

To: Cheri Smith

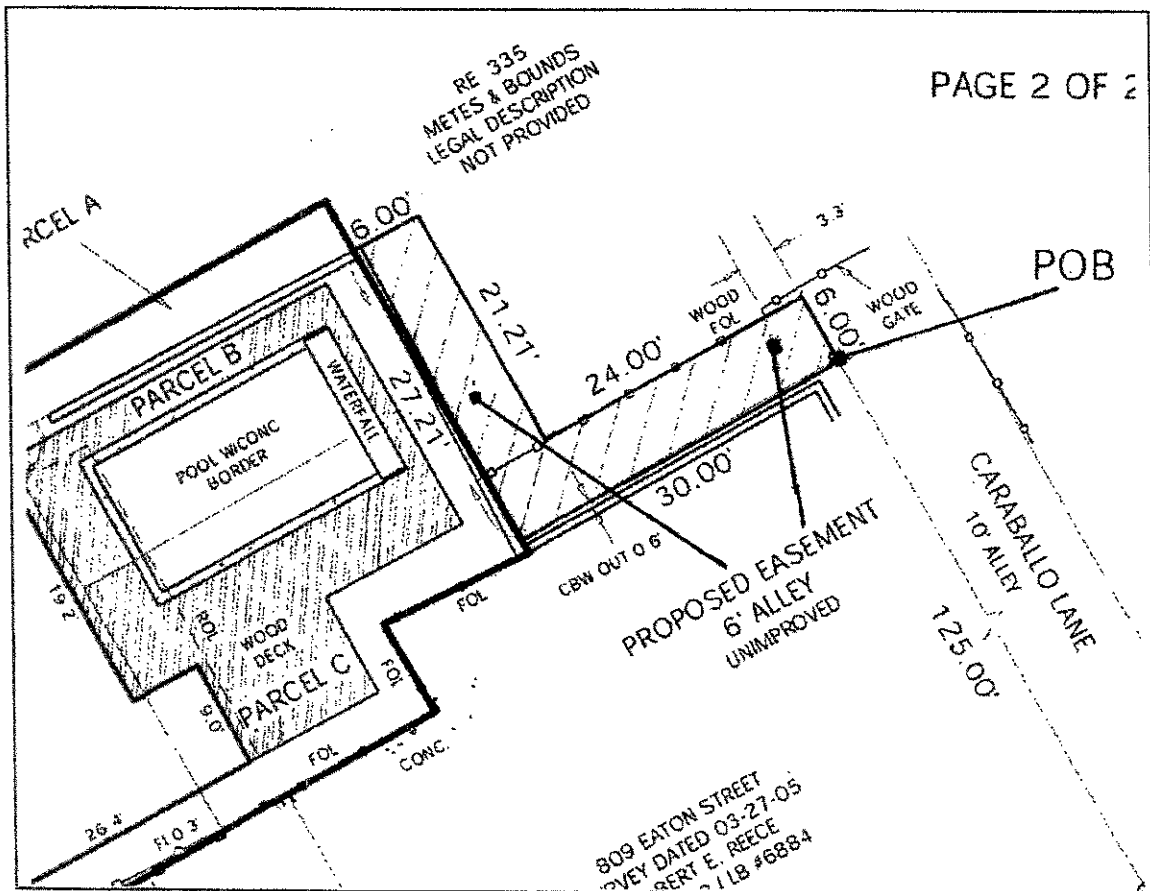
From: Brendon Cunningham

Request: Easement

Applicant: Diane Tolbert Covan
1901 Fogarty Avenue, Suite 1
Covan@covanlaw.com
293.1118

Meeting Date: March 15, 2011

Request: Easement – 327 William Street (RE# 00003270-000000) –
An easement request for approximately 307.26 square feet of City right of way abutting the rear lot line for property in the HMDR zoning district per Section 2-938 of the Code of Ordinances of the City of Key West, Florida



Application

EASEMENT APPLICATION
City of Key West Planning Department
604 Simonton 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:

