THE CITY OF KEY WEST PLANNING BOARD





To: Chair and Planning Board Members

From: Patrick Wright, Planner II

Through: Thaddeus Cohen, Planning Director

Meeting Date: December 17, 2015

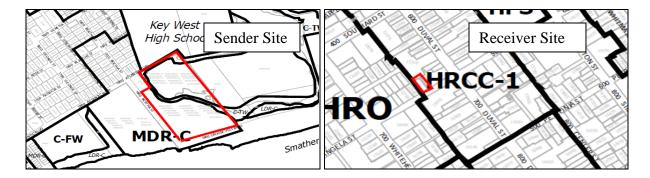
Agenda Item: Transient License Transfer – 1901 South Roosevelt Boulevard Unit

404N (RE # 00064700-000328, AK # 8657072) to 421 Angela Street Unit A (RE # 00012470-000000, AK # 1012840) – A request to transfer one transient license from property located within the Coastal Medium Density Residential (MDR-C) Zoning District to property located within the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) Zoning District pursuant to Section 122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key

West, Florida.

Site Data:

	<u>Sender Site</u>	<u>Receiver Site</u>
License Owner:	Al Jordan & Suzanne Borrell	Maximus Properties LLC
Property Owner:	Alfred C. Jordan & Suzanne M.	Maximus Properties LLC
	Borrell	
Agent:	Andy Birrell	Andy Birrell
Location:	1901 South Roosevelt Blvd. Unit	421 Angela Street Unit A
	404N	
RE #:	00064700-000328	00012470-000000
AK #:	8657072	1012840
Zoning:	Coastal Medium Density Residential	Historic Residential Commercial Core
	(MDR-C)	– Duval Street Gulfside (HRCC-1)
Existing Use:	Transient residential	Non-transient residential
Proposed Use:	Non-transient residential	Transient residential



Background:

The subject transient license (or business tax receipt) is associated with 1901 South Roosevelt Boulevard Unit 404N, which is the sender site also known as La Brisa Condominiums. The current owner of the sender site has no intent to use the transient license associated with this unit. 1901 South Roosevelt is located in the Coastal Medium Density Residential (MDR-C) zoning district which does not permit transient use, the use is currently a legal nonconformity. The owner seeks to transfer the transient license to a location where transient use is permitted

The receiver site at 421 Angela Street currently consists of a two unit, non-transient residential structure. Unit A is located on the first floor and Unit B on the second floor. The property is located in the Historic Residential Commercial Core Gulfside (HRCC-1) zoning district in which transient residential is a permitted use. Unit A contains two bedrooms containing approximately 1,271 square feet of total floor area. 421 Angela Street Unit A would convert from non-transient to transient rental upon approval of the transient license transfer.

Relevant Code Sections:

The purpose of City Code Chapter 122, Article V, Division 6 "Transient Units" outlined in Section 122-1336 is to:

- Provide for the transfer of existing transient units and transient licenses in order to reduce noncomplying density, structures and uses;
- Remove legal nonconforming transient uses from zoning districts that now prohibit them;
- Encourage permanent residential housing by relocating transient licenses;
- Provide for the conversion of transient units to single-family dwellings by the transfer of units;
- Allow for redevelopment without increasing the population requiring evacuation during emergencies or increasing other public services;
- Protect environmentally sensitive lands; and
- Encourage redevelopment under the existing Building Permit Allocation System (BPAS) that limits the allowable number of residential and transient units.

City Code Section 122-1339(a) states that a business tax receipt (e.g., license) for transient use of a unit may itself be transferred from an area where transient uses are prohibited to a receiver site without the accompanying transfer of the unit. In addition, licenses may be transferred from the HNC-1 and HNC-3 Zoning Districts. A transfer of a license under this section does not allow a loss of affordable housing at the receiver site.

City Code Section 122-1339(b) states that where a license alone is transferred, the Planning Board shall consider whether the receiver site is suitable for transient use in the zoning district, shall consider the relative size of the unit from which the license is transferred, and shall consider the room configuration of both sites to maintain approximately the same or less net number of occupants.

Analysis:

The proposed transient license transfer does not involve the transfer of transient units. The receiver site of 421 Angela Street Unit A is an existing recognized dwelling unit.

The proposed transient license transfer would move a transient use of a residential dwelling unit from an area where transient uses are prohibited (MDR-C Zoning District) to an area where transient uses are permitted (HRCC-1 Zoning District). The existing use of the receiver site at 421 Angela Street Unit A is non-transient residential. The proposed transfer would not result in a loss of affordable housing because there is no existing deed-restricted affordable housing at the receiver site.

The sender site unit is a two bedroom unit totaling in 1,298-square-feet of residential use. The receiver site is a two-bedroom, 1,271-square-foot residential use. Therefore, approximately the same or less net number of occupants would be maintained.

A consent by mortgagee for the sender site was included in the application, pursuant to the requirement in City Code Section 122-1345.

