

EASEMENT APPLICATION
City of Key West Planning Department
3140 Flagler Avenue Street, Key West, FL 33040
(305) 809-3720



Please read carefully before submitting applications

Easement Application

Please print or type a response to the following: Annalise Mannix - representing

1. Name of Applicant Southernmost Cabana Resort LLC
2. Site Address 1015 Simonton St Key West, FL 33040
3. Applicant is: Owner Authorized Representative
(attached Authorization Form must be completed)
4. Address of Applicant 3739 Paula Ave.
Key West, FL 33040
5. Phone # of Applicant 3052925299 Mobile# 757970413 Email amannix@aol.com
6. Name of Owner, if different than above Kimberly Parker and 1999 Cleburn
Marital Trust
7. Address of Owner 1421 1st St.
Key West, FL 33040
8. Phone Number of Owner 3052927729 Email cleburn@bellsouth.net
9. Zoning District of Parcel HNC-1 RE# 00027070-000000
10. Description of Requested Easement and Use. Please itemize if more than one easement is requested 25 by 248 foot section of the right of way of Virginia St. Between Simonton St. and St. Mary's property. This plot has historically been used for 11 residential mobile homes (40 years). This will allow 11 affordable mobile homes to remain occupied.
11. Are there any existing easements, deed restrictions or other encumbrances attached to the subject property? Yes No If Yes, please describe and attach relevant documents.

The following must be included with this application:

1. Copy of a recorded warranty deed showing the current ownership and a legal description of the property. (Typically a description of the property without the easement). *giving ✓*
2. Two (2) original, signed and sealed copies of site surveys (No larger than 11"x 17") illustrating buildings and structures existing on the property as of the date of the request with a **legal description of the entire property**. *enclosure ✓*
3. Two (2) original, signed and sealed Specific Purpose Surveys (No larger than 11"x 17") illustrating buildings and structures **with a legal description of the easement area requested**. *enclosure ✓*
4. Color photographs from different perspectives showing the proposed easement area. *giving ✓*
5. Application Fee by check payable to the City of Key West in the amount of **\$1000.00**; plus **\$400.00** for each additional easement on the same parcel. Please include a **separate** fee of **\$50.00** for Fire Department Review and an advertising and noticing fee of **\$100.00**. *giving ✓*
6. Notarized Verification Form. *enclosure ✓*
7. Notarized Authorization Form, if applicable. An Authorization form is required if a representative is applying on behalf of the owner. *enclosure ✓*

A. Executive Summary

The property under consideration is approximately a 25 foot by 248 foot area of land that sits between an existing asphalt road (600 Block of Virginia Street) and privately owned land to the north. The City approached Southernmost Cabana Resort, LLC, the Owner, when a neighbor complained that trailers from the property were sitting on the Right of Way apparently a violation of City Code. The Owner immediately met with Code Compliance to resolve the issue.

Since the alternative, vacating the Right of Way (as determined by City Staff), would severely impact 10 families; the Owner has determined a request for an easement is the most immediate option for the community to resolve the issue at hand.

Structures located in that area have been in that location prior to 1889 as indicated by the Sanborn Map of that year, with the 1912 map indicating a 25 foot Right of Way. Photographic evidence of the original structures existence is found in a 1920's aerial. The 1889 map through the 1912 map indicate a restaurant on the location of trailer Unit 1 with a grocery across the street in the building that appears to have remained as 1101 Simonton Street. The 1940's Monroe County Property Map suggests the Right of Way *is not* 50 feet wide. Nineteen hundred sixty-three photographic evidence of the site as a trailer park in the same location as the current trailer suggests a 25 right of way is present.

All neighboring property owners have been contacted by the parcel Owner with various responses.

An easement is requested to immediately deal with the Code Compliance complaint while it is reasonable to expect some future permanent solution to the issue may be required.

C. Report

Property History

The property under consideration is approximately a 25 foot by 248 foot area of land that sits between an existing asphalt road (600 Block of Virginia Street) and privately owned land to the north. Based on current City of Key West staff, the Right of Way of Virginia Street is 50 feet wide. However, earlier maps of the area indicate that the width of the Right of Way varied from that mark. The historic Sanborn Map of 1912 (see pages 7, 8, and 9) and 1926 indicate only a 25-foot Right of Way. Those maps, as well as all previous accessible Sanborn maps (1889, 1892, and 1899) indicate 6 structures on that 25 foot by 248 foot parcel. Photographic evidence of the structures existence is can be viewed in a 1920's aerial on page 14. The homes were first constructed as part of Gatoville (40 cigar makers' cottages) along with the Cigar Factory circa 1875.

A 1963 photograph is evidence of the site as a trailer park with the trailer Unit 1 in the same location Unit 1 currently occupies.

The adjacent parcel, sold to the current owner in 2009 by The Bishop of the Diocese of Miami, historically had 45 trailer sites as indicated by the property record of the Monroe County property Appraiser (see pages 24-26) with a lot size of 175.78 feet by 248 feet. In 1976 a wooden structure was constructed. Currently all 45 sites are occupied by seasonal and annual residents (see unit location map page 21).

While the 1940's Monroe County Property Map (accessed at the Monroe County Library) indicates 363'-8" from Truman to Virginia on the east side of Virginia Street (the side in question) the opposite side (Duval Square side) indicates 330' of land, the difference being 33'-8". Although no Right of Way distance is indicated in the MC Property Map it indicates the property in question extends 33'8" further than the Duval Square side, which brings into question the accuracy of City staff's determination that the Right of Way is 50'. Perhaps the Right of Way is indeed 25'. The writer does not know what City staff used to determine that the Right of Way is 50 feet.

The MC Property Appraiser staff (Ms. Lynn Garcia, CFE) reported that lots were not platted by the government back in the 1800's and diagrams were used to indicate locations of buildings, lots and streets. In addition, this area was outside the original city limits. This may contribute to the confusion over the actual size of the Right of Way. She found no original records of Property Appraiser Maps of the 1800's or early 1900's with this property and referred the writer to the Monroe County Library to seek further data from the maps there.

Original and enlarged copies of the 1912 Sanborn map can be seen below.

Current Issue

The City approached Southernmost Cabana Resort, LLC, the Owner, in mid-December when a neighbor complained that trailers from the property were sitting on the Right of Way apparently a violation of City Code. The Owner immediately met with Code Compliance to resolve the issue. The suggestion of vacation of the Right of Way as well as obtaining an easement for the structures/trailers located on the Right of Way were discussed.

Since the alternative, vacating the Right of Way (as determined by City Staff), would severely impact 10 families during the holiday season, the Owner has determined a request for an easement or quit claim deed from the City is the best option for the community to resolve the issue at hand.

In an effort to satisfy the complainant the Owner wishes to immediately request the City provide an easement for the apparent encroachment allowing further investigation in the future as to the actual Right of Way location.

Park Residents

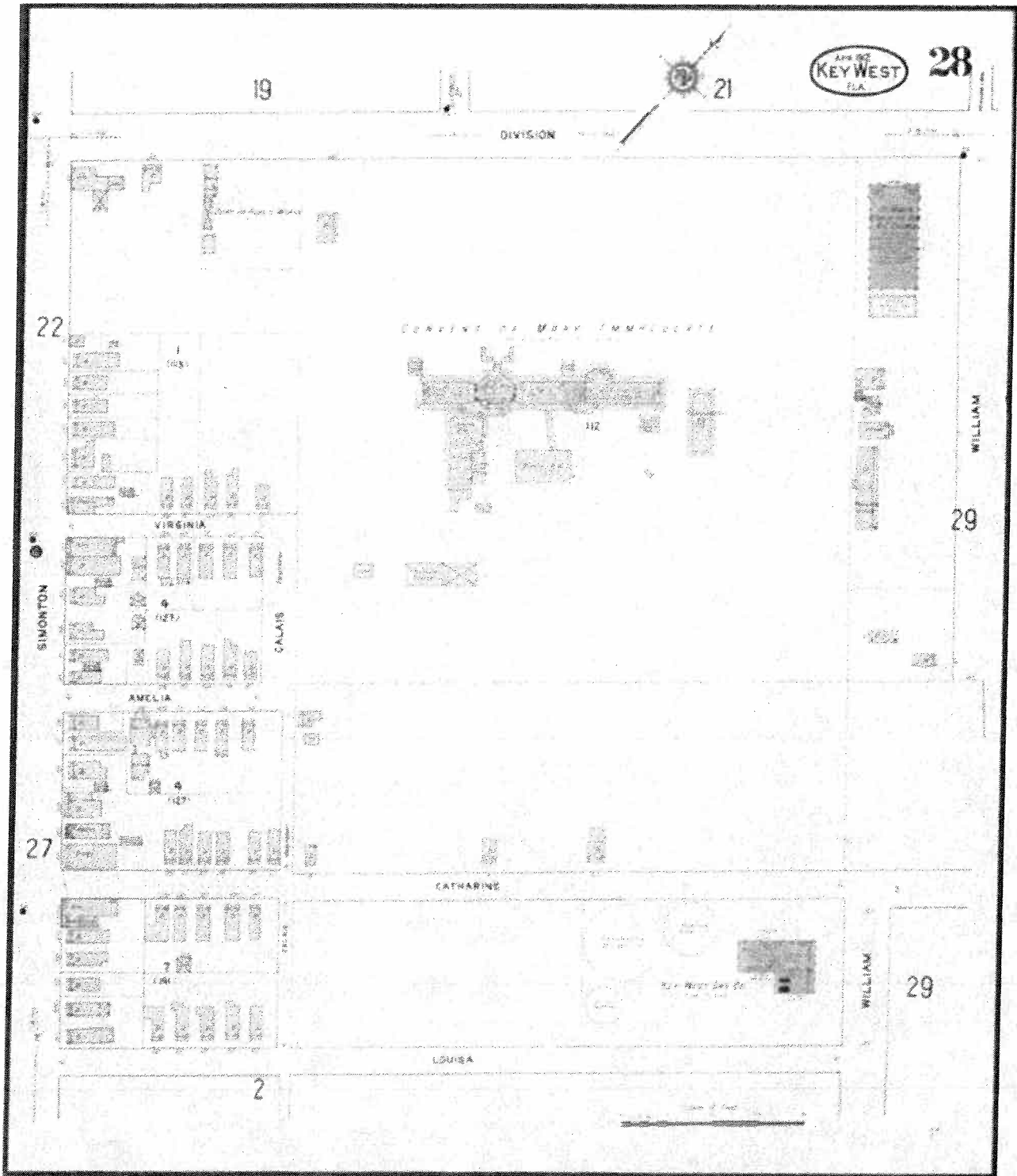
The alternative to an easement, vacating the Right of Way, would severely impact 10 families who live on the land. The trailer park is mostly home to low income individuals or families just getting by on their rent. Some tenants in the trailer park have been in residence for many years. Some live on a fixed income and are struggling already. The trailer Park Manager reported "The person in 22A has worked on Mallory Square for almost 20 years and is a fixture there; his act involves his dog retrieving dollar bills from tourists as he is playing music and the dog placing the bills in a bucket. He told me if he has to vacate he will have to leave the keys as he cannot afford any higher rent. We also have a chef at Louie's Backyard, a hair stylist who was the former Park Manager, and an elderly lady (88 years old) who survived Katrina and probably has nowhere else to go. Most residents are minorities.