1. Site Address 327 WILLIAM ST., KEY WEST FL 33040
2. Name of Applicant DIANE T. COVAN
3. Applicant is: Owner _____ Authorized Representative X
(attached Authorization Form must be completed)
4. Address of Applicant 1901 FOGARTY AVE #1
KEY WEST FL 33040
5. Phone # of Applicant (305) 293-1118 Mobile# _____ Fax# 305-296-1266
6. Name of Owner, if different than above GEORGE & PATRICIA MENTONIS
7. Address of Owner 327 WILLIAM ST.
KEY WEST FL 33040
8. Phone Number of Owner _____ Fax# _____
9. Zoning District of Parcel _____ RE# 00003270-000000
10. Description of Requested Easement and Use. Please itemize if more than one easement is requested REMAINING PORTION OF CARABALLO LANE WHICH LEADS ONLY TO OWNER'S PROPERTY. IT IS NOT VISABLE FROM STREET AND CREATES SAFETY ISSUE FOR OWNER IF ACCESS TO IT BY OTHERS IS NOT CONTROLLED. SEE ATTACHED AMENDED PETITION TO VACATE AND LETTER TO AND FROM CITY ATTORNEY.
11. Are there any existing easements, deed restrictions or other encumbrances attached to the subject property? Yes _____ No X If Yes, please describe and attach relevant documents. _____

April 22 10
5

Verification Form

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. (This is usually the description of the property without the easement.) Please call if you have questions about this.
2. Two (2) original signed and sealed site surveys (8½ x 11) illustrating buildings and structures existing on the property as of the date of the request **with a legal description of the easement area requested, not a legal description of the entire property.**
3. Color photographs from different perspectives showing the encroachment onto city property.
4. 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. Also a **separate \$50.00** fee for Fire Department Review and an advertising and noticing fee of **\$100.00.**
5. Notarized Verification Form
6. Notarized Authorization Form (if applicable, where a representative is applying on behalf of the owner)

Verification Form

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, DIANE T. COVAN, being duly sworn, depose and say

Name(s) of Applicant(s) _____
that: I am (check one) the _____ Owner Owner's Legal Representative

for the property identified as:
1901 FOGARTY AVE #1 KEY WEST FL 33040

Street Address and Commonly Used Name if any

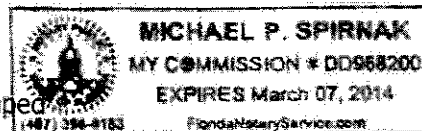
[Signature]
Signature of Owner/Legal Representative

Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on APRIL 21, 2010 (date) by

DIANE TORBERT COVAN (name). He/She is personally known to me or has presented _____ as identification.

[Signature]
Notary's Signature and Seal



Name printed or stamped

Title or Rank

Commission Number, if any

Authorization Form

EASEMENT APPLICATION
 City of Key West Planning Department
 604 Simonton Street, Key West, FL 33040
 (305) 809-3720



Authorization Form

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

I, GEORGE MENTONIS & PATRICIA MENTONIS authorize
 Please Print Name(s) of Owner(s)

DIANE T. COVAN
 Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City Commission and any other body reviewing the application.

[Signature]
 Signature of Owner

Patricia Mentonis
 Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on APRIL 14, 2010 (date) by
GEORGE MENTONIS & PATRICIA MENTONIS
 Please Print Name of Affiant(s)

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

[Signature]
 Notary's Signature and Seal

DIANE TOLBERT COVAN Name of Acknowledger printed or stamped

NOTARY PUBLIC Title or Rank

DIANE TOLBERT COVAN
 NOTARY PUBLIC
 STATE OF FLORIDA
 Comm# DD0936906
 Expires 12/12/2013
 Commission Number, if any



**Proposed Easement
Sketches and Description**

REECE & WHITE LAND SURVEYING, INC.

PROFESSIONAL SURVEYOR AND MAPPER, LB 7846
30364 QUAIL ROOST TRAIL, BIG PINE KEY, FL 33043
OFFICE (305) 872 - 1348
FAX (305) 872 - 5622



LOCATION MAP - NTS

THE PURPOSE OF THIS SKETCH IS TO ILLUSTRATE THE LEGAL DESCRIPTION, NEWLY CREATED ON THIS DATE BY THE UNDERSIGNED AND SHOWN BELOW. IT IS NOT A SURVEY OF THE LANDS BEING DESCRIBED HEREIN! (See chap. 61G17-6.006 Florida Adm. Code and Chap. 472.027 Florida statutes).

DESCRIPTION - PROPOSED EASEMENT - NEWLY DESCRIBED BY THE UNDERSIGNEDSEE PAGE 2 OF 2 FOR AN ILLUSTRATION OF THE SAID DESCRIPTION.