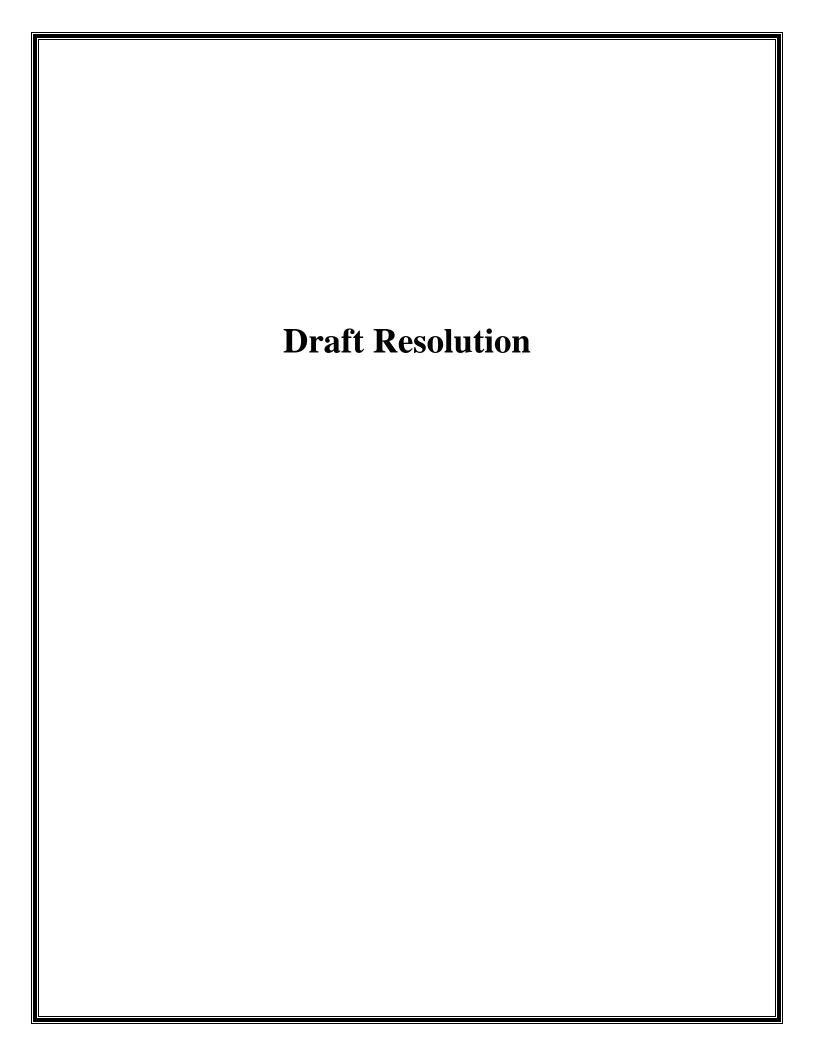
The following table summarizes the applicable approval criteria for a transient license transfer pursuant to City Code Section 122-1339.

		Complies?
Criteria	Analysis	(Yes or
		No)
Transient license transfer from an area where	Sender site zoning is MDR-C, which	Yes
transient uses are prohibited	prohibits transient uses.	
Transient license transfer from HNC-1 and HNC-3	N/A	N/A
Zoning Districts		
Transfer would not result in a loss of affordable	No existing deed-restricted	Yes
housing at the receiver site	affordable housing at the receiver	
	site.	
Receiver site suitable for transient use	Receiver site zoning is HRCC-1,	Yes
	which permits transient uses.	
Relative size of the unit from which the license is	Sender site: 1,298 square feet total	Yes
transferred	Receiver site: 1,271 square feet	
Room configuration of both sites to maintain	Sender site: 2 bedrooms total	Yes
approximately the same or less net number of	Receiver site: 2 bedrooms total	
occupants		

Recommendation:

Based on the above analysis of the standards for considering transfers of transient business tax receipts in Section 122-1339 of the Land Development Regulations, the Planning Department recommends the request to transfer one transient business tax receipt from 1901 South Roosevelt Boulevard Unit 404N to 421 Angela Street Unit A be **APPROVED** with the following conditions:

- 1. All requirements of City Code Section 122-1371 shall be met for the transient use of the residential dwelling at 421 Angela Street Unit A.
- 2. The structure proposed to be used on a transient basis shall comply with all applicable codes and requirements of the Building Department, Fire Department and all other regulatory agencies.



PLANNING BOARD RESOLUTION No. 2015-

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING THE TRANSFER OF TWO TRANSIENT LICENSES FROM PROPERTY LOCATED AT 1901 SOUTH ROOSEVELT BOULEVARD UNIT 404N (RE # 00064700-000328, AK # 8657072) WITHIN THE COASTAL MEDIUM DENSITY RESIDENTIAL (MDR-C) ZONING DISTRICT TO PROPERTY LOCATED AT 421 ANGELA STREET UNIT A (RE # 00012470-000000, AK # 1012840) IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE **DUVAL STREET GULFSIDE** (HRCC-1) **ZONING** DISTRICT PURSUANT TO SECTION 122-1339 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 122-1339 of the Land Development Regulations ("LDRs") of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") allows a business tax receipt (or "transient license") to be transferred from an area where transient uses are prohibited to a receiver site where transient use is permitted; and

WHEREAS, the transient use at the sender site was a legal non-conforming use and transient uses at the receiver site are permitted; and

WHEREAS, the applicant proposes a transfer of one transient license from a sender site with a total of two-bedrooms and 1,298-square-feet of floor area to a receiver site with two-bedrooms and a total of 1,271-square-feet of floor area.