"The fellow in Unit 1 will probably end up at KOTS if evicted. The guy in 22 would also end up at KOTS. Several are indeed on fixed incomes and are struggling right now."

Neighbor Engagement

All neighboring property owners have been contacted by the parcel Owner's agent. Responses will be added as section L upon Receipt.

Sanborn Map (3 Pages)



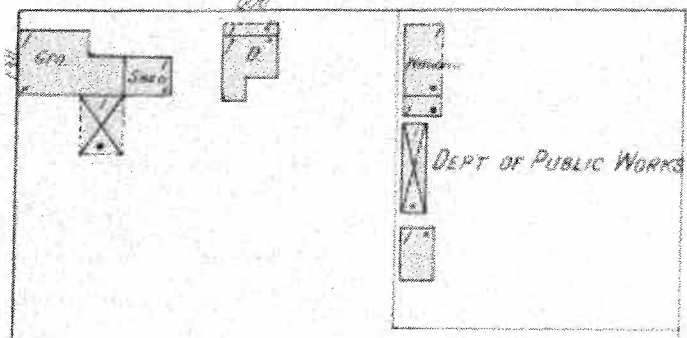
Further Enlarged 1912 Sanborn Map Sheet 28 - 25 foot wide Virginia Street
Insurance maps of Key West, Florida. University of Florida Holding Institution
Retrieved From: <http://ufdc.ufl.edu>

19

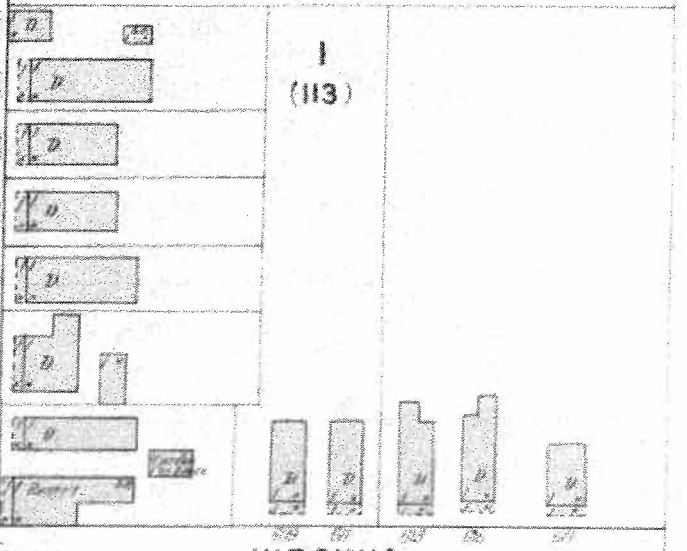
ELIZABETH ST

DIVISION

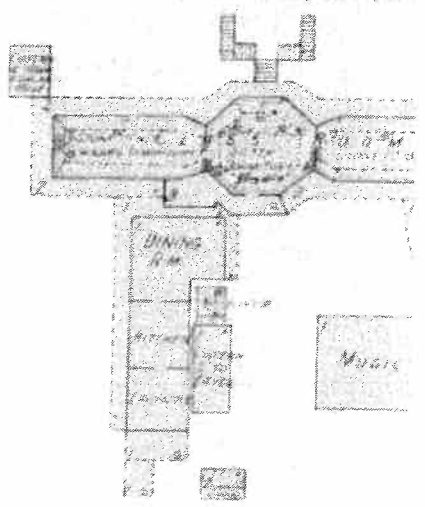
D.H.



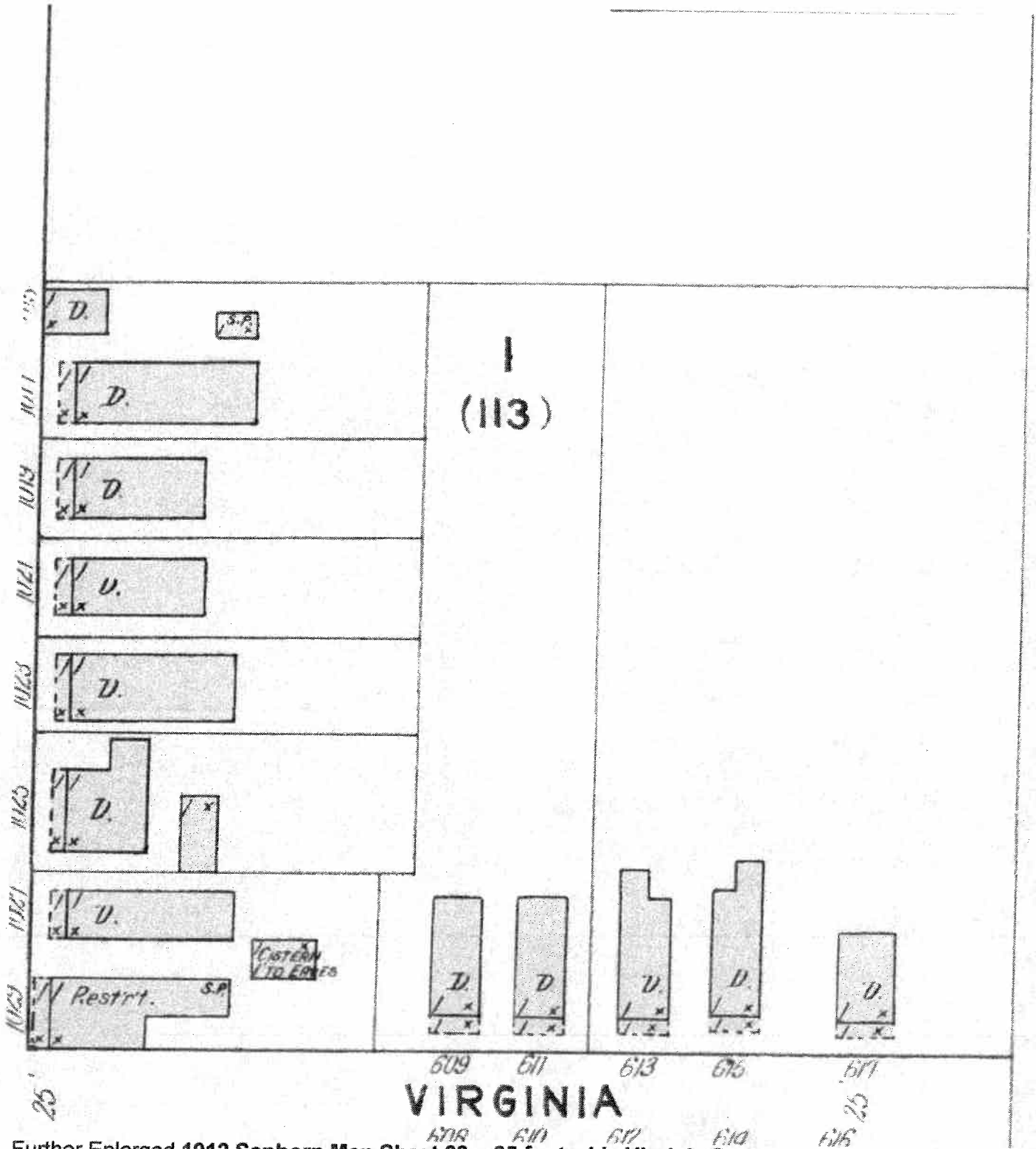
22



CONVENT OF M

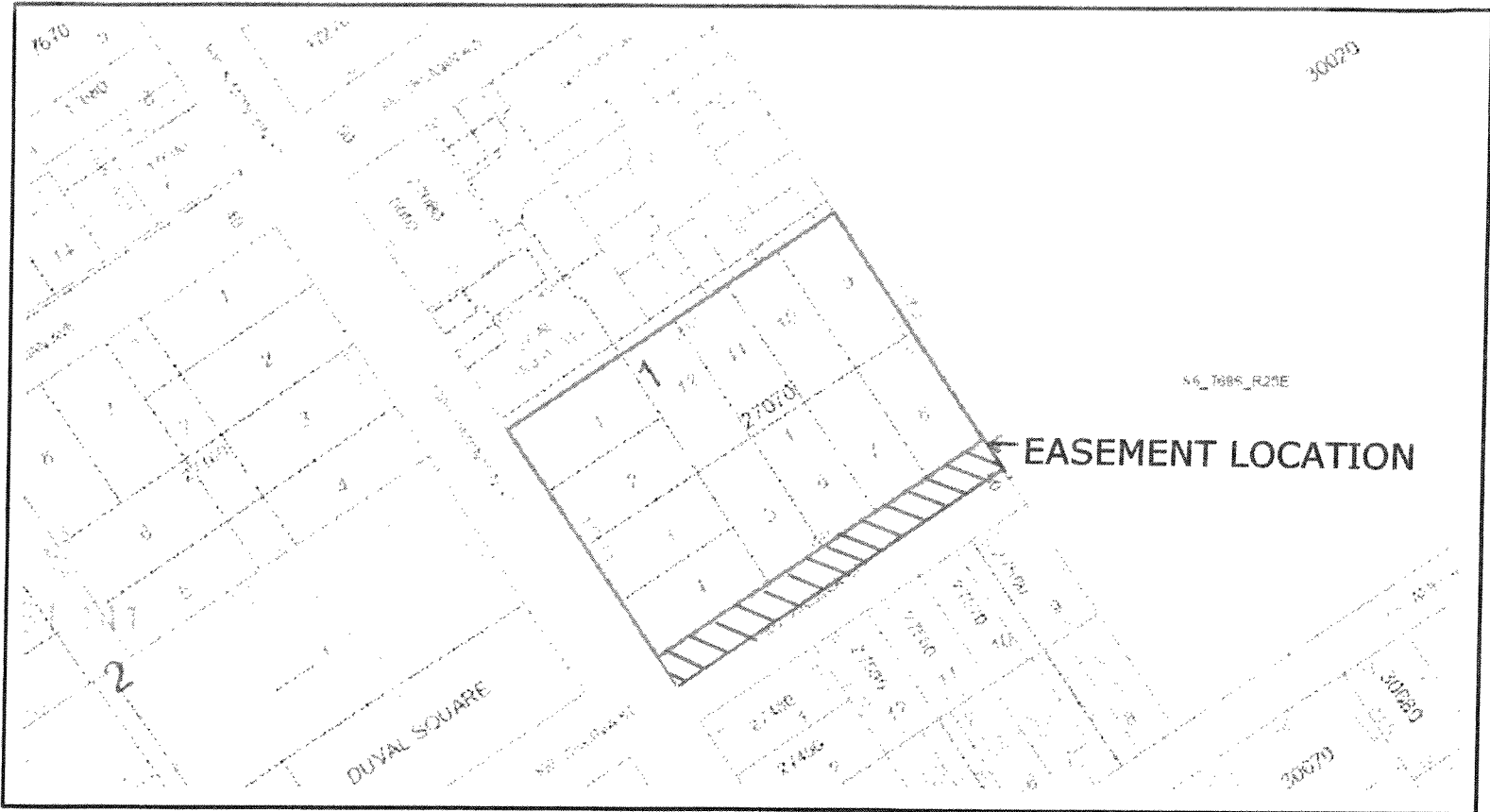


Enlarged 1912 Sanborn Map Sheet 28 - 25 foot wide Virginia Street
 Insurance maps of Key West, Florida. University of Florida Holding Institution
 Retrieved From: <http://ufdc.ufl.edu/UF00074185/00004/28x?vo=12>