On the island of Key West, Monroe County, Florida, and known on William A. Whitehead's map of said City of Key West, delineated in February, 1829, as part at Lot 4, Square 21, and being more particularly described as follows:
COMMENCE at the intersection for the Northwesterly right of way line of Eaton Street and the Northeastly right of way line of William Street, thence in a Northeastly direction along the said Northwesterly right of way line of Eaton Street for 128 feet; thence at a right angle and in a Northwesterly direction for 125.00 feet to the Point of Beginning;
thence at a right angle and in a Northwesterly direction for 30.00 feet;
thence at a right angle and in a Northwesterly direction for 27.21 feet;
thence at a right angle and in a Northeastly direction for 6.00 feet;
thence at a right angle and in a Southeastly direction for 21.21 feet;
thence at a right angle and in a Northeastly direction for 24.00 feet;
thence at a right angle and in a Southeastly direction for 6.00 feet back to the Point of Beginning.

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.

REVISION 02-16-11: ADD PAGE 3
REVISION 02-10-11: ADD ADDITIONAL SECTION TO PROPOSED EASEMENT AREA. RE-WRITE DESCRIPTION
REVISION 04-02-10: LABEL PARCEL A

PREPARED FOR -

GEORGE MENTONIS

NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER



SIGNED

JOE ROBERT WHITE, LS 6868, PROFESSIONAL SURVEYOR AND MAPPER

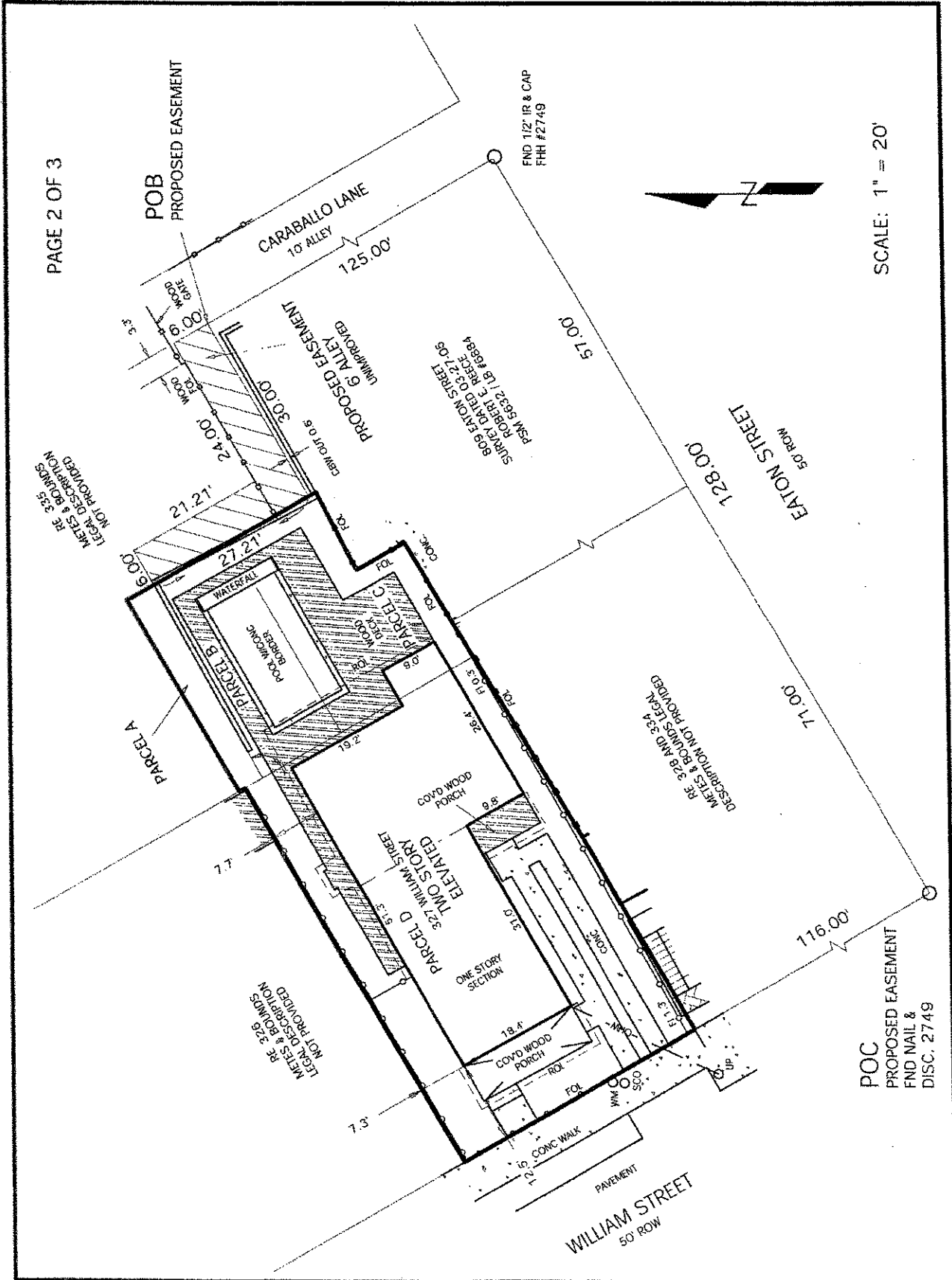
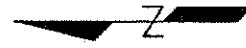
SCALE:	1" = 20'
FIELD WORK DATE	03/23/10
REVISION DATE	02/16/11
SHEET	1 OF 3
DRAWN BY:	KB
CHECKED BY:	RW
INVOICE NO.:	10030502

