

**NOTICE OF ADMINISTRATIVE HEARING BEFORE THE TREE COMMISSION OF
THE CITY OF KEY WEST**

City of Key West
Petitioner,

April 9, 2013

Vs.

Maritime Funding Group
P.O. Box 399
Calverton, NY 11933

Co-respondents,

Alberto Cruz/Chris Gratten
Keys Contracting Services
6465 Overseas Hwy #3
Marathon, FL 33050

An administrative hearing before the Tree Commission for the City of Key West will be held on Monday, May 13, 2013, at 5:00 p.m., at Old City Hall, 510 Greene St. Key West, Florida.

This hearing will be conducted pursuant to sections 110-288 et. seq. of the Key West City Code. The purpose of this hearing will be to determine if a code violation has been committed by the above named Respondents. Your presence is required at this Tree Commission meeting.

Date of alleged violation: On March 7, 2013 at 522 Grinnell Street, Key West.

Alleged code violation:

Section 110-256. Tree Abuse.

(b) *Prohibited acts.* A tree shall be considered abused if one or more of the following actions has taken place:

(1) Significant damage has been inflicted upon any part of the tree, including the root system, by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application or change to the natural grade.

(2) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.

(c) *Additional prohibitions*

(1) No private property owner or agent shall damage, cut, or carve any tree or tree root located on the owner's property;

(3) If a root or roots of a tree on private property migrates into another property, the owner of the tree must consult with the Landscape Division before commencing any work that will result in severing the root.

Section 110-321. Permit Required.

- (a) Unless a tree removal permit approved by the tree commission and issued by the landscaping division has been obtained, no person, whether on publicly or privately owned land, shall cause tree abuse or other harm, or major maintenance to or hatracking or removal of the following:

- (1) Any tree listed as "specially protected" in section 110-253;

Section 110-367. Fences and Walls.

The root systems of existing trees shall be taken into consideration when installing fences and walls. Post holes and trenches located close to trees shall be dug by hand and adjusted as necessary to avoid damage to major roots.

Factual allegation: Several major roots from a large diameter native Mahogany tree (Swietenia mahagoni) at 522 Grinnell Street, were cut.

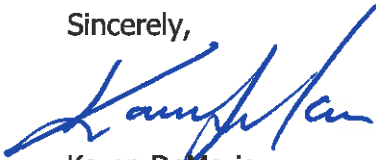
If the Tree Commission for the City of Key West finds that there has been a violation of the above code section, it will elect to enter into a compliance settlement agreement pursuant to section 110-291 of the Key West City Code or recommend a fine and further hearing before the Special Master of The City of Key West pursuant to section 110-294 of the Key West City Code.

Attendees are hereby notified that a complete and accurate record of the proceeding is required under Florida Statute 286.0105 if an appeal is sought. Appellants are responsible for providing transcription services.

I hereby certify that the forgoing notice has been sent by certified U.S. Mail to the above named Respondent's listed address on this 9 day of April 2013.

If you have any question please call the office at (305) 809-3768.

Sincerely,



Karen DeMaria
Urban Forestry Manager
305-809-3768
kdemaria@keywestcity.com

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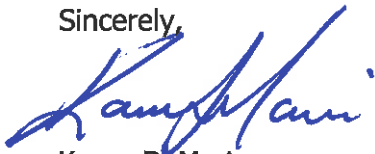
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