Further Enlarged 1912 Sanborn Map Sheet 28 - 25 foot wide Virginia Street
 Insurance maps of Key West, Florida University of Florida Holding Institution
 Retrieved From: <http://ufdc.ufl.edu/UF00074185/00004/28>

D. Property Map – MC Property Appraiser – With Proposed Easement Overlay



Printed: Dec 23, 2011

Monroe County, Florida

1015 Simonton Street

DISCLAIMER: 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 data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



E. 1999 MC Property Appraiser Orthophotography - With Proposed Easement Overlay

Map






Roads

Parcels



2009 Orthophotography

-  Red: Band_1
-  Green: Band_2
-  Blue: Band_3

Copyright

MonroeCountySDE_Environmental_Layout_public
FEMA: Federal Emergency Management Agency

F. 1996 MC Property Appraiser Orthophotography - With Proposed Easement Overlay

Map



Roads

2006 Orthophotography

Parcels

■ Red: Band_1



■ Green: Band_2

■ Blue: Band_3

Copyright

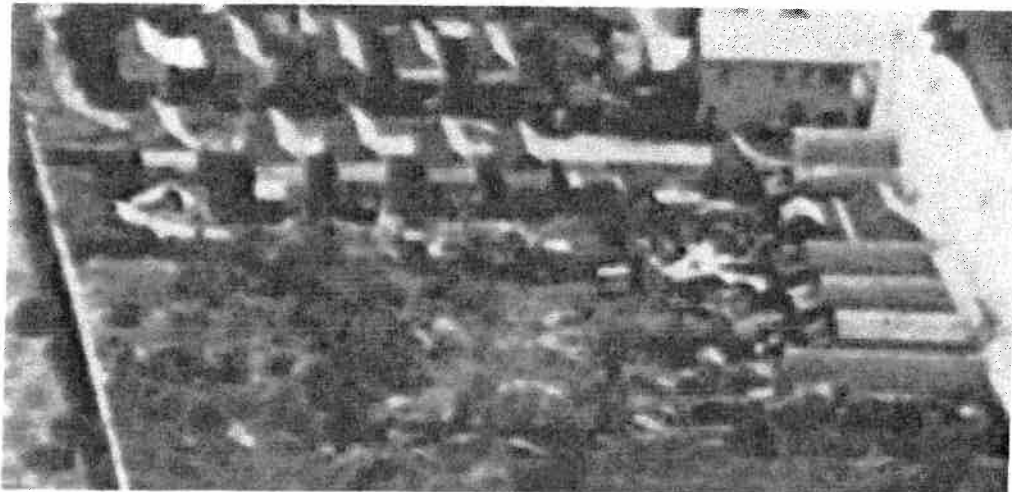
MonroeCountySDE_Environmental_Layout_public
 FEMA: Federal Emergency Management Agency

G. Photographic Report of Site
1. Historic 1920's

Historic 1920's Aerial Photograph – Note Building Constructed on Southwest Corner of Parcel. Also Note Offset Location of Virginia Street Indicating an “Encroachment” Photo From the Porter Collection MC Library:

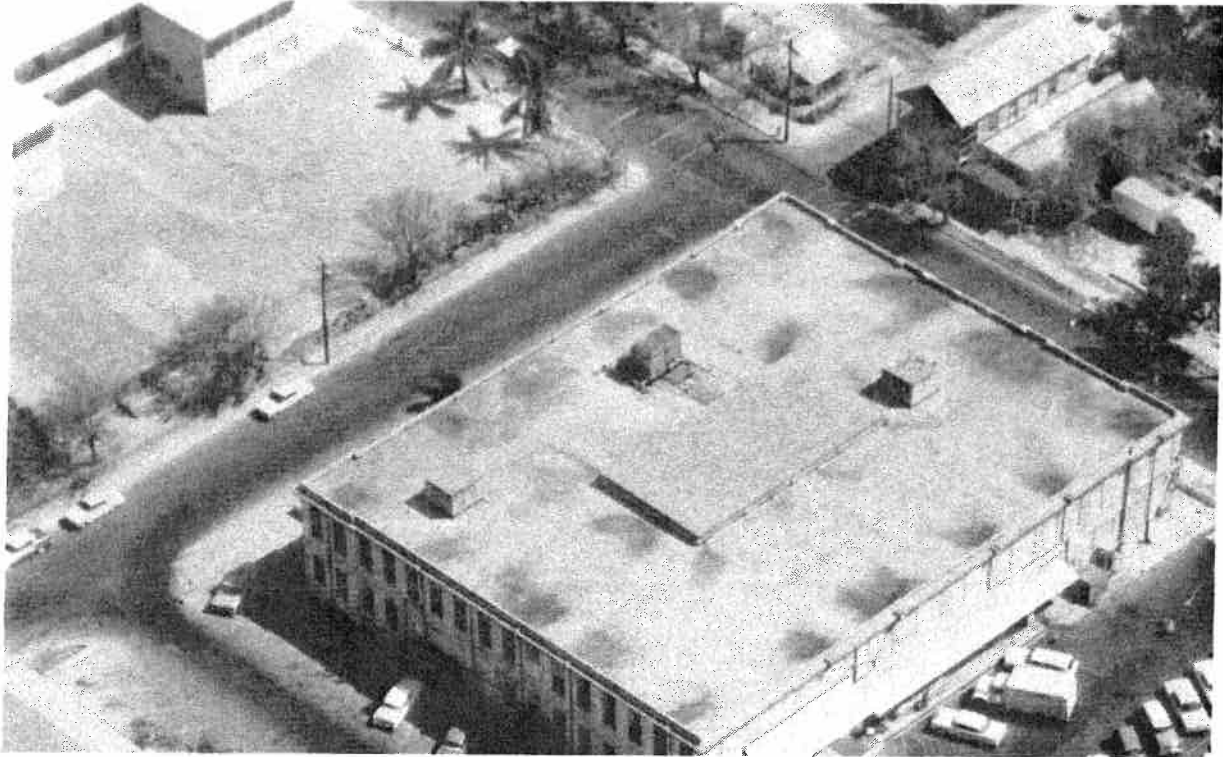


Enlargement of the Above 1920's Photo Indicating at least 5 Structures Along Simonton Street and 6 along Virginia Street “encroaching” in the Right of Way. Note the Existence of the Power Pole on the NE Corner Indicating the Streets Line Up as They Do Today:

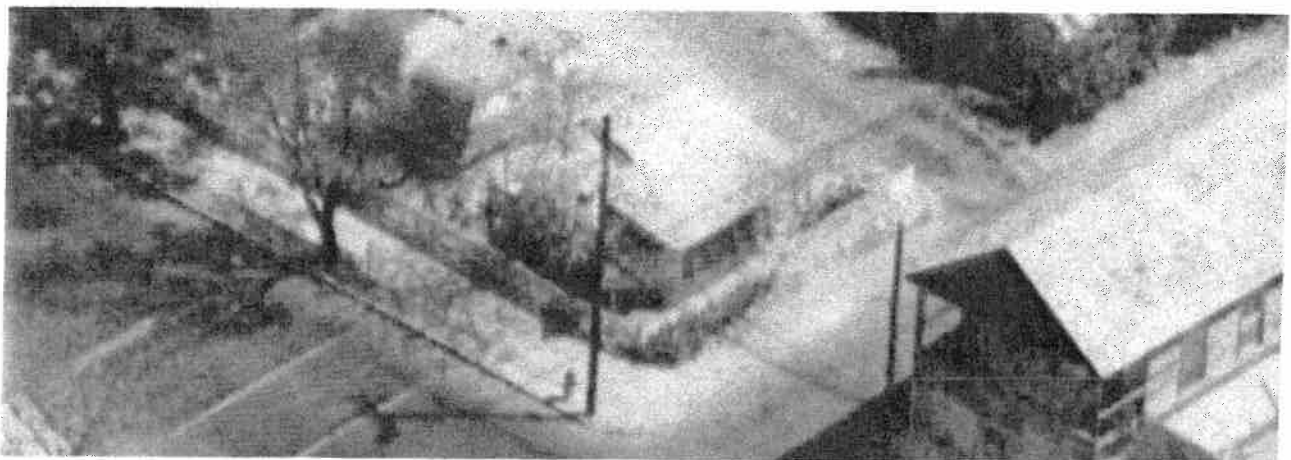


2. 1960's

Historic 1963 Aerial Photograph – Note Trailer Located on Southwest Corner of Parcel as Well as the Location of Virginia Street off set from the “Right of Way”. Photo from the MC Library:



Enlargement of the Above 1963 Photo Indicating at Least 3 Trailers Along Simonton Street and 2 along Virginia Street. Note the Existence of Fence, Sidewalk, Driveway and “Encroachment” as Well as Power Pole and Fire Hydrant:



3. Current

Photo of Proposed Easement Parcel From Southwest; Note Location of Fence, Power Pole and Fire Hydrant:

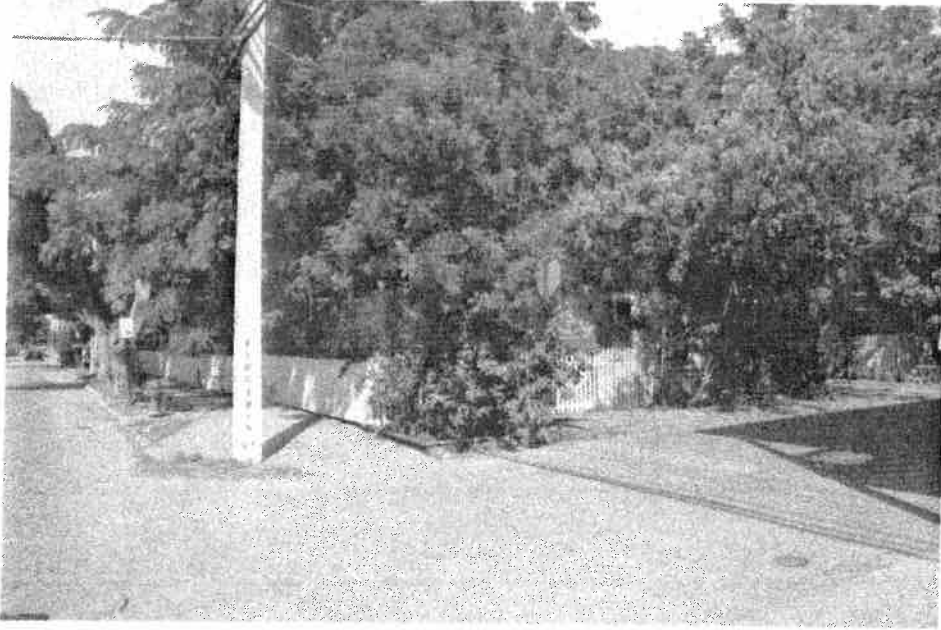


Photo of Proposed Easement from the West:

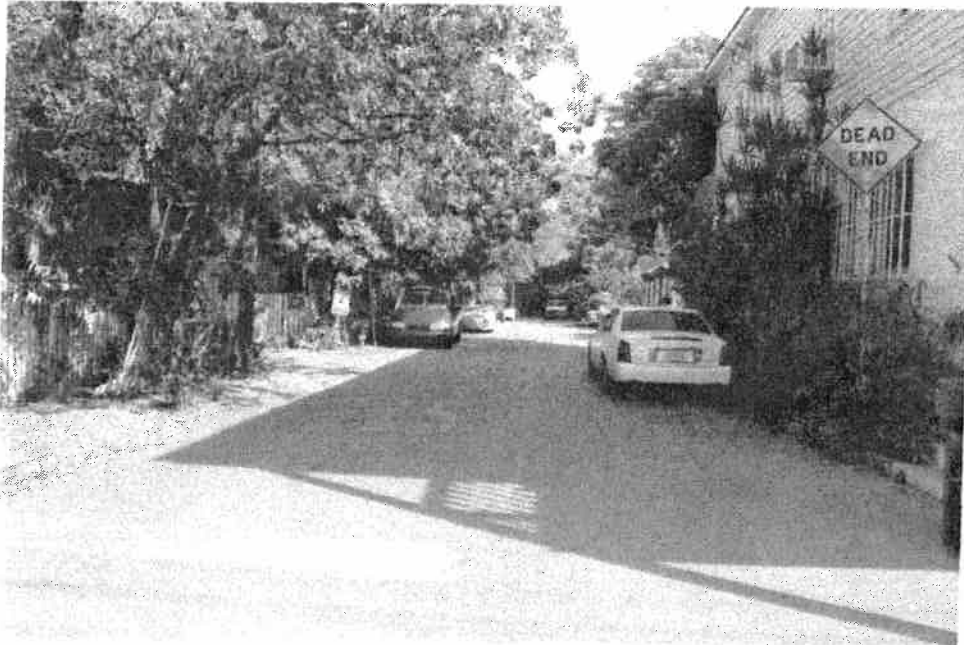
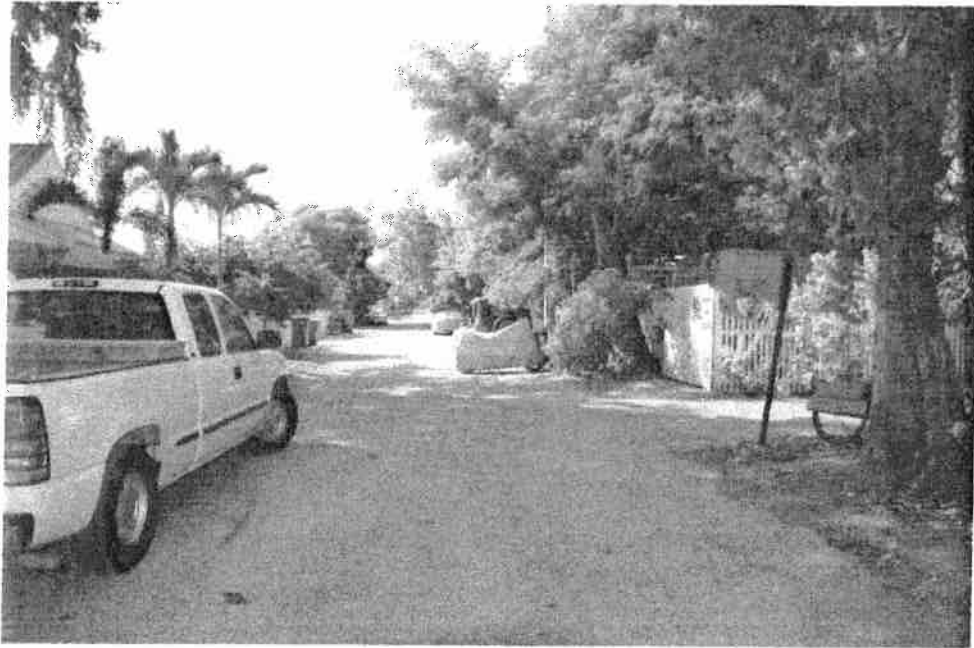
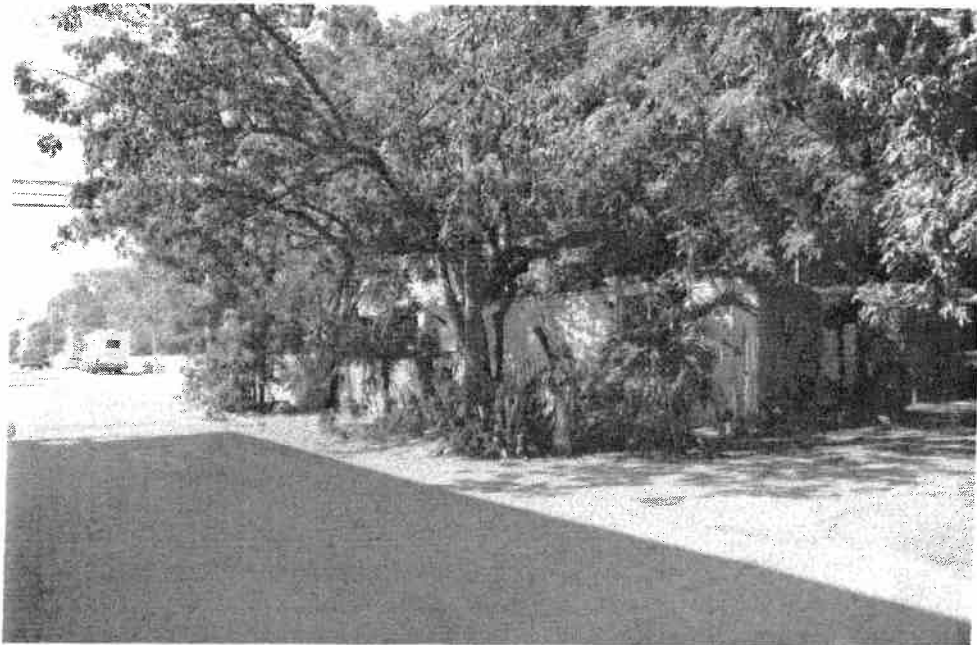


Photo of Proposed Easement From the East :



Entrance Driveway Looking Northwest (to the left is Simonton and Virginia Street):





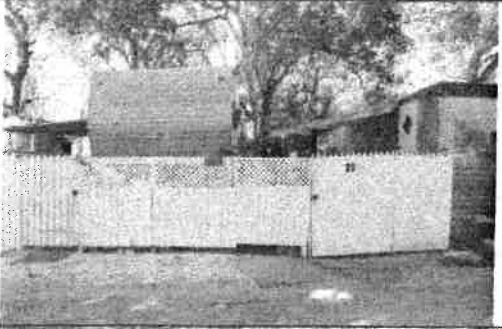
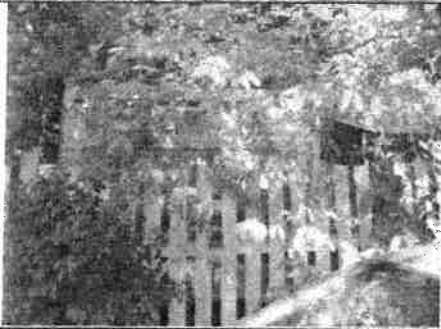



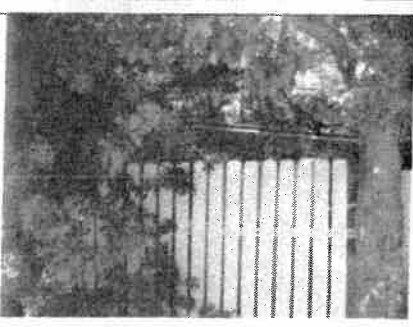




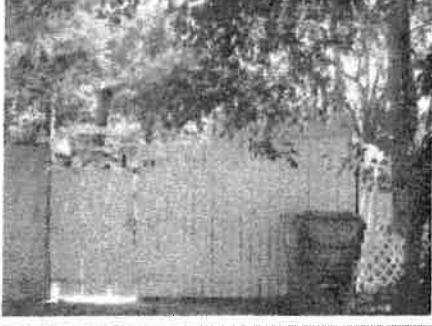



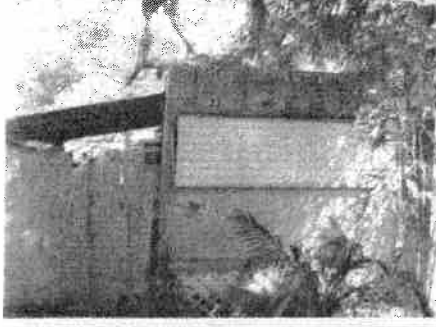


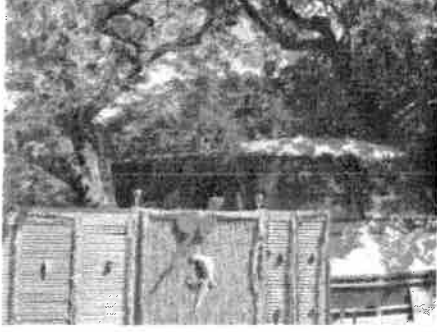
Interior Lane Looking From Unit 29 to 23 (Entry Driveway is on the Right):



