	0	701,036
2012	327,562	38,500	298,500	664,562	664,562	0	664,562
2011	327,562	39,692	464,177	831,431	807,339	0	831,431
2010	331,284	40,927	415,785	787,996	733,945	0	787,996
2009	384,394	36,868	415,785	837,047	667,223	0	837,047
2008	364,272	37,932	204,363	606,567	606,567	0	606,567
2007	555,893	32,172	234,900	822,965	822,965	0	822,965
2006	630,723	33,251	281,880	945,854	945,854	0	945,854
2005	532,319	34,276	234,900	801,495	801,495	0	801,495
2004	342,505	35,398	211,410	589,313	589,313	0	589,313
2003	445,256	36,418	76,343	558,018	558,018	0	558,018
2002	420,452	37,497	76,343	534,292	534,292	0	534,292
2001	335,401	38,560	84,564	458,525	458,525	0	458,525
2000	335,401	40,001	64,598	440,000	440,000	0	440,000
1999	251,516	11,760	64,598	327,874	327,874	0	327,874
1998	238,023	10,046	64,598	312,666	312,666	0	312,666
1997	205,858	8,946	55,202	270,005	220,593	25,000	195,593
1996	173,692	7,792	55,202	236,687	214,168	25,000	189,168
1995	158,253	7,298	55,202	220,753	208,945	25,000	183,945
1994	141,527	6,723	55,202	203,452	203,452	25,000	178,452
1993	141,527	6,904	55,202	203,633	203,633	25,000	178,633
1992	126,733	7,102	55,202	189,037	189,037	25,000	164,037
1991	126,733	7,278	55,202	189,213	189,213	25,000	164,213
1990	114,030	7,478	44,631	166,139	166,139	25,000	141,139
1989	103,664	6,959	43,457	154,080	154,080	25,000	129,080
1988	69,988	6,442	39,933	116,363	116,363	25,000	91,363
1987	69,115	6,588	23,358	99,061	99,061	25,000	74,061
1986	69,452	6,748	22,325	98,525	98,525	25,000	73,525
1985	67,520	6,894	17,625	92,039	92,039	25,000	67,039
1984	63,616	7,057	17,625	88,298	88,298	25,000	63,298
1983	26,897	0	17,625	44,522	44,522	0	44,522
1982	27,405	0	13,207	40,612	40,612	25,000	15,612

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
5/15/2015	2740 / 2020	1,495,000	WD	99
6/1/1997	1462 / 1891	330,000	WD	Q

4/1/1991	1168 / 1848	250,000	<u>WD</u>	<u>Q</u>
7/1/1982	860 / 2228	40,000	<u>WD</u>	<u>Q</u>

This page has been visited 36,689 times.

Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176