



3720 Sunrise Lane Easement Agreement Request

VISTA DEL MAR

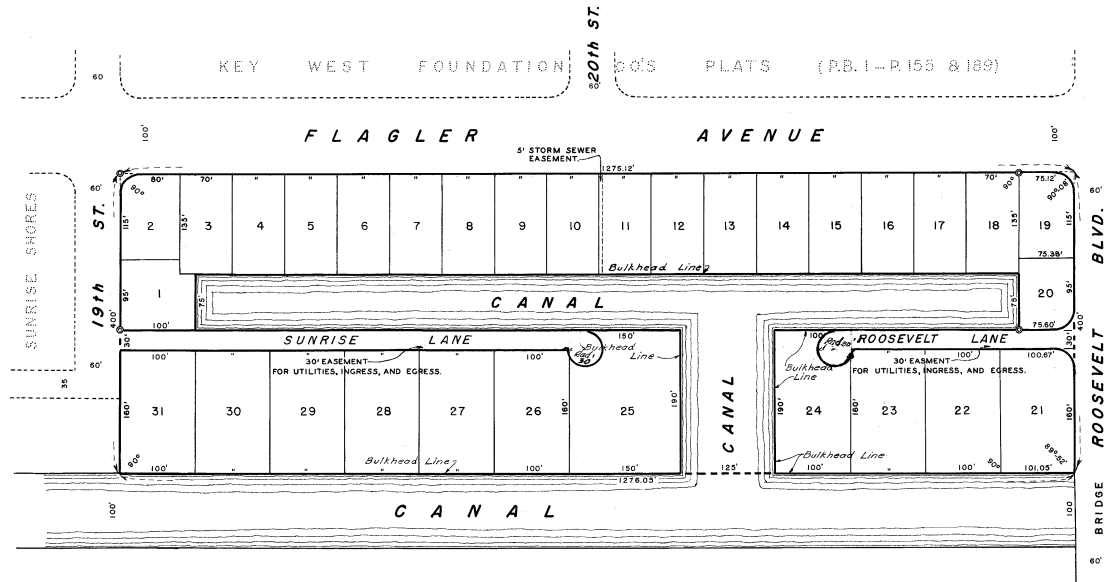
A SUBDIVISION OF TRACT 33 OF A PLAT OF SURVEY OF LANDS
ON ISLAND OF KEY WEST (PLAT BOOK 3-PAGE 35)
CITY OF KEY WEST-MONROE COUNTY-FLORIDA

SCALE 1" = 80'



OCTOBER 1955

C.G. BAILEY, REGISTERED LAND SURVEYOR
MARATHON, FLORIDA



ENGINEERS NOTE
© indicates Permanent Reference Monuments.
Rounded Block Corners have radius of 25 feet.
Dimensions of lots having rounded corners are to intersection of block lines extended.

I HEREBY CERTIFY that the attached plat of VISTA DEL MAR is true and correct to the best of my knowledge and belief, as recently surveyed and plotted by me. I also certify that the Permanent Reference Monuments were set in accordance with Section 7, Chapter 10275 (No. 253), Laws of the State of Florida.

C.G. Bailey
C.G. Bailey
Registered Land Surveyor No. 620
State of Florida.

This plat accepted and approved for record by the Planning Commission of the City of Key West, Florida this 18th day of December, A.D. 1955.

Signed *Paul O'Connell*
Chairman, Planning Commission.

This plat approved for record *W. W. ...*
City Manager

This plat was approved by resolution of the Board of City Commissioners of the City of Key West, Florida, this 23rd day of November, A.D. 1955.

Attest *Victoria ...*
City Clerk

Signed *C.B. ...*
Mayor

Streets on this plat are not dedicated and are privately owned. Utilities to be provided by subdivider.
There are deed restrictions in this subdivision.

KNOW ALL MEN BY THESE PRESENTS:
That Vista del Mar, Inc., a Florida corporation, owner of Tract 33, according to "Plat of Survey of Lands on Island of Key West, Monroe County, Florida, recorded in Plat Book 3 at Page 35, Public Records of Monroe County, Florida, has caused to be made the attached plat entitled "VISTA DEL MAR."

All canals as shown are hereby dedicated to the perpetual use of the public for proper purposes, reserving to themselves, their successors or assigns, the reversion or reversions thereof whenever discontinued by law.
IN WITNESS WHEREOF Vista del Mar, Inc. has caused these presents to be signed in its corporate name by its President, and its corporate seal to be hereunto affixed by its Secretary this 28th day of OCTOBER, A.D. 1955.

Witnessed by
Charles Thornburgh, President
James E. Crowell, Secretary

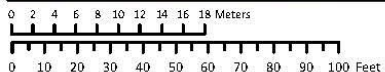
STATE OF FLORIDA SS
COUNTY OF MONROE
I hereby certify that on this day personally appeared before me, the undersigned authority, Charles Thornburgh, President and Nancy Thornburgh, Secretary of Vista del Mar, Inc., to me well known to be the persons described in and who executed the foregoing instrument, and who acknowledged that they executed the same freely and voluntarily, that they affixed thereto the official seal of said corporation all by and with the authority of the Board of Directors, and that it is the free act and deed of said corporation.

Witness my hand and official seal this 28 day of October, A.D. 1955.