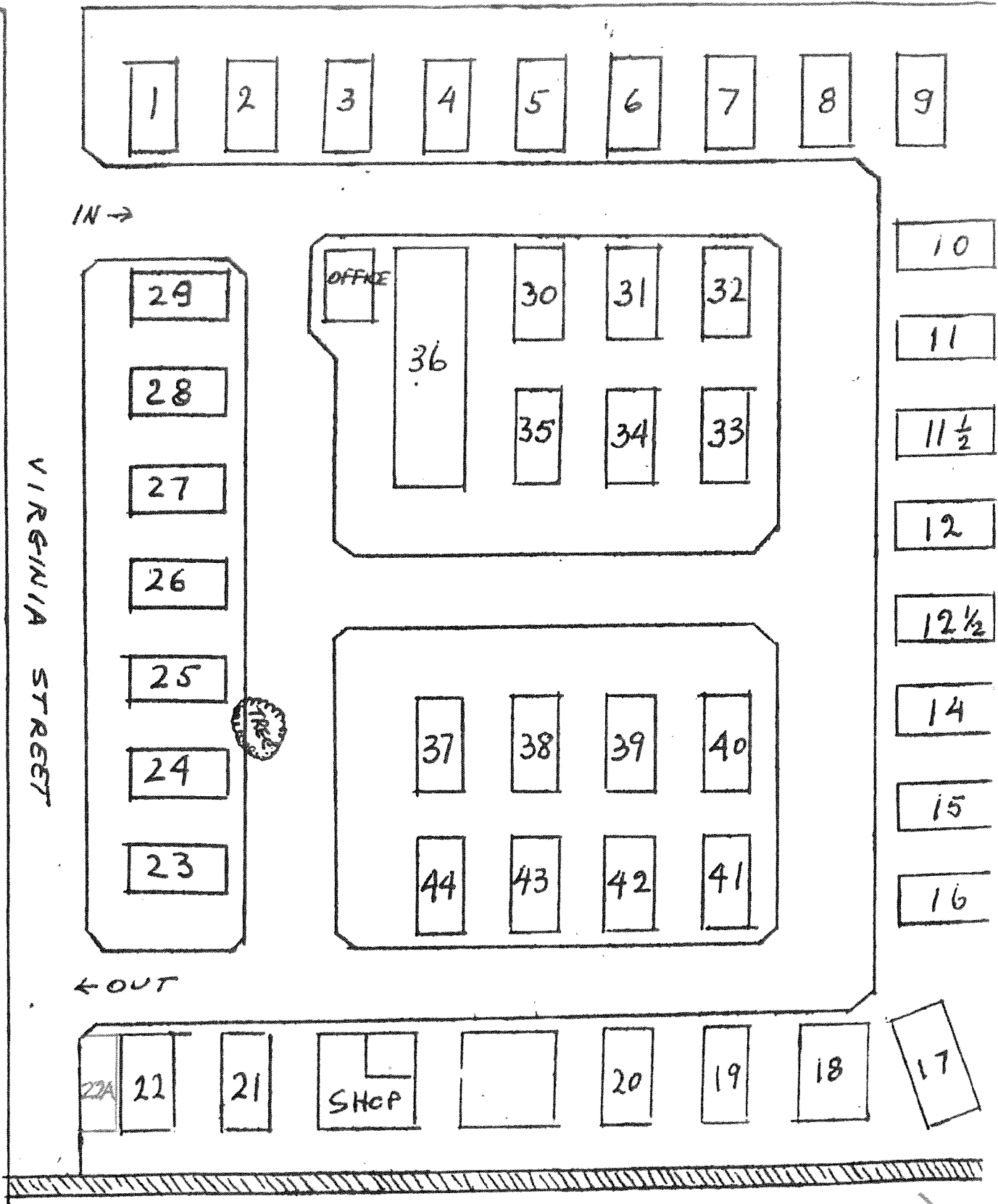
Exit Driveway on East:



| UNIT | Comments | Photo From North | Photo From South |
|------|------------------------------------|---|--|
| 1 | Photo from Southwest and southeast |  |  |
| 29 | |  |  |
| 28 | |  |  |
| 27 | |  |  |
| 26 | |  |  |

| Unit | Comments | Photo From North | Photo From South |
|------|----------|---|--|
| 25 | |  |  |
| 24 | |  |  |
| 23 | |  |  |
| 22 | |  |  |
| 22A | |  |  |

SIMONTON



1. Map of Trailer Sites

Deed

K. Warranty Deed

Doc# 1742962 05/20/2009 9:04AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

05/20/2009 9:04AM
DEED DOC STAMP CL: TRINA \$16,800.00

Doc# 1742962
Bkn 2413 Pgn 1501

Prepared by and return to:
Suzanne A. Dockerty
Attorney at Law
J. PATRICK FITZGERALD & ASSOCIATES, P.A.
110 Merrick Way Suite 3-B
Coral Gables, FL 33134
305-443-9162
File Number: 6-840
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 20th day of April, 2009 between The Most Reverend John C. Favalora, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole whose post office address is 9401 Biscayne Blvd., Miami Shores, FL 33138, grantor, and Southernmost Cabana Resort, LLC, a Florida limited liability company whose post office address is 1421 1st Street, Key West, FL 33040, 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 TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida to-wit:

See Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

Parcel Identification Number: 00027070-000000

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2008.

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

DoubleTimes

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Janet P. Branca

By: [Signature]
The Most Reverend John C. Favalora, as Archbishop of
the Archdiocese of Miami, his successors in office, a
corporation sole

[Signature]
Witness Name: MORIE WIRE

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 29 day of April, 2009 by The Most Reverend John C. Favalora, as Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole He is personally known or has produced a driver's license as identification.

[Notary Seal]



[Signature]
Notary Public
Printed Name: Janeth McPherson
My Commission Expires: 5/28/2011

EXHIBIT "A"
Legal Description

Doc# 1742982
Bk# 2413 Pg# 1503

On the Island of Key West and being part of Tract 11 according to Wm. A. Whitehead's map of said Island, but better described as Part of Lot 1 of Square 1 in said Tract 11, according to C.W. Tift's map or plan of the Island of Key West delineated July, 1874, the lands hereby leased being more particularly described by metes and bounds as follows:

Beginning at a point on the Northeasterly side of Simonton Street, said point being 198.33 feet Southeasterly from the Easterly corner of the intersection of Division and Simonton Street, run thence in a Southeasterly direction along the Northeasterly side of Simonton street 168.33 feet, more or less to Virginia Street; thence at right angles in a Northeasterly direction along Virginia Street 248 feet; thence at right angles in a Northwesterly direction 168.33 feet, more or less; thence at right angles in a Southwesterly direction 248 feet to the point of beginning on Simonton Street.

And

Beginning at a point on the Northeasterly side of Simonton Street, said point being 183.33 feet Southeasterly from the Easterly corner of the intersection of Division and Simonton Streets, run thence in a Southeasterly direction along the Northeasterly side of Simonton Street 15 feet, thence at right angles in a Northeasterly direction 248 feet; thence at right angles in a Northwesterly direction 15 feet; thence at right angles in a Southwesterly direction 248 feet to the point of beginning on Simonton Street.

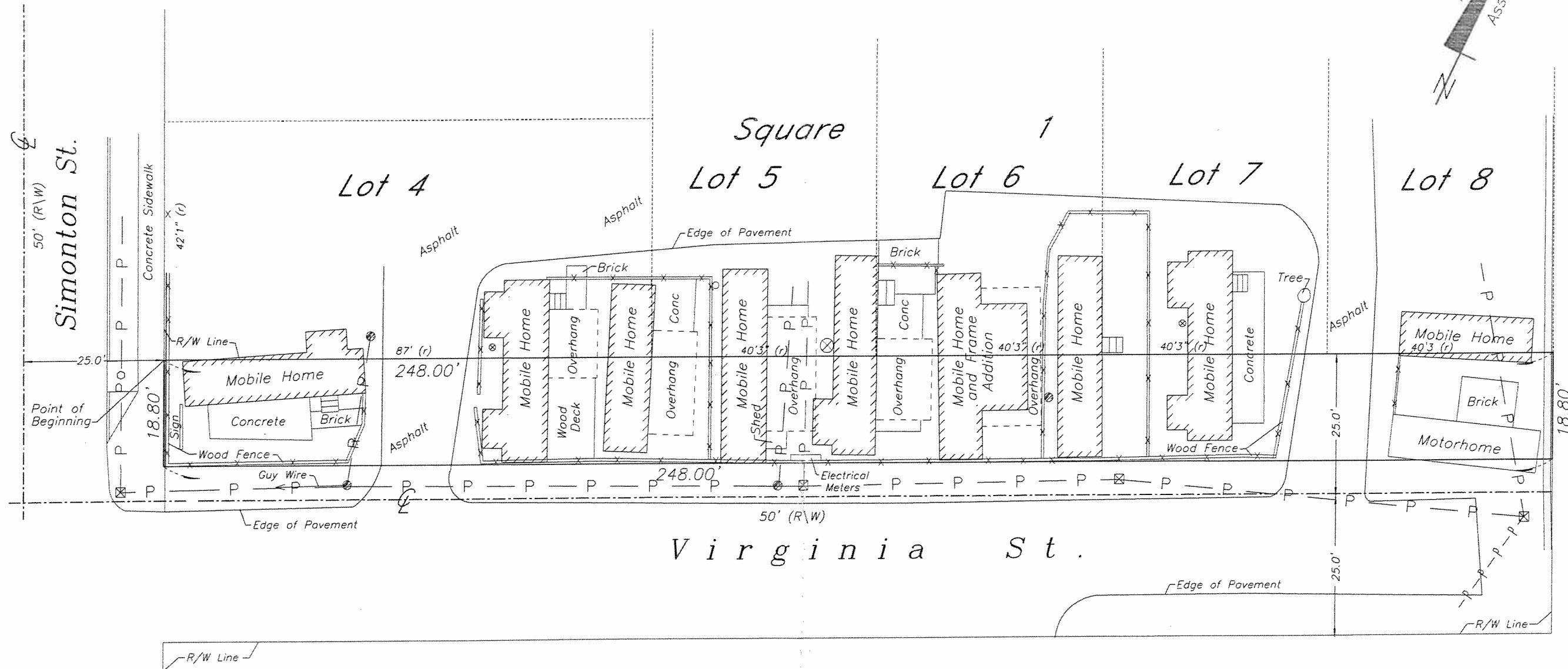
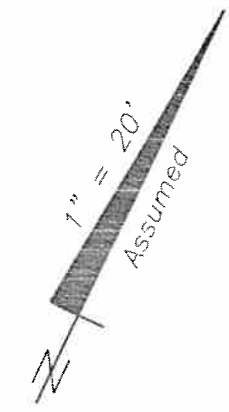
Less and Except:

A parcel of land on the Island of Key West, Monroe County, Florida and known on William A. Whitehead's Map of said Island, delineated in February A.D. 1829, as part of Tract 11 and designated on Charles W. Tift's Plan or Map of the Island of Key West delineated in July 1874 as Lot 2 in square 1 in Subdivision of Tract 11, known as Simonton's Addition to Key West and being more particularly described as follows: Commence at the intersection of the Southeasterly right-of-way line of Truman Avenue and the Northeasterly right-of-way line of Simonton Street; thence in a Southeasterly direction along said Northeasterly right-of-way line of Simonton Street 183.33 feet to the Point of Beginning; thence continue in a Southeasterly direction along the said Northeasterly right-of-way line of Simonton Street for 7.55 feet; thence at an angle of 90° 13' 57'' to the right and in a Westerly direction for 113.00 feet; thence at an angle of 89° 46' 03'' to the right and in a Northwesterly direction for 8.00 feet; thence at a right angle and in a Southwesterly direction for 113.00 feet to the said Northeasterly right-of-way line of Simonton Street and the Point of Beginning

MONROE COUNTY
OFFICIAL RECORDS

Survey

Specific Purpose Survey Map to illustrate a legal description
of part of the Right of Way of
Virginia Street, Island of Key West, Florida



LEGEND

- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines
- ⊗ Propane Tank
- Fire Hydrant

NOTE:
This Survey Map is not
full and complete without
the attached Survey Report.