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth

Page 1 of 4 Resolution No. 2015-

	Chairman
_	Planning Director

herein.

Section 2. That a transfer of two transient licenses, pursuant to Section 122-1339 of

the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida,

is hereby granted as follows: ALLOWING A TRANSFER OF ONE TRANSIENT LICENSES

FROM 1901 SOUTH ROOSEVELT BOULEVARD UNIT 404N (RE # 00064700-000328, AK

8657072) TO 421 ANGELA STREET UNIT A (RE # 00012470-000000, AK # 1012840)

SUBJECT TO THE FOLLOWING CONDITIONS:

1. All requirements of City Code Section 122-1371 shall be met for the

transient use of the residential dwelling at 421 Angela Street Unit A.

2. The structure proposed to be used on a transient basis shall comply with

all applicable codes and requirements of the Building Department, Fire Department and

all other regulatory agencies.

Section 3. Full, complete, and final application for all licenses and permits required

for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12

months after the date hereof.

Section 4. The failure to fully and completely apply the conditions of approval for

permits for use and occupancy pursuant to these variances in accordance with the terms of the

approval as described in Section 3 hereof, shall immediately operate to terminate these variances,

which variances shall be of no force or effect.

Section 5. This transfer of transient license does not constitute a finding as to

ownership or right to possession of the property, and assumes, without finding, the correctness of

applicant's assertion of legal authority respecting the property.

Page 2 of 4 Resolution No. 2015-

 Chairman
 _Planning Director

Section 6. 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.

Section 7. This Resolution is subject to appeal periods as provided by the City of

Key West Code of Ordinances (including the Land Development Regulations). After the City

appeal period has expired, this permit or development order will be rendered to the Florida

Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or

development order is not effective for forty five (45) days after it has been properly rendered to

the DEO with all exhibits and applications attached to or incorporated by reference in this

approval; that within the forty five (45) day review period, the DEO can appeal the permit or

development order to the Florida Land and Water Adjudicatory Commission; and that such an

appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Page 3 of 4 Resolution No. 2015-

_____Chairman

____Planning Director

Read and passed on first reading at a regularly scheduled meet	ing held this _	day of	
, 2015.			
Authenticated by the Chair of the Planning Board and the Planni	ing Director.		
Richard Klitenick, Chair Key West Planning Board		Date	
, , , , , , , , , , , , , , , , , , ,			
Attest:			
Thaddeus Cohen,	Date		
Planning Director			
Filed with the Clerk:			
Cheryl Smith, City Clerk		Date	
Cheryi Siniui, City Clerk		Date	
Page 4 of 4 Resolution No. 2015-			
		Chairman	

_____Planning Director



City of Key West Planning Department P. O. Box 1409, Key West, FL 33041-1409 (305) 809-3720

Application for Transfer of Transient Units and / or Licenses

Please complete this application in its entirety accompanied by a check for \$2,000.00 made out to the City of Key West. There are also separate fees of \$50.00 for Fire Department Review and Advertising and Noticing fee of \$100.00. Deliver the original and 2 signed & sealed surveys and site plans to the Planning Department at 3140 Flagler Avenue. It is suggested that a pre-application discussion be scheduled as well as an appointment to deliver the application. Due to the complexity and individuality of each transaction, the Planning Department may need additional information prior to processing.

This application is for a transaction involving a transfer from one location (sender site) to another (receiver site). If there is an additional site at either end of the transfer process, this requires another application.

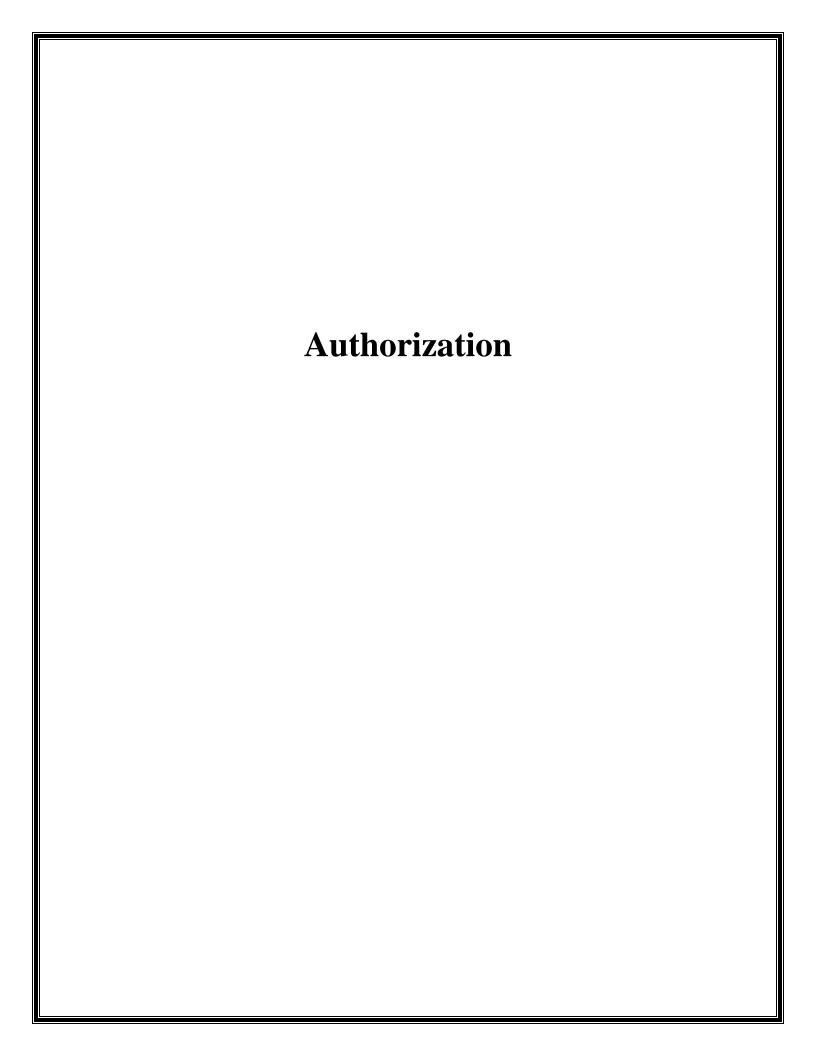
The owner(s) of both the sender site and receiver site are the applicants and must sign the application. Corporations and partnerships must sign as legally required. If another person is acting as the agent or authorized representative of the owner, supporting documentation must be provided as indicated.

