

RESOLUTION NO. 89-103

A RESOLUTION GRANTING PERMISSION TO OCEAN KEY HOUSE TO COUNT CERTAIN PARKING SPACES IN THE CITY PARKING LOT AT MALLORY SQUARE TOWARD THOSE SPACES REQUIRED BY CERTAIN REGULATORY AGENCIES; PROVIDING THAT IN CONSIDERATION THEREOF OCEAN KEY HOUSE SHALL EXECUTE A CONSENT TO LEASE FORM GRANTING THE CITY OF KEY WEST, FLORIDA PERMISSION TO APPLY FOR A LEASE OF A CERTAIN PARCEL OF SUBMERGED LAND; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ocean Key House desires to use certain parking spaces in the City-owned parking lot at Mallory Square for purposes of calculating those spaces required by state and local regulatory bodies for its facilities; and

WHEREAS, the City of Key West, Florida desires to obtain permission of Ocean Key House to lease a certain parcel of submerged land from the Board of Trustees of the Internal Improvement Trust Fund in order that cruise ships visiting Mallory Dock shall not overhang onto said parcel; and

WHEREAS, it is contemplated that the parties agree that the above benefits be exchanged as mutual consideration, **NOW THEREFORE,**

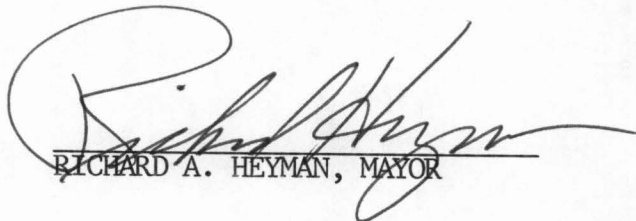
**BE IT RESOLVED** by the City Commission of the City of Key West, Florida as follows:

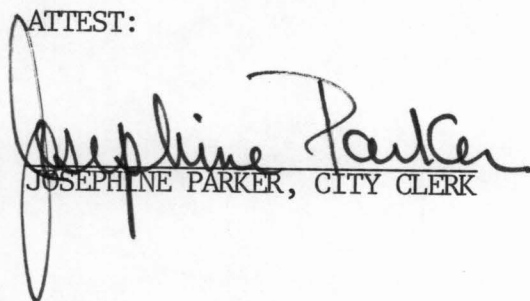
**Section 1.** The City Commission grants permission to Ocean Key House to count certain parking spaces in the City-owned parking lot at Mallory Square, to the extent permitted by law, for purposes of calculating those spaces required by state and local regulatory bodies for its facilities. Said permission shall become effective only upon delivery of an executed Consent to Lease form as provided below, and shall not be construed to waive lease requirements or charges for the use of such parking spaces.

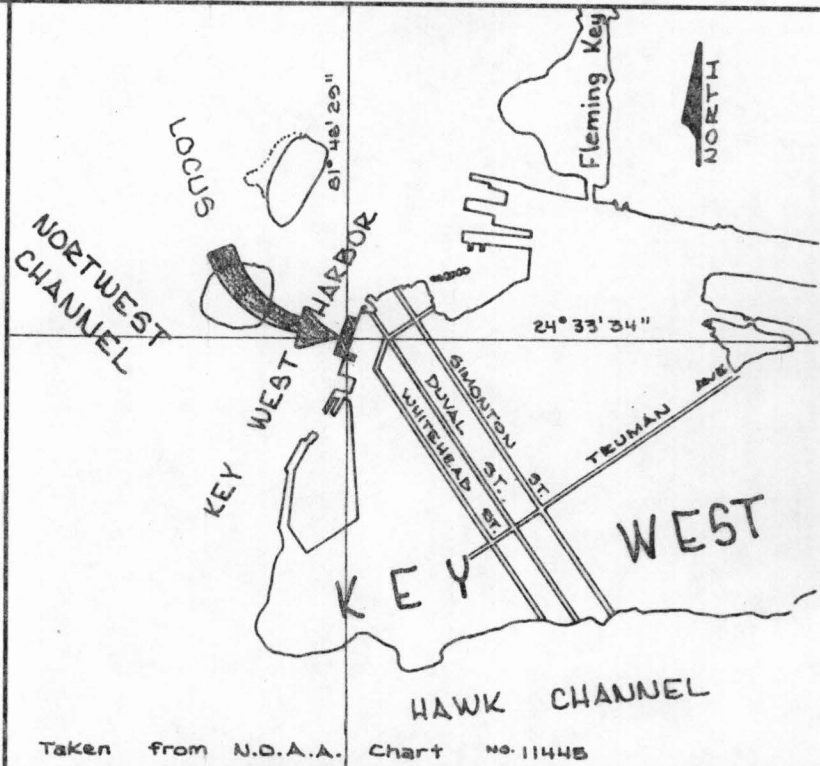
**Section 2.** Ocean Key House, in consideration for the above benefit, shall execute a Consent to Lease form granting the City permission to apply for a lease of a certain parcel of submerged land, designated as Lease Parcel "B" on the attached survey performed by Joe M. Trice and dated May 18, 1984.