Sheet One of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

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

Specific Purpose Survey Report to illustrate a legal description
of part of the Right of Way of
Virginia Street, Island of Key West, Florida

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: 1015-1027 Simonton 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.
11. The Survey Report is not full and complete without the attached Survey Map.

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

A parcel of land on the Island of Key West, and being a portion of the right of way of Virginia Street adjacent to and Southerly of Lots 4 thru 8, of Square 1, Tract 11 of Simonton's Addition to Key West, said parcel being more particularly described by metes and bounds as follows:

BEGIN at the intersection of the Northeasterly right of way line of Simonton Street with the Northwesterly right of way line of Virginia Street, said point also being the Southernmost corner of the said Lot 4, Square 1, and run thence Northeasterly and along the Northwesterly right of way line of the said Virginia Street for a distance of 248.00 feet to the Northeasterly right of way line of the said Virginia Street; thence Southeasterly and at right angles along the Northeasterly right of way line of the said Virginia Street for a distance of 18.80 feet; thence Southwesterly and at right angles along a line parallel to and 18.80 feet Southeasterly of the Northwesterly right of way line of the said Virginia Street for a distance of 248.00 feet to the Southeasterly extension of the Northeasterly right of way line of the said Simonton Street; thence Northwesterly and at right angles along the Southeasterly extension of the Northeasterly right of way line of the said Simonton Street for a distance of 18.80 feet back to the Point of Beginning, containing 4,662 square feet, more or less.

SPECIFIC PURPOSE SURVEY FOR: Southernmost Cabana Resort LLC;

J. LYNN O'FLYNN, INC.

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

January 26, 2012

Sheet Two of Two Sheets

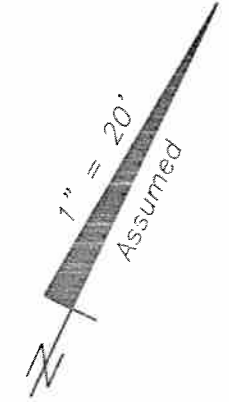
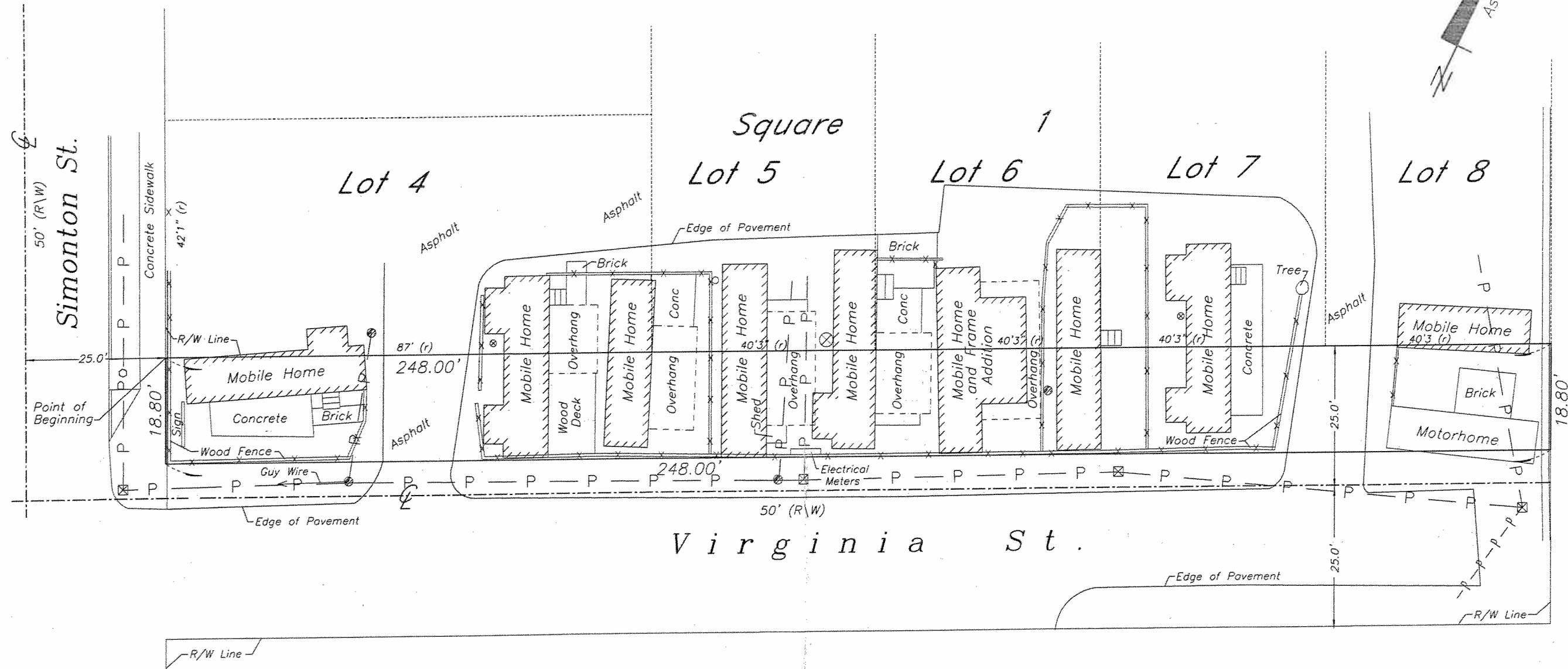
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PSM #6298

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

A parcel of land on the Island of Key West, and being a portion of the right of way of Virginia Street adjacent to and Southerly of Lots 4 thru 8, of Square 1, Tract 11 of Simonton's Addition to Key West, said parcel being more particularly described by metes and bounds as follows:

BEGIN at the intersection of the Northeasterly right of way line of Simonton Street with the Northwesterly right of way line of Virginia Street, said point also being the Southernmost corner of the said Lot 4, Square 1, and run thence Northeasterly and along the Northwesterly right of way line of the said Virginia Street for a distance of 248.00 feet to the Northeasterly right of way line of the said Virginia Street; thence Southeasterly and at right angles along the Northeasterly right of way line of the said Virginia Street for a distance of 18.80 feet; thence Southwesterly and at right angles along a line parallel to and 18.80 feet Southeasterly of the Northwesterly right of way line of the said Virginia Street for a distance of 248.00 feet to the Southeasterly extension of the Northeasterly right of way line of the said Simonton Street; thence Northwesterly and at right angles along the Southeasterly extension of the Northeasterly right of way line of the said Simonton Street for a distance of 18.80 feet back to the Point of Beginning, containing 4,662 square feet, more or less.

SPECIFIC PURPOSE SURVEY FOR: Southernmost Cabana Resort LLC;

J. LYNN O'FLYNN, INC.



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

January 26, 2012

Sheet Two of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

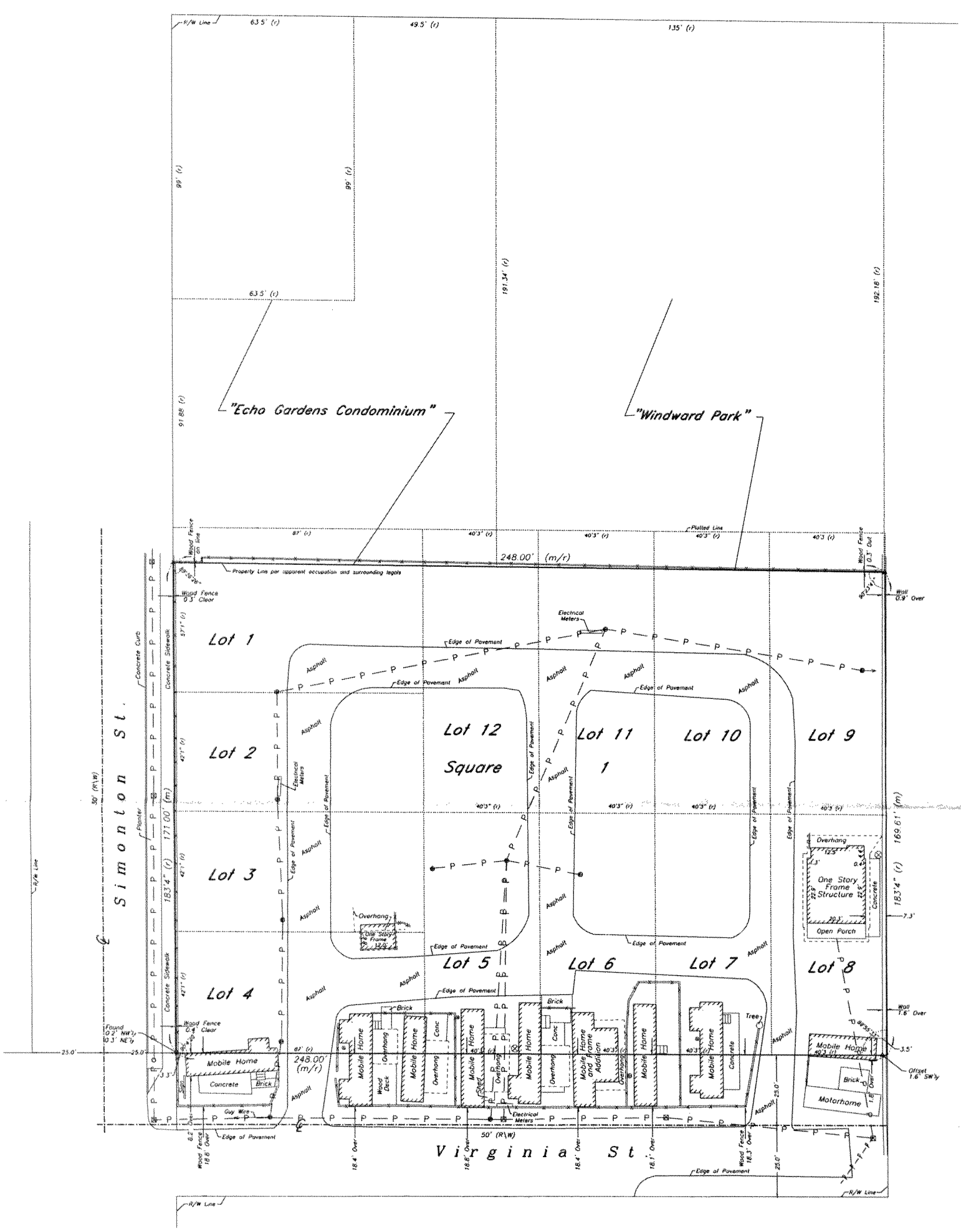
3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

Truman Ave.