My commission expires March 31, 1957
Dario ...
Notary Public
State of Florida at large

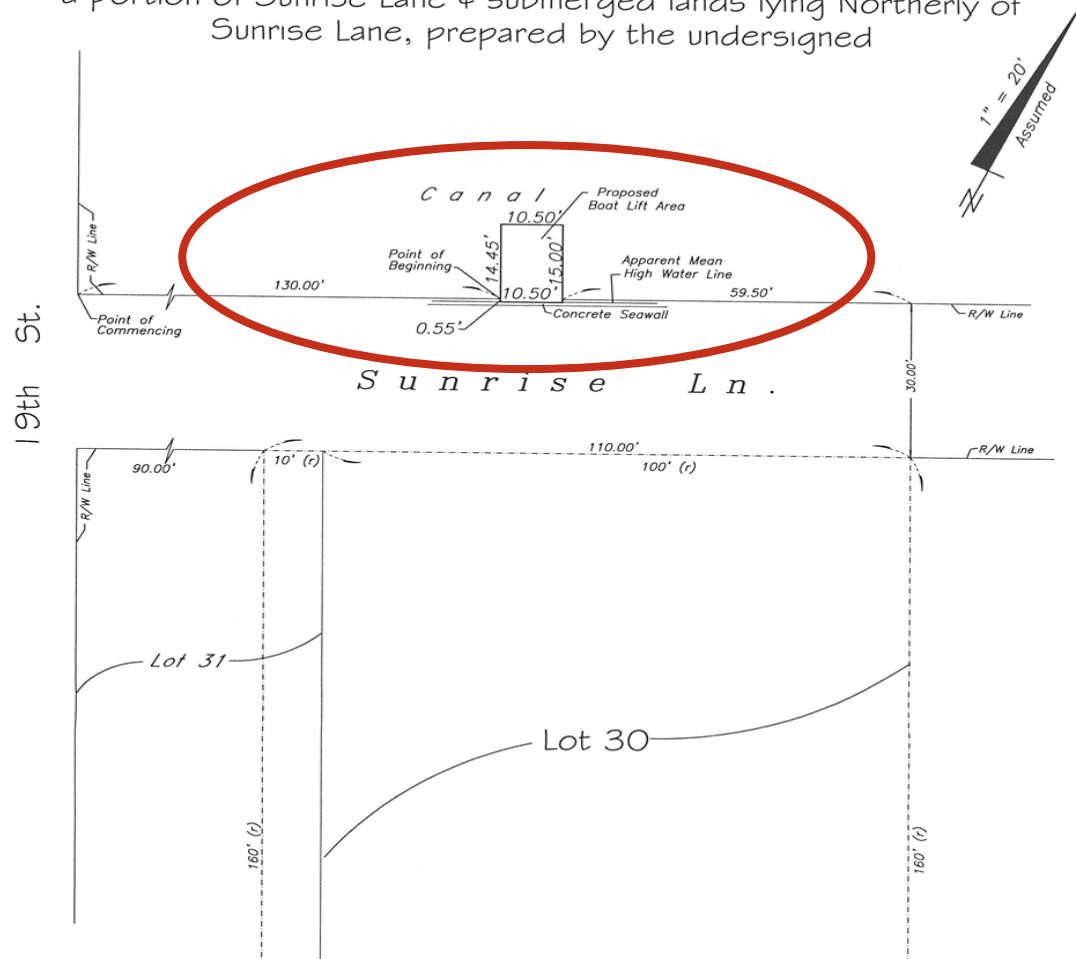
This plat was approved by Resolution of the Board of County Commissioners of Monroe County, Florida, this 13 day of DECEMBER, A.D. 1955, and filed for record in Plat Book 3 at Page 124, Public Records of Monroe County, Fla.

Earl P. Adams
Clerk of the Circuit Court
Ronald ...
Chairman of the Board
FILED DEC. 14, 1955 9:38 AM 45616
124
Book 3 page



Sunrise Canal, Benthic Habitat Assessment

Specific Purpose Survey Map to illustrate a legal description of a portion of Sunrise Lane & submerged lands lying Northerly of Sunrise Lane, prepared by the undersigned



- ▶ A request for an Easement Agreement in order to reconstruct an existing boatlift encroaching 150-square feet, more or less, onto City owned Sunrise Canal abutting property located within the Single-Family (SF) Zoning District, pursuant to Section 2-938 (b)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions; Providing for an effective date.

Recommendation

Planning Staff recommends to the City Commission **APPROVE** the proposed Resolution granting the requested easement agreement with the following conditions:

1. The easement shall terminate upon the removal of the structure.
2. The City may unilaterally terminate the easement upon a finding of public purpose by vote of the Key West City Commission.
3. The Owners shall pay the annual fee of \$400.00 specified in Code Section 2-938(b)(3).
4. The Owners shall irrevocably appoint the City Manager as its agent to permit the removal of the encroachment if the annual fee required by the Code of Ordinances is not paid.
5. Prior to the easement becoming effective, the Owners shall obtain General Liability insurance that extends coverage to the property that is governed by this easement with limits of no less than \$300,000.00. Coverage must be provided by an insurer authorized to conduct business in the State of Florida and with terms and conditions consistent with the latest version of the Insurance Service Office's (ISO) latest filed General Liability form. The Owners shall furnish an original Certificate of Insurance indicating, and such policy providing coverage to, City of Key West named as "Additional Insured". The Owners shall provide proof of Insurance annually upon payment of annual fee.
6. The easement area shall not be used in site size calculations such as lot, yard, and bulk calculations for site development.
7. The City reserves the right to construct surface or sub-surface improvements within the easement area.
8. The area to maintain the existing encroachment of the boatlift onto Sunrise Canal shall be the total allowed within the easement area.
9. To the fullest extent permitted by law, the Owners expressly agrees to indemnify and hold harmless the City of Key West, their respective officers, directors, agents and employees (herein called the "indemnitees") from any and all liability for damages caused by or resulting from the Grantee's improvement in the easement area.

Financial Impact: The City would collect \$400.00 annually as part of the approval of the requested easement agreement.