NOTE: FOUNDATIONS, BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.
THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

- | | | |
|-----------------------------------|--|--------------------------------------|
| BFP = BACK-FLOW PREVENTER | GW = GUY WIRE | PBM = PERMANENT REFERENCE MONUMENT |
| BO = BLOW OUT | HB = HOSE BIB | R = RADIIUS |
| C 4 G = 2" CONCRETE CURB & GUTTER | IP = IRON PIPE | ROI = ROOF OVERHANG LINE |
| CB = CONCRETE BLOCK | IR = IRON ROD | ROW = RIGHT OF WAY |
| CBW = CONCRETE BLOCK WALL | L = ARC LENGTH | ROW = RIGHT OF WAY LINE |
| CI = CURB INLET | LS = LANDSCAPING | SCO = SANITARY CLEAN-OUT |
| CL = CENTERLINE | MB = MAILBOX | SPV = SPRINKLER CONTROL VALVE |
| CLF = CHAINLINK FENCE | MEAS = MEASURED | SV = SEWER VALVE |
| CM = CONCRETE MONUMENT | MHML = METAL FENCE | TBM = TEMPORARY BENCHMARK |
| CONC = CONCRETE | MRTF = METAL ROD (1988) | TOB = TOP OF BANK |
| CS = CONCRETE SLAB | NAVD = NORTH AMERICAN DATUM (1988) | TOE = TOE OF SLOPE |
| CYRD = COVERED | NEVD = NATIONAL GEODETIC VERTICAL DATUM (1929) | TS = TRAFFIC SIGN |
| DELTA = CENTERLINE | NTS = NOT TO SCALE | UTILE = UTILITY EASEMENT |
| EB = EASEMENT | OHW = OVERHEAD WIRES | UPC = CONCRETE UTILITY POLE |
| ENCL = ENCLOSURE | PC = POINT OF CURVE | USP = WOOD UTILITY POLE |
| FTE = FINISHED FLOOR ELEVATION | PA = PARKING METER | VB = WOOD DECK |
| FI = FIRE HYDRANT | PCC = POINT OF COMPOUND CURVE | WDF = WOOD FENCE |
| FIN = FINISH | PCP = PERMANENT CONTROL POINT | WM = WOOD LANTING |
| FO = FENCE OUTSIDE | POB = POINT OF BEGINNING | WM = WATER METER |
| FOK = FENCE ON LINE | POC = POINT OF COMMENCEMENT | WRACK LINE = LINE OF DEBRIS ON SHORE |
| GJ = GRATE INLET | PRC = POINT OF REVERSE CURVE | WV = WATER VALVE |