**Section 3.** This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

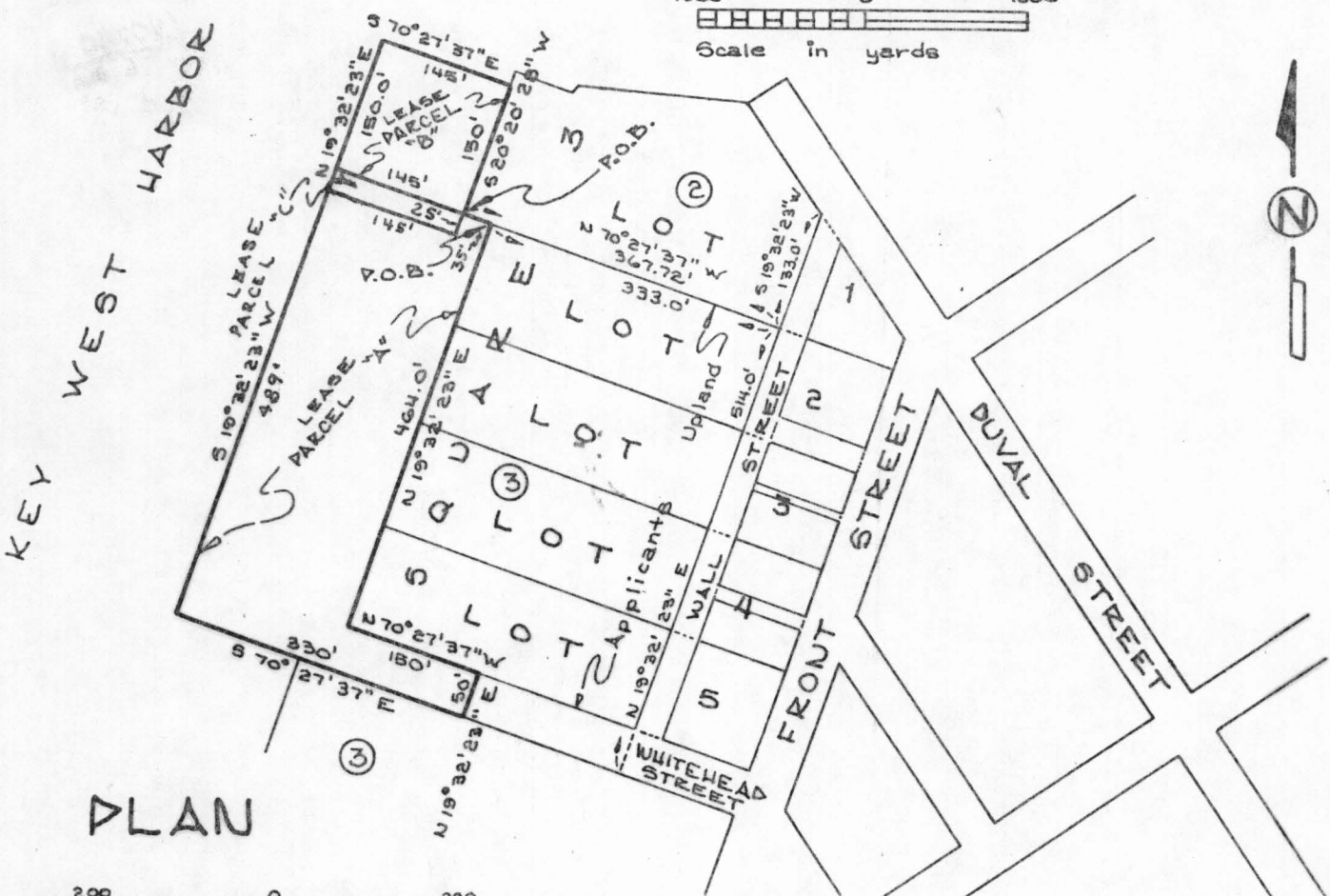
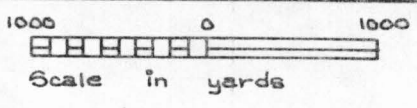
Passed and adopted by the City Commission at a meeting held this 20th day of March, 1989.