The application process for a Transient Transfer is: Development Review Committee (DRC) Planning Board

A. Fill in the following information. Sender Site	Receiver Site
Address of Site ROOSEVELT #404N	Address of Site Augela St Unit A
RE# 64700-000328	RE# 12470-0000
Name(s) of Owner(s): Alfred C Jordan	Name(s) of Owner(s): Maximus Properties LLC
Suzanne M Borrell HW	<u> </u>
Name of Agent or Person to Contact:	Name of Agent or Person to Contact:
Alfred Jordan	Andy Birk!
Alfred Jordan Address: 1901 S Roosevelt Blud	Andy Birk!
Address: 1901 S Roosevelt Blud	Address: 3608 Sunvise Dr
Address: 1901 S Roosevelt Blud 21404N KW	Address: 3608 Sunvise Dv <u>Key West 74</u> Telephone 305-923-5753

K:\FORMS\Applications\Applications\Transient Unit or License Transfer App\Transfer of Transient Unit_License Application 2.doc
Page 1 of 5

For Sender Site:
"Local name" of property Zoning district
Legal description 404 N Condominium or
997-232/233 or 1562-1004/05
Current use: Resident
Number of existing transient units:
Size of site Number of existing city transient rental licenses:
What is being removed from the sender site? / Transie wil License
What are your plans for the sender site? Live there
2
For Receiver Site: "Local name" of property Arvae La Unit A Zoning district HRCC-1
Legal description 421 Angela A. KWP41 Sav 62 64-594 or 117-302 or 783-1655 D/c or 783-4941497 or 790-1083 or 867-473 or 2049-2007/12 (Res No 04-325) or 2284-541/42 or 2690-1544/4
Current use Pental
Size of site: 2113 Number of existing city transient rental licenses: 0
Number of existing transient and/or residential units:
Existing non-residential floor area 452
What will be transferred to the receiver site? Transferred Licensp
What will be transferred to the receiver site? <u>Transjent Licensp</u> What are your plans for the receiver site? <u>Vacation</u> Revolute



Maximus Real-estate LLC

727 Washington \$1

Key West, FL 33040

To whom it may concern:

Andy Birrell is hereby entitled to represent our firm to transfer a trainset license to Maximus.

Andy is a licensed real estate agent. We have been working with Andy for years.

If you have any questions please feel free to call the managing member.

We wish to thank you in advance

Warren W Dedrick Managing Member 518 791 0049

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, Warren Dedrick Please Print Name of person with authority to execute documents on behalf of entity as
Managing member of Maximus Properties LL C Name of office (President, Managing Member) Name of owner from deed Andy Birrell Please Print Name of Representative
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 of person with authority to execute documents on behalf on entity owner
Subscribed and sworn to (or affirmed) before me on this
He/She is personally known to me or has presented as identification.
Notary's Signature and Seal Velma Lee Christian Notary Public - State of Florida My Comm. Expires Oct 15, 2016 Commission # EE 843785 Bonded Through National Notary Assn.
Commission Number, if any