REDUCED
1/2" = 10'
Assumed

LEGEND

- Found 2" Iron Pipe (Fence Post)
- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (PTS)
- ▲ Found Nail & Disc (FHM)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R/W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊕ Concrete Utility Pole
- P- Overhead Utility Lines
- ⊗ Propane Tank
- Fire Hydrant



- NOTES:
1. The legal description shown hereon was furnished by the client or their agent.
 2. Underground foundations and utilities were not located.
 3. All angles are 90° (Measured & Record) unless otherwise noted.
 4. Street address: 1015-1027 Simonton 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. Date of field work: January 6, 2012.
 9. Ownership of fences is undeterminable, unless otherwise noted.
 10. Adjoiners are not furnished.
 11. All improvements are not shown.

BOUNDARY SURVEY OF: A parcel of land on the Island of Key West, Monroe County, Florida and known on William A. Whitehead's Map of said Island, delineated in February, A.D. 1829, as part of Tract 11 and designated on Charles W. Tift's Plan or Map of the Island of Key West delineated in July, 1874 as Lots 1-12, Square 1, known as Simonton's Addition to Key West.

BOUNDARY SURVEY FOR: Southernmost Cabana Resort LLC;

J. LYNN O'FLYNN, INC.
 Lynn O'Flynn, PSM
 Florida Reg. #6298
 January 26, 2012

THIS SURVEY IS NOT ASSIGNABLE

Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.

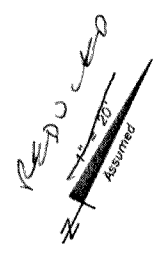
J. LYNN O'FLYNN, Inc.
 Professional Surveyor & Mapper
 PSM #6298
 3430 Duck Ave., Key West, FL 33040
 (305) 296-7422 FAX (305) 296-2244

BOUNDARY SURVEY OF:
 Lots 1 thru 12, Square 1,
 Tract 11, Island of Key West

| | | |
|-------------|------------|-------|
| DRAWN BY: | REVISIONS: | DATE: |
| BGO | 1. | |
| CHECKED BY: | 2. | |
| JLO | 3. | |
| DATE: | 4. | |
| 1-26-12 | 5. | |
| | 6. | |
| | 7. | |

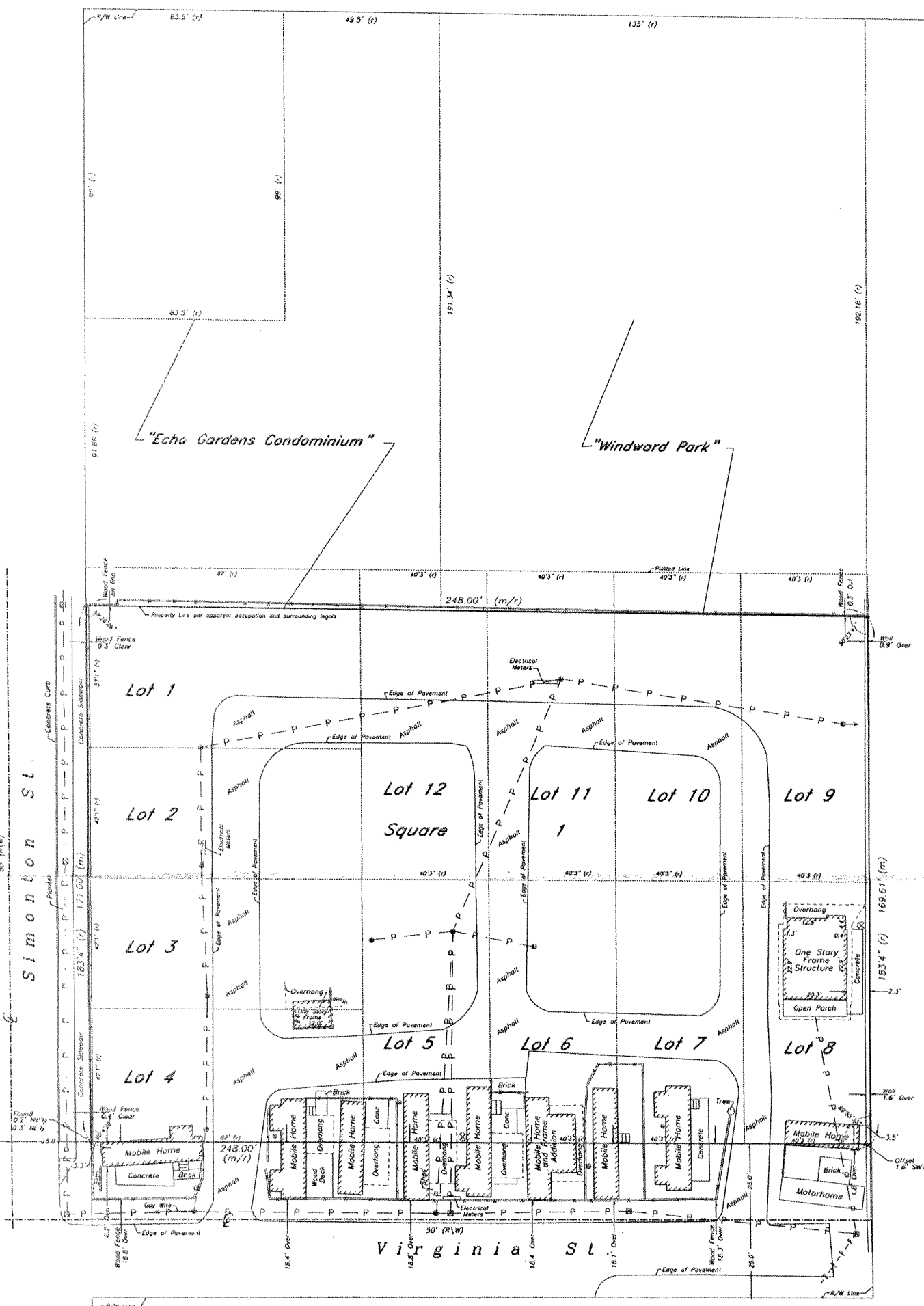
SHEET: 1
 OF: 1

Truman Ave.



LEGEND

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- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (PIS)
- ▲ Found Nail & Disc (FHM)
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 2. Underground foundations and utilities were not located.
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 4. Street address: 1015-1027 Simonton Street, Key West, FL
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BOUNDARY SURVEY FOR: Southernmost Cabana Resort LLC;

J. LYNN O'FLYNN, INC.
 J. Lynn O'Flynn, PSM
 Florida Reg. #6298
 January 26, 2012

THIS SURVEY IS NOT ASSIGNABLE

Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.

J. LYNN O'FLYNN, Inc.
 Professional Surveyor & Mapper
 PSM #6298
 3430 Duck Ave., Key West, FL 33040
 (305) 296-7422 FAX (305) 296-2244

BOUNDARY SURVEY OF:
 Lots 1 thru 12, Square 1,
 Tract 11, Island of Key West

| | | |
|-------------|------------|-------|
| DRAWN BY: | REVISIONS: | DATE: |
| BGO | 1. | |
| CHECKED BY: | 2. | |
| JLO | 3. | |
| DATE: | 4. | |
| 1-26-12 | 5. | |
| | 6. | |
| | 7. | |

SHEET: 1
 OF: 1

Additional Information

A. Contact with Adjacent Neighbors

The owner contacted all adjacent neighbors via letter (1 – Echo Gardens Condominium, 606 Truman Ave/1009-1011 Simonton Street), in person meetings (4 - on the 600 block of Virginia Street), or via e-mail (3 - St. Mary's, Duval Square Condo Association, and Monroe County). No comments were forthcoming from the Church. We are awaiting comments from Duval Square and Monroe County who both said they would address it in February, as well as Echo Gardens. We had one-on-one meetings at which we obtained comments from 4 property owners/businesses on Virginia Street.

The summary of comments from the neighbors thus far include:

1. One man said in the past the place was at first a safe, attractive, family camp ground; it became a den of prostitution crime and drugs, however in the past decade or so was on an upswing. But he sees it sliding back. He believes these are the issues:
2. Parking on Virginia Street is difficult. He believes every unit should be provided a parking space on the site and use only that space.
3. They feel people have filled up the on-site parking spaces with added indoor or outdoor living spaces since the 1960's and that is pushing vehicles out onto the street.
4. Due to the encroachment of the site into the road there is insufficient room for parking lanes on both sides and two, lanes of traffic.
5. Unit 22A had a RV replaced and the new one was further on the Right of Way. This was seen as unfriendly and caused the initiation of the Code Compliance complaint.
6. The neighbors have made every effort to create a pretty, safe and decent atmosphere on the block and wish the Park would do the same.
7. The Park stacks solid waste on Virginia Street while waiting for WM to pick up. Residents stack many, many mattresses on Virginia Street, sometimes for many days.
8. He thinks the driveway should enter or exit on Simonton Street.
9. The site is envisioned as unkempt and the fence flimsy. He asked the manager to fix it or put up a new pretty fence or plant nice vegetation.
10. A second neighbor also felt the new RV was a bit bold, as well as undesirable to look at.
11. He also felt the mattresses were a big issue.
12. He believes the issues are a management issue as they seem to get better at worse at times.
13. He said driving on the street gets very difficult as people use both driveways as entrances and exists.

14. A third man said people throw chicken bones over the fence and the neighborhood dogs eat them when out for a walk
15. He said parking is an issue, but he owns a large truck and making a one-way street would cause problems for him turning around.
16. He was concerned about unpermitted work on the property.
17. He has friends who live in the park.
18. The staff of the realty office on the corner said there is a man who sits on their porch a few times a day and brushes his teeth while chatting on the phone.
19. They said there is an odor on the Simonton sidewalk.