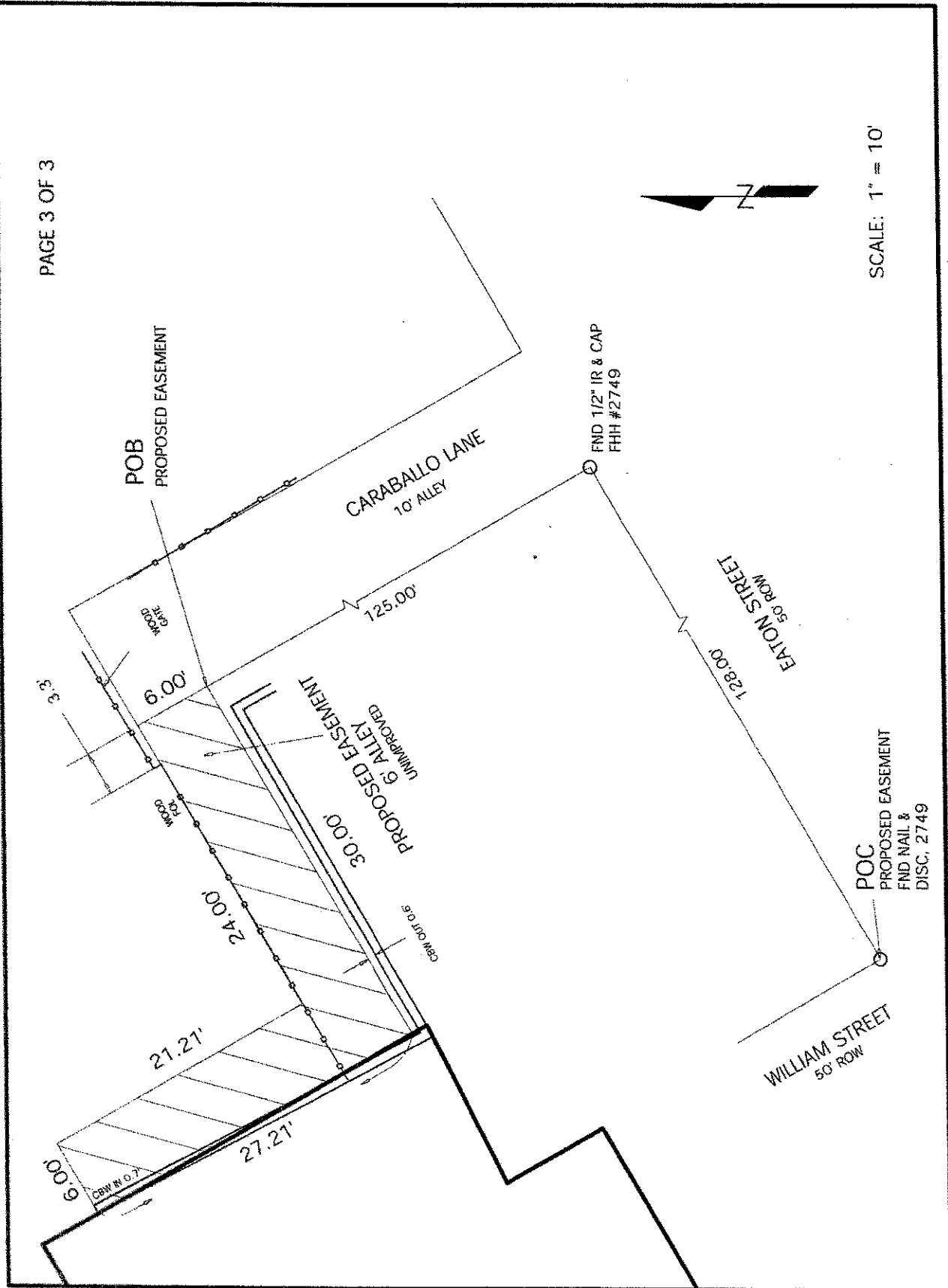
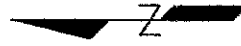
PAGE 2 OF 3

SCALE: 1" = 20'