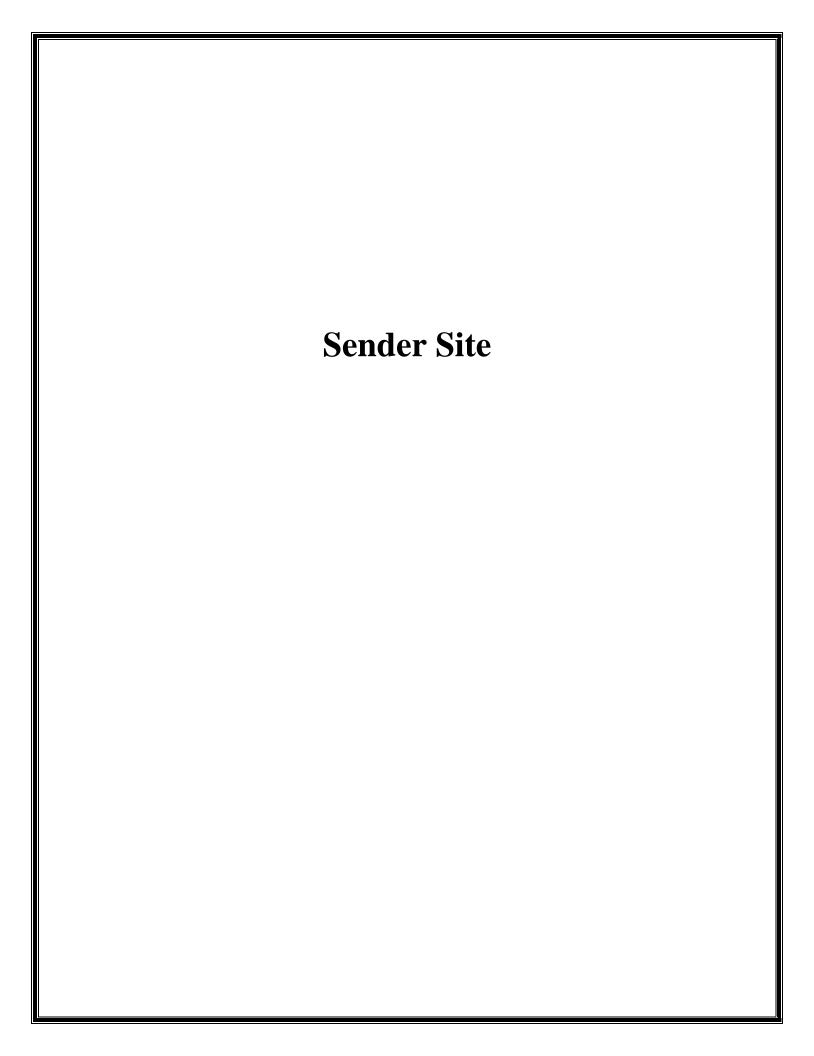
City of Key West Planning Department



Authorization Form (Individual or Joint Owner)

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

I, Altred C Jordan + Susanse M Bore / Hw authorize Please Print Name(s) of Owner(s) as appears on the deed
Andy Birrell Please Print Name of Representative
to be the representative for this application and act on my/our behalf before the City of Key West.
Alfred andan Juganie M. Barrell
Signature of Owner Signature of Joint/Co-owner if applicable
Subscribed and sworn to (or affirmed) before me on this August 31. 2015
Date
by ALFRED C. JORDAN AND SUZANNE M. BORRELL Name of Owner
Thank by Owner
He/She is personally known to me or has presented FL DRIVER'S LICEUSES as identification.
Notary's Signature and Seal Notary's Signature and Seal DEBORAH A. CONDELLA Notary Public - State of Florida My Comm. Expires Mar 20, 2018 Commission # FF 104651 Bonded Through National Notary Assn. Name of Acknowledger typed, printed or stamped
Commission Number, if any



CITY OF KEY WEST, FLORIDA

Regulatory Permit / License

TRANSIENT LICENSE City of Key West

Post Office Box 1409, Key West, FL 33041 (305) 809-3955

Business Name

JORDON, AL & BORRELL, SUZ (TR) CtlNbr:0017433

Location Addr

1901 S ROOSEVELT BLVD N404

Lic NBR/Class

15-00021352 TRANSIENT RENTAL UNIT (MEDALLION)

Issue Date:

August 22, 2014 Expiration Date: September 30, 2015

License Fee

\$125.00

Add. Charges

\$125.00

Penalty

\$0.00

Total

\$125.00

Type: OC Drawer: Receipt no: 385

Comments: ONE TRANSIENT UNIT

LTE OCCUPATIONAL RENEWAL

\$125.00 3017544

MEDALLION 724

This document must be prominently the prayed. 2181 JORDON, AL

JORDON, AL & BORRELL, SUZ (TR)

1901 S ROOSEVELT N404

KEY WEST FL 33040

Trans date: 8/26/14

Sender Site: Current Owner Information

FOR INDIVIDUALS	
1. NAME	2. NAMESUZGNAL BOTTE
ADDRESS 404 A Laborsa	ADDRESS 404 N Labrisa
TELEPHONE(1) 305-517-60-13	TELEPHONE(1)
(2)	(2)
FAX	FAX
FOR CORPORATIONS	
A.CORPORATE NAME	
B. STATE/COUNTRY OF INCORPORAT	TION
C. REGISTERED TO DO BUSINESS IN	THE STATE OF FLORIDAYESNO
D. NAMES OF OFFICERS AND DESIGN	NATIONS
FOR PARTNERSHIPS	
A. NAME OF PARTNERSHIP:	
B. STATE OF REGISTRATION:	
C. GENERAL PARTNER WITH AUTHO	RITY TO BIND PARTNERSHIP:
FOR CORPORATIONS AND PARTNER NAME AND ADDRESS OF PERSON "IN	
TELEPHONE(S)	FAX

Addendum to Contract	D 40 - 15 -
Addendum No. 1 to the Contract dated 8/9/15 Susanne M Borell H/W Alfred C Jordan	hetura
and Maximus Properties LLC	(Seller)
concerning the property described as:	(-5)01)
1 Transiet Licence from 404 1901	S Roosevelt B
(the "Contract"). Buyer and Seller make the following terms and conditions part of the Contract:	April 1987 - 13 - Statement Schooling Paracology - 1987
Buyer and Seller agree to extend C	Closing
date to august 31st 2015.	