  
RICHARD A. HEYMAN, MAYOR

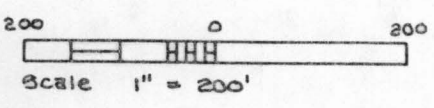
ATTEST:  
  
JOSEPHINE PARKER, CITY CLERK



LOCATION MAP



PLAN



PURPOSE: Proposed leases of 121,927 square feet of submerged land.

- ADJACENT PROPERTY OWNERS:
1. State of Florida
  2. Reflections
  3. City of Key West

Prepared by: PHILLIPS & TRICE SURVEYING, INC.

Joe M. Trice  
Professional Land Surveyor  
Florida Reg. Cert. #2110

COUNTY OF: Monroe  
STATE OF: Florida  
August 15, 1984  
Key West, Florida

DESCRIPTION OF: PARCEL "A"

LEGAL DESCRIPTION: A parcel of submerged land adjacent to Lots 2, 3, 4 and 5, Square 3, William A. Whitehead's Map or Plan of the Island of Key West, Monroe County, Florida, being more particularly described by metes and bounds as follows:

COMMENCE at the Westerly right-of-way boundary line of Wall Street with the Southerly right-of-way boundary line of Whitehead Street and run thence North 19° 32' 23" East along the said line of Wall Street 514 feet to a point on the dividing line between Lots 1 and 2 of the said Square 3; thence North 70° 27' 37" West for a distance of 333 feet to a point on the Mean High Water Line of the Gulf of Mexico, said point being the Point of Beginning of the parcel of submerged land herein described; thence continue North 70° 27' 37" West a distance of 35 feet to a point; thence South 19° 32' 23" West a distance of 25 feet to a point; thence North 70° 27' 37" West a distance of 145 feet to a point; thence South 19° 32' 23" West for a distance of 489 feet to a point bearing North 70° 27' 37" West of the aforesaid point of intersection of the Westerly right-of-way boundary line of Wall Street with the Southerly right-of-way boundary line of Whitehead Street; thence South 70° 27' 37" East a distance of 330 feet to a point on the Mean High Water Line of the Gulf of Mexico; thence North 19° 32' 23" East along the said Mean High Water Line a distance of 50 feet to a point; thence North 70° 27' 37" West along the said Mean High Water Line a distance of 150 feet to a point; thence North 19° 32' 23" East along the said Mean High Water Line a distance of 464 feet back to the Point of Beginning, containing 96,395 square feet, more or less.

DESCRIPTION OF: PARCEL "B"

LEGAL DESCRIPTION: A parcel of submerged land adjacent to Lot 1, Square 3, William A. Whitehead's Map or Plan of the Island of Key West, Monroe County, Florida, being more particularly described by metes and bounds as follows:

COMMENCE at the intersection of the Westerly right-of-way boundary line of Wall Street with the Westerly right-of-way boundary line of Duval Street and run thence along the said right-of-way line of Wall Street South 19° 32' 23" West for a distance of 133.00 feet to a point; thence North 70° 27' 37" West for a distance of 367.72 feet to a point on the Mean High Water Line of the Gulf of Mexico, said point being the Point of Beginning of the parcel of submerged land herein described; thence continue North 70° 27' 37" West for a distance of 145.00 feet to a point; thence North 19° 32' 23" East for a distance of 150.00 feet to a point; thence South 70° 27' 37" East for a distance of 145.00 feet to a point on the Mean High Water Line of the Gulf of Mexico; thence South 20° 20' 28" West along the said Mean High Water Line for a distance of 150.00 feet to the Point of Beginning, containing 21,907 square feet, more or less.

DESCRIPTION OF: PARCEL "C"

LEGAL DESCRIPTION: A parcel of submerged land adjacent to Lots 2, 3, 4 and 5, Square 3, William A. Whitehead's Map or Plan of the Island of Key West, Monroe County, Florida, being more particularly described by metes and bounds as follows:

COMMENCE at the Westerly right-of-way boundary line of Wall Street with the Southerly right-of-way boundary line of Whitehead Street and run thence North 19° 32' 23" East along the said line of Wall Street 514 feet to a point on the dividing line between Lots 1 and 2 of the said Square 3; thence North 70° 27' 37" West for a distance of 368 feet to the Point of Beginning of the parcel of land herein described; thence continue North 70° 27' 37" West a distance of 145 feet to a point; thence South 19° 32' 23" West a distance of 25 feet to a point; thence South 70° 27' 37" East a distance of 145 feet to a point; thence North 19° 32' 23" East a distance of 25 feet back to the Point of Beginning, containing 3,625 square feet.