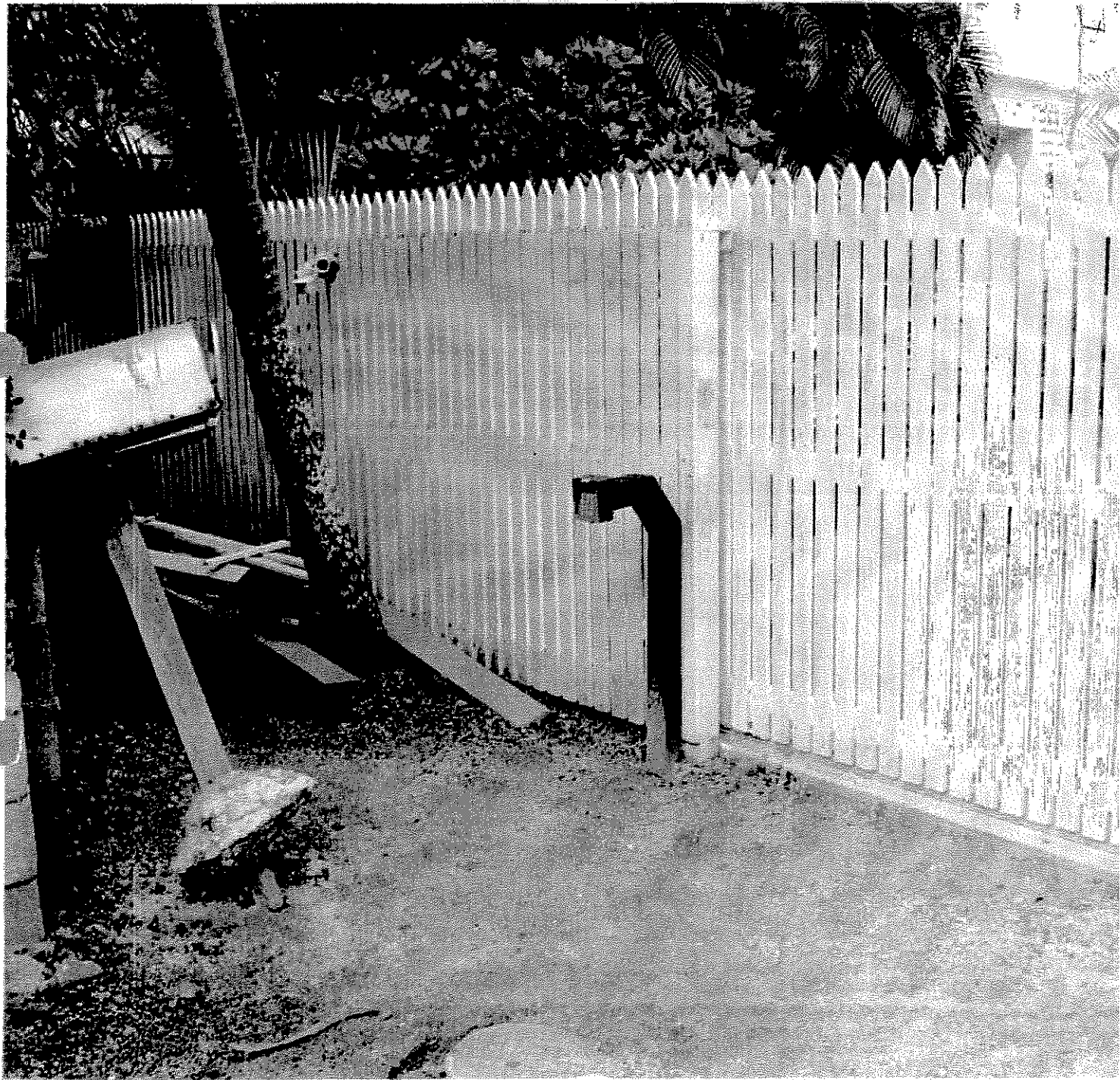


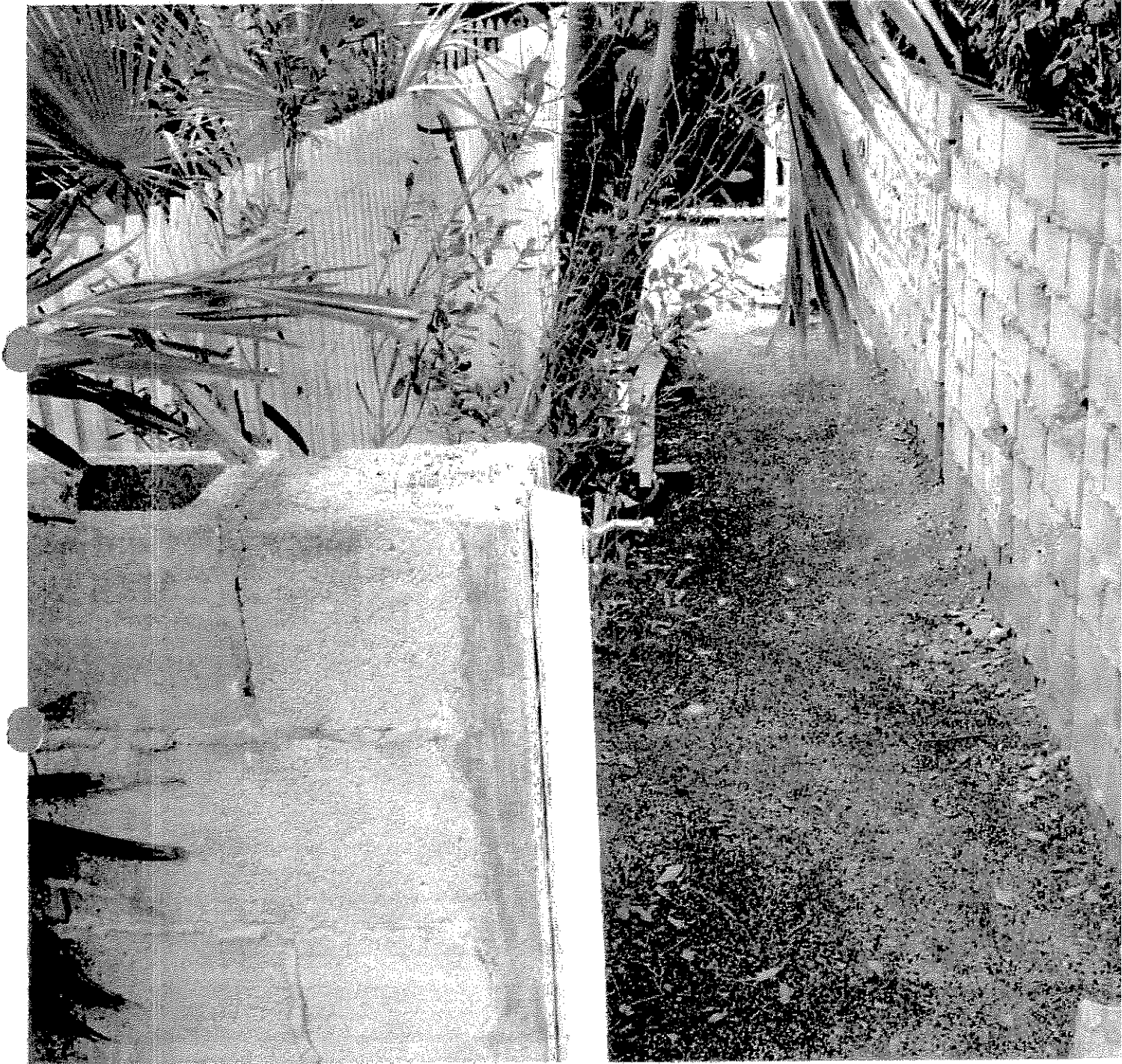
PAGE 3 OF 3

SCALE: 1" = 10'



Site Photos







**Letters of No Objection
Utilities**



Diane Tolbert Covan
Attorney at Law

NY & FL Bars

1901 Fogarty Avenue
Suite 1
Key West, FL 33040
Tele. (305) 293-1118
Fax (305) 296-1266
Covan@covanlaw.com

November 3, 2010

Comcast
Attn: Greg Daniels – Engineering
1010 Kennedy Drive, Ste. 200
Key West, FL 33040

RE: Easement at End of Caraballo Lane

Dear Mr. Daniels:

The City of Key West is to consider granting an exclusive easement to the final portion of Caraballo Lane to the owners of the only property served by such land, 327 William Street. The 180 square feet of land (6' x 30') is indicated on the attached survey as "proposed easement." This is to inquire whether Comcast has any objection to having limited or no access to this portion of the Lane. If Comcast has any need for access to this portion of the lane, the City would like to know what that need is and how it may be accommodated by the property owner. Please respond to this request for information no later than December 3, 2010. You may write your response below and return this letter. A self-addressed stamped envelope is enclosed for your convenience. Or, you may reply via facsimile or e-mail.

Thank you for your assistance and cooperation.

Sincerely,

DIANE TOLBERT COVAN

Date of Reply: 12/2/10

Comcast (circle "has" or "has not" on each line):

has ~~has not~~ any equipment or need to access the portion of the Lane indicated; and
has ~~had not~~ objection to the proposed easement.

Comments: _____

Signature:
Printed name: Greg Daniels
Office held: Land Easement Task



Diane Tolbert Covan
Attorney at Law

NY & FL Bars

1901 Fogarty Avenue
Suite 1
Key West, FL 33040
Tele. (305) 293-1118
Fax (305) 296-1266
Covan@covanlaw.com

November 3, 2010

Bellsouth Telecommunications, Inc.
605 United Street
Key West, FL 33040

RE: Easement at End of Caraballo Lane

Dear Bellsouth:

The City of Key West is to consider granting an exclusive easement to the final portion of Caraballo Lane to the owners of the only property served by such land, 327 William Street. The 180 square feet of land (6' x 30') is indicated on the attached survey as "proposed easement." This is to inquire whether the BellSouth has any objection to having limited or no access to this portion of the Lane. If BellSouth has any need for access to this portion of the lane, the City would like to know what that need is and how it may be accommodated by the property owner. Please respond to this request for information no later than December 3, 2010. You may write your response below and return this letter. A self-addressed stamped envelope is enclosed for your convenience. Or, you may reply via facsimile or e-mail.

Thank you for your assistance and cooperation.

Sincerely,


DIANE TOLBERT COVAN

Date of Reply: 11-24-10

Bellsouth (circle "has" or "has not" on each line):

has / has not any equipment or need to access the portion of the Lane indicated; and

has / had not objection to the proposed easement.

Comments: _____

Signature: for KATHY REED H E Bradshaw
Printed name: KATHY REED ; H E BRADSHAW
Office held: AREA MANAGER OSP PLNS & ENGRS



(305) 295-1000
1001 James Street
PO Box 5100
Key West, FL 33040-6100
www.KeysEnergy.com

UTILITY BOARD OF THE CITY OF KEY WEST

December 17, 2009

Mrs. Amy Kimball-Murley, AICP
City of Key West
PO Box 1409
Key West, Florida 33040

RE: DEVELOPMENT REVIEW COMMITTEE
KEYS ENERGY SERVICES COMMENTS MEETING OF DECEMBER 18, 2009

Dear Mrs. Kimball-Murley:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for December 18, 2009. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

- 1. LOCATION: 1500 Reynolds Street
COMMENT: KEYS has no objections
- 2. LOCATION: 1500 Reynolds Street - Variance
COMMENT: KEYS has no objections
- 3. LOCATION: Portion of Gecko Lane, abutting 309 Caraballo Lane
COMMENT: KEYS has no objections
- 4. LOCATION: 900 Washington Street
COMMENT: KEYS has no objections
- 5. LOCATION: 112 Fitzpatrick Street
COMMENT: KEYS has no objections
- 6. LOCATION: 419-421 Grinnell Street
COMMENT: KEYS has no objections

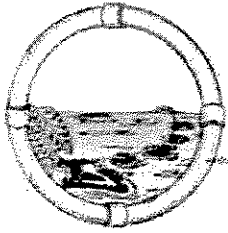
Thank you for giving KEYS the opportunity to participate in the City's review process. If you have any questions, please call me at 295-1055.

Sincerely:

Matthew Alfonso

Matthew Alfonso
Supervisor of Engineering
Matthew.Alfonso@KeysEnergy.com

C:
L. Tejada, General Manager & CEO
J. Wetzler, Asst. General Manager & CFO
D. Finigan, Director of Engineering/Control Center
A. Tejada, Director of Customer Service
File: PLI-132



Florida Keys Aqueduct Authority

Post Office Box 1239
1100 Kennedy Drive
Key West, Florida 33041-1239
Telephone (305) 296-2454
FAX (305) 296-2454



David C. Ritz
Chairman
Key Largo

Rose M. Dell
Vice-Chairman
Big Pine Key

Antoinette M. Appell
Secretary/Treasurer
Marathon

J. Robert Dean
Key West

Elena Z. Herrera
Rockland Key

James C. Reynolds
Executive Director

January 4th, 2010

Diane Tolbert Covan
Attorney at Law
1901 Fogarty Avenue
Suite 1
Key West, FL 33040

RE: Abandonment of a portion of an alleyway at
North end of Caraballo Lane, Key West, FL

Dear Ms. Covan:

The FKAA Board of Directors approved at the December 23, 2010 meeting, the above referenced project.

Pursuant to your request for the easement abandonment of the above-reference property, Staff has researched your request and has no objection to the abandonment of this easement.

Should you have any questions, please do not hesitate to call this office.

Sincerely,

FLORIDA KEYS AQUEDUCT AUTHORITY

Marnie Walterson
Distribution Design Specialist

MW/cma

C: Kirk Zuelch, General Counsel
Roy Coley, Operations Department Director
City of Key West Building Department

Public Notice

William/Caraballo

- Legend
- the Buffer
 - the Buffer/Target
 - Real Estate Number
 - Parcel Lot Text
 - Dimension Text
 - Block Text
 - Hook/Ledge
 - Lot Lines
 - Easements
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - Section Lines

PALMIS

Monroe County Property Appraiser
 500 Whitehead Street
 Key West, FL

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.

Date Created: February 8, 2011 1:56 PM