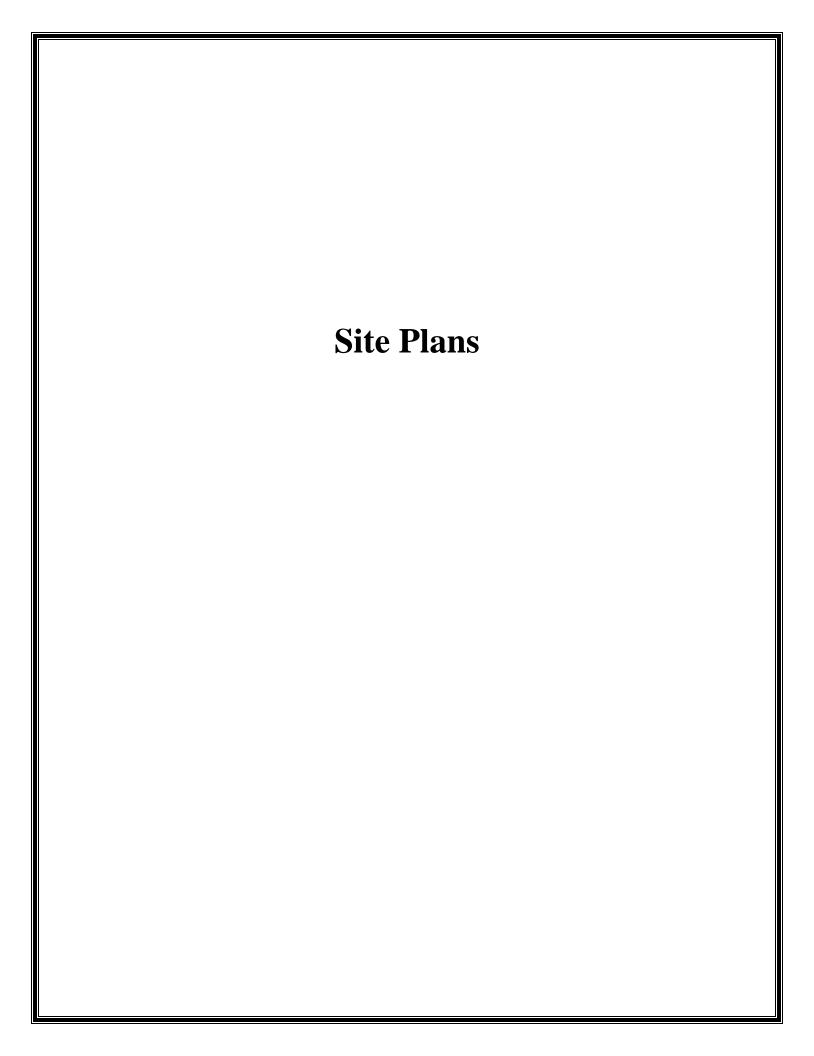
dist			1	
Date 8/10/15	Buyer:	6		mars, of member
Date	Buyer.			
Date:	Seller:			
Data:	Seller:			The second secon
				The state of the s

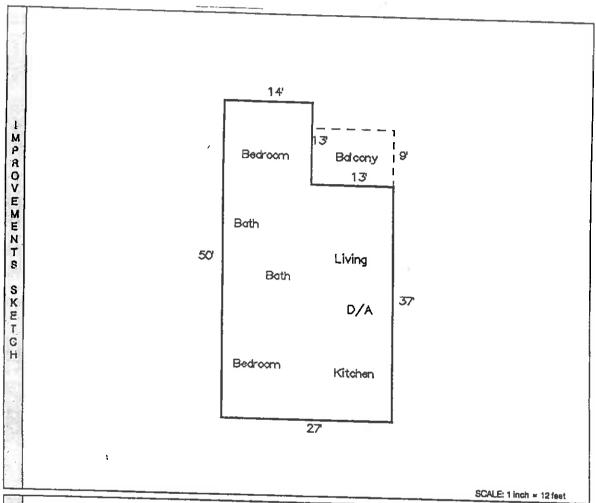
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ACS II-In Roy, 8/04 (MBM / Lords Assertation of REALTORS ^{R)} All Rights Reserved









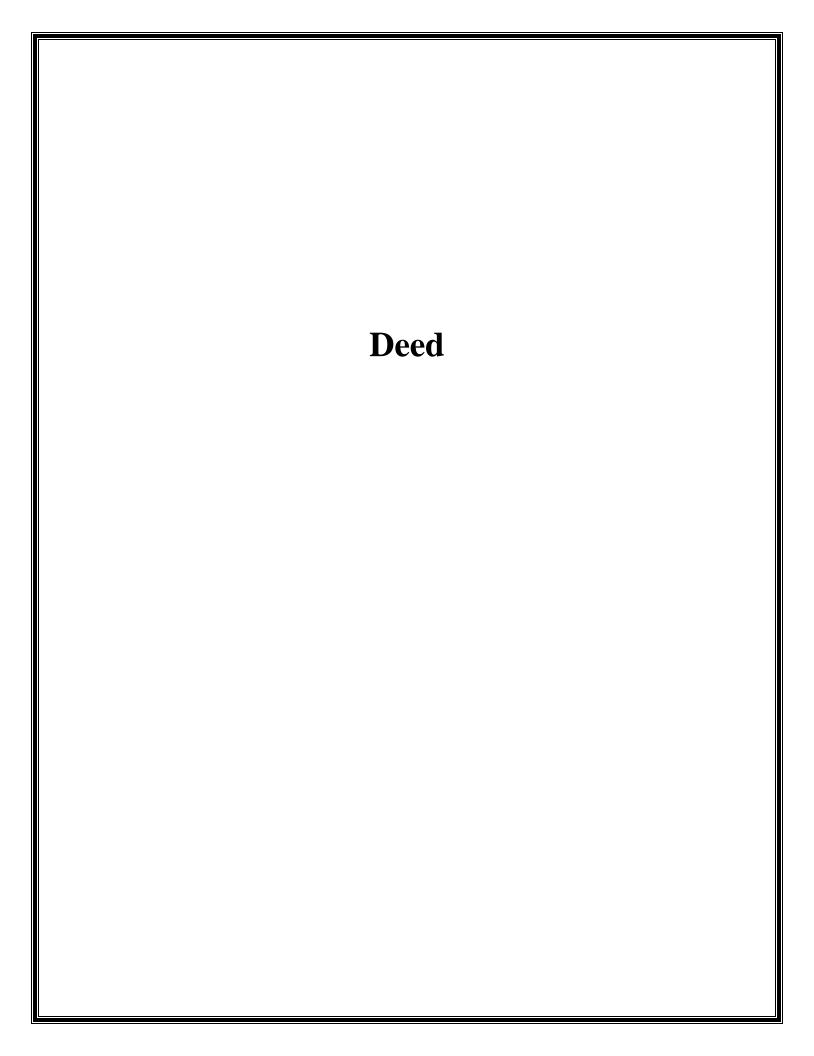
APEX SOFTWARE, INC. 1 (210) 890-6666

	AREA CALCULATIONS SUMMARY					
A	Area	Name of Area	Size	Totals		
A R E A	GLA1 POR	First Floor Balcony	1181.00 117.00	1181.00 117.00		
54 18 1 14 T 10 V 5						
	TOTAL	. LIVABLE (rou	nded)	1181		

APPRAISERS OF THE KEYS, INC.

LIVING	AREA (ALCU	LATIONS
Bro	akdown		Subtotals
14.00		2.00 2.00	700.00 481.00
			1181

APEX II Form 2738



This Warranty Deed

Made this by Lawrence B. Matisoff and Melissa F. Matisoff, his wife and Robert D. Osborne, Jr. and Jean M. Osborne, his wife and Kenneth W. Robertson, Jr., a single man hereinafter called the grantor, to

Alfred C. Jordan and Suzanne M. Borrell, husband and wife

MONROE COUNTY OFFICIAL RECORDS

whose post office address is: 1901 S. Rossevelt Blvd, Key West, Florida 33040 Grantees' Tax Id # :191-36-6445 hereinafter called the grantee:

FILE #1110162 BK#1562 PG#1004

RCD Feb 25 1999 09:49AM DANNY L KOLHAGE, CLERK

(Whenever used herein the term "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)

Witnesseth, that the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in County, Florida, viz:

See Schedule A attached hereto and by this reference made a part

SUBJECT TO Covenants, restrictions, easements of record and taxes for

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel Identification Number: 8657072

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, 19 1998

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Schedule A

Apartment 404, of LA BRISA NORTH, a condominium, according to the Declaration of Condominium, dated August 1, 1983, recorded in Official Records Book 887, at page 1653, of the Public Records of Monroe County, Florida; together with all of its appurtances according to the Declaration: SUBJECT, however, to all of the restrictions, limitations and easements of record(without reimposing the same by this recitation); taxes for the current and subsequent years; zoning and other applicable governmental regulations; easements, roads, streets and ways, heretofore dedicated and those herein or in the Declaration granted or reserved in connection with the development of this Condominium and adjoining other lands described in the Declaration as Common Area; and the Grantee assumes and agrees to observe and perform his obligations under the Declaration, including but not limited to the payment of assessments for the maintenance and operation of the apriment and condominium.

FILE #1110162 BK#1562 PG#1005

MONROE COUNTY OFFICIAL RECORDS

NOTE

September 23, 2003 [Date]

Key West [City] Florida [State]

1901 South Roosevelt Boulevard 404 North
Key West, FL 33040
[Property Address]

1. BORROWER'S PROMISE TO PAY

In return for a loan that I have received, I promise to pay U.S. \$ 169,000.00 (this amount is called "Principal"), plus interest, to the order of the Lender. The Lender is Washington Mutual Bank, FA

I will make all payments under this Note in the form of cash, check or money order.

I understand that the Lender may transfer this Note. The Lender or anyone who takes this Note by transfer and who is entitled to receive payments under this Note is called the "Note Holder."

2. INTEREST

Interest will be charged on unpaid principal until the full amount of Principal has been paid. I will pay interest at a yearly rate of 5.375 %.

The interest rate required by this Section 2 is the rate I will pay both before and after any default described in Section 6(B) of this Note.

3. PAYMENTS

(A) Time and Place of Payments

I will pay principal and interest by making a payment every month.

I will make my monthly payment on the 1st day of each month beginning on November 1, 2003 I will make these payments every month until I have paid all of the principal and interest and any other charges described below that I may owe under this Note. Each monthly payment will be applied as of its scheduled due date and will be applied to interest before Principal. If, on October 1, 2033, I still owe amounts under this Note, I will pay those amounts in full on that date, which is called the "Maturity Date."

I will make my monthly payments at 9451 Corbin Ave., Northridge, California 91324

or at a different place if required by the Note Holder.

(B) Amount of Monthly Payments

My monthly payment will be in the amount of U.S. \$ 946.35

4. BORROWER'S RIGHT TO PREPAY

I have the right to make payments of Principal at any time before they are due. A payment of Principal only is known as a "Prepayment." When I make a Prepayment, I will tell the Note Holder in writing that I am doing so. I may not designate a payment as a Prepayment if I have not made all the monthly payments due under the Note.

I may make a full Prepayment or partial Prepayments without paying a Prepayment charge. The Note Holder will use my Prepayments to reduce the amount of Principal that I owe under this Note. However, the Note Holder may apply my Prepayment to the accrued and unpaid interest on the Prepayment amount, before applying my Prepayment to reduce the Principal amount of the Note. If I make a partial Prepayment, there will be no changes in the due date or in the amount of my monthly payment unless the Note Holder agrees in writing to those changes.

0048679856

FLORIDA FIXED RATE NOTE-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

P5N(FL) (0106)

VMP MORTGAGE FORMS - (800)521-7291

Page 1 of 3

Initials:

Form 3210 1/01

5. LOAN CHARGES

If a law, which applies to this loan and which sets maximum loan charges, is finally interpreted so that the interest or other loan charges collected or to be collected in connection with this loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from me which exceeded permitted limits will be refunded to me. The Note Holder may choose to make this refund by reducing the Principal I owe under this Note or by making a direct payment to me. If a refund reduces Principal, the reduction will be treated as a partial Prepayment.

6. BORROWER'S FAILURE TO PAY AS REQUIRED

(A) Late Charge for Overdue Payments

If the Note Holder has not received the full amount of any monthly payment by the end of calendar days after the date it is due, I will pay a late charge to the Note Holder. The amount of the charge will be 5.000 % of my overdue payment of principal and interest. I will pay this late charge promptly but only once on each late payment.

(B) Default

If I do not pay the full amount of each monthly payment on the date it is due, I will be in default,

(C) Notice of Default

If I am in default, the Note Holder may send me a written notice telling me that if I do not pay the overdue amount by a certain date, the Note Holder may require me to pay immediately the full amount of Principal which has not been paid and all the interest that I owe on that amount. That date must be at least 30 days after the date on which the notice is mailed to me or delivered by other means.

(D) No Waiver By Note Holder

Even if, at a time when I am in default, the Note Holder does not require me to pay immediately in full as described above, the Note Holder will still have the right to do so if I am in default at a later time.

(E) Payment of Note Holder's Costs and Expenses

If the Note Holder has required me to pay immediately in full as described above, the Note Holder will have the right to be paid back by me for all of its costs and expenses in enforcing this Note to the extent not prohibited by applicable law. Those expenses include, for example, reasonable attorneys' fees.

7. GIVING OF NOTICES

Unless applicable law requires a different method, any notice that must be given to me under this Note will be given by delivering it or by mailing it by first class mail to me at the Property Address above or at a different address if I give the Note Holder a notice of my different address.

Any notice that must be given to the Note Holder under this Note will be given by delivering it or by mailing it by first class mail to the Note Holder at the address stated in Section 3(A) above or at a different address if I am given a notice of that different address.

8. OBLIGATIONS OF PERSONS UNDER THIS NOTE

If more than one person signs this Note, each person is fully and personally obligated to keep all of the promises made in this Note, including the promise to pay the full amount owed. Any person who is a guarantor, surety or endorser of this Note is also obligated to do these things. Any person who takes over these obligations, including the obligations of a guarantor, surety or endorser of this Note, is also obligated to keep all of the promises made in this Note. The Note Holder may enforce its rights under this Note against each person individually or against all of us together. This means that any one of us may be required to pay all of the amounts owed under this Note.

9. WAIVERS

I and any other person who has obligations under this Note waive the rights of Presentment and Notice of Dishonor. "Presentment" means the right to require the Note Holder to demand payment of amounts due. "Notice of Dishonor" means the right to require the Note Holder to give notice to other persons that amounts due have not been paid.

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10. UNIFORM SECURED NOTE

This Note is a uniform instrument with limited variations in some jurisdictions. In addition to the protections given to the Note Holder under this Note, a Mortgage, Deed of Trust, or Security Deed (the "Security Instrument"), dated the same date as this Note, protects the Note Holder from possible losses which might result if I do not keep the promises which I make in this Note. That Security Instrument describes how and under what conditions I may be required to make immediate payment in full of all amounts I owe under this Note. Some of those conditions are described as follows:

If all or any part of the Property or any Interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

11. DOCUMENTARY TAX

The state documentary tax due on this Note has been paid on the mortgage securing this indebtedness.

WITNESS THE HAND(S) AND SEAL(S) OF THE UNDERSIGNED

Alfred C Jordan	(Seal) -Borrower	Suzanne M Borrell	(Seal) -Borrower
	(