The neighbors seem to want:

1. Street cleaned up and kept that way. It should look as attractive as the other side. Trim the bushes blocking the view around the stop sign (line of sight).
2. Residents to park vehicles in the Park as much as possible.
3. The RV at site 22A to be covered by fence or landscaping.
4. The driveways properly marked and used as a one way loop as it used to be.
5. Reduce traffic on the street.
6. Ensure there is no unpermitted construction.
7. Work with WM to ensure prompt pick up of large items.
8. Stop people from parking in the entrance/exit driveways
9. Make the place seem more HARC-esque.
10. Commit to no new construction on the easement.

Immediate actions the Owner took:

1. Trimmed the plants on the ROW and raked and cleaned the street. He committed to continuing that weekly.
2. Met with Code, and agreed upon a solid waste site for WM pickup.
3. Placed one-way traffic signs.
4. Communicated to residents to remain tidy and perform oral hygiene indoors.
5. Posted no parking in driveway entrances.
6. Visited all trailers and ensured their sewer vents were properly functioning.
7. The owner does not perform unpermitted work, and will ensure no residents perform unpermitted work as well. They have no knowledge of any unpermitted work.

Actions the Owner will take when/if he may obtain a permit to do so:

1. Repair the fence.
2. Plant bushes to cover the RV at site22A.

Actions either the owner cannot require or may not be helpful.

1. The Owner cannot stop people from parking on the RoW, but can encourage people to park inside the trailer park.
2. Moving parking or driveways to Simonton Street would be less safe for drivers and create back-ups at the corner of Truman and Simonton. The back-ups would occur due to the volume of vehicles turning and lack of turning lanes at Truman. In addition the shopping center driveway (to CVS) creates further problems. The Truman/Simonton intersection already has poor traffic control and Truman has a low DOT rating.

M. 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, Joseph Clegorn as
Please Print Name of person with authority to execute documents on behalf of entity

Managing Member of Southernmost Cuban Resorts LLC
Name of office (President, Managing Member) *Name of owner from deed* TK

authorize Annalise Morris
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 12/23/2011 by
date

Joseph Clegorn
Name of Authorized Representative

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

[Signature]
Notary's Signature and Seal
Laree Sparks
Name of Acknowledger typed, printed or stamped



LAREE SPARKS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE109371
Expires 7/6/2015

EE109371
Commission Number, if any

[Signature] 12/23/11

Property Appraiser Information

J. Monroe County Property Record Card

office (305) 292-3420
 fax (305) 292-3501
 Website tested on Internet Explorer

Karl D. Borglum
Property Appraiser
Monroe County, Florida

----- GIS Mapping requires Adobe Flash 10.3 or higher. -----

The offices of the Property Appraiser will be closing at Noon on Friday, December 23rd for the Chr
 Property Record View

Alternate Key: 1027847 Parcel ID: 00027070-000000

Ownership Details

Mailing Address:
 SOUTHERNMOST CABANA RESORT LLC
 1421 1ST ST
 KEY WEST, FL 33040

Property Details

PC Code: 28 - PARKING LOTS, MOBILE HOME PARKS
 Millage Group: 10KW
 Affordable Housing: No
 Section-Township-Range: 06-08-25
 Property Location: 1015-1027 SIMONTON ST KEY WEST
 Legal Description: KW SUBS 1 TO 12 INCL LOT 1 SQR 1 TR 11 OR 139-579/680 OR 648-837E OR 1086-1400/02(LEASE) OR 2413-1501/03

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Land Details

| Land Use Code | Frontage | Depth | Land Area |
|---------------------|----------|-------|--------------|
| 0200 - MOB HOME DRY | 248 | 183 | 45,466.84 SF |

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 1
 Total Living Area: 460
 Year Built: 1976

Building 1 Details

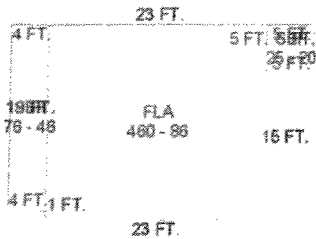
| | | |
|------------------|-----------------|---------------------|
| Building Type | Condition P | Quality Grade 300 |
| Effective Age 01 | Perimeter 06 | Depreciation % 60 |
| Year Built 1976 | Spectral Arch 0 | Grnd Floor Area 460 |
| Functional Obs 0 | Economic Obs 0 | |

Inclusions:

| | | |
|------------|------------|------------|
| Roof Type | Roof Cover | Foundation |
| Heat 1 | Heat 2 | Bedrooms 0 |
| Heat Src 1 | Heat Src 2 | |

Extra Features:

| | |
|--------------|--------------------|
| 2 Flx Bath 0 | Vacuum 0 |
| 3 Flx Bath 0 | Garbage Disposal 0 |
| 4 Flx Bath 0 | Compactor 0 |
| 5 Flx Bath 0 | Security 0 |
| 6 Flx Bath 0 | Intercom 0 |
| 7 Flx Bath 0 | Fireplaces 0 |
| Extra Flx 6 | Dishwasher 0 |



Sections:

| Nbr | Type | Ext Wall | # Stories | Year Built | Attic A/C | Basement % | Finished Basement % | Area |
|-----|------|----------|-----------|------------|-----------|------------|---------------------|------|
| 1 | FLA | | 1 | 1976 | | | | 460 |
| 2 | SBF | | 1 | 1976 | | | | 76 |
| 3 | SBF | | 1 | 1976 | | | | 26 |

Interior Finish:

| Section Nbr | Interior Finish Nbr | Type | Area % | Sprinkler | A/C |
|-------------|---------------------|--------------|--------|-----------|-----|
| | | CAMP BLOC-D- | 100 | N | N |

Exterior Wall:

| Interior Finish Nbr | Type | Area % |
|---------------------|-----------------|--------|
| 1006 | AVE WOOD SIDING | 100 |

Misc Improvement Details

| Nbr | Type | # Units | Length | Width | Year Built | Roll Year | Grade | Life |
|-----|------------|----------|--------|-------|------------|-----------|-------|------|
| 1 | PT3 PATIO | 976 SF | 0 | 0 | 1975 | 1976 | 2 | 50 |
| 2 | FN2 FENCES | 3,380 SF | 840 | 4 | 2002 | 2003 | 2 | 30 |

Appraiser Notes

| |
|--|
| 1015-1027 SIMONTON ST- KEY WEST TRAILER COURT-45 SITES |
| 2007-05-25 - "HEMINGWAY'S TRAILER COURT" - JEN |

Building Permits

| Bldg | Number | Date Issued | Date Completed | Amount | Description | Notes |
|------|-------------|-------------|----------------|--------|-------------|--------------------|
| | 0002969 | 09/26/2000 | 09/17/2002 | 3,000 | Residential | FENCE/GATE-EXPIRED |
| | 02-2100 | 06/08/2002 | 10/13/2002 | 1 | Residential | FENCE |
| | 09-00002972 | 12/29/2009 | | 1,000 | Residential | ROOF REPAIRS |

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 |
|-----------|------------------|------------------------------|------------------|---------------------------|----------------------|---------------------|----------------------|
| 2011 | 18,775 | 11,708 | 976,538 | 1,572,152 | 1,572,152 | 0 | 1,572,152 |
| 2010 | 18,775 | 12,178 | 1,182,393 | 1,572,152 | 1,572,152 | 0 | 1,572,152 |
| 2009 | 18,775 | 12,531 | 1,409,789 | 1,441,095 | 1,441,095 | 1,441,095 | 0 |
| 2008 | 18,775 | 12,884 | 1,409,789 | 2,264,074 | 2,264,074 | 0 | 2,264,074 |
| 2007 | 13,696 | 13,354 | 1,409,789 | 2,264,074 | 2,264,074 | 2,264,074 | 0 |
| 2006 | 4,468 | 13,707 | 3,343,760 | 3,291,555 | 3,291,555 | 0 | 3,291,555 |
| 2005 | 4,408 | 14,216 | 2,298,835 | 2,317,459 | 2,317,459 | 0 | 2,317,459 |
| 2004 | 4,407 | 14,843 | 2,298,835 | 2,318,085 | 2,318,085 | 0 | 2,318,085 |
| 2003 | 4,407 | 21,365 | 1,337,504 | 1,363,276 | 1,363,276 | 0 | 1,363,276 |
| 2002 | 0 | 10,012 | 1,337,504 | 1,337,504 | 1,337,504 | 0 | 1,337,504 |
| 2001 | 0 | 10,419 | 1,337,504 | 782,483 | 782,483 | 0 | 782,483 |
| 2000 | 0 | 6,343 | 1,128,519 | 782,483 | 782,483 | 0 | 782,483 |
| 1999 | 0 | 6,586 | 1,128,519 | 782,483 | 782,483 | 0 | 782,483 |
| 1998 | 0 | 6,816 | 1,128,519 | 782,483 | 782,483 | 0 | 782,483 |
| 1997 | 0 | 7,082 | 1,044,925 | 782,483 | 782,483 | 0 | 782,483 |
| 1996 | 0 | 7,289 | 1,044,925 | 782,483 | 782,483 | 0 | 782,483 |
| 1995 | 0 | 7,526 | 1,044,925 | 782,483 | 782,483 | 0 | 782,483 |
| 1994 | 0 | 7,783 | 1,044,925 | 782,483 | 782,483 | 0 | 782,483 |
| 1993 | 0 | 4,791 | 1,044,925 | 782,483 | 782,483 | 0 | 782,483 |
| 1992 | 0 | 4,791 | 1,044,925 | 782,483 | 782,483 | 0 | 782,483 |
| 1991 | 0 | 4,791 | 1,044,925 | 782,483 | 782,483 | 0 | 782,483 |
| 1990 | 0 | 4,791 | 835,940 | 782,483 | 782,483 | 0 | 782,483 |
| 1989 | 0 | 4,791 | 835,940 | 782,483 | 782,483 | 0 | 782,483 |
| 1988 | 0 | 4,791 | 835,940 | 809,581 | 809,581 | 0 | 809,581 |
| 1987 | 169,267 | 4,791 | 384,010 | 568,068 | 568,068 | 0 | 568,068 |
| 1986 | 184,895 | 4,791 | 176,173 | 565,833 | 565,833 | 0 | 565,833 |
| 1985 | 3 | 4,791 | 336,046 | 340,839 | 340,839 | 0 | 340,839 |
| 1984 | 0 | 4,791 | 336,046 | 340,839 | 340,839 | 0 | 340,839 |
| 1983 | 0 | 4,791 | 201,014 | 205,805 | 205,805 | 0 | 205,805 |
| 1982 | 0 | 4,791 | 198,000 | 202,791 | 202,791 | 0 | 202,791 |

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 |
|-----------|----------------------------|-------|------------|---------------|
|-----------|----------------------------|-------|------------|---------------|

4/29/2009

2413 / 1501

2,400,000

WD

17

This page has been visited 50,339 times.

Monroe County Property Appraiser
Karl D. Berglund
P.O. Box 1176
Key West, FL 33041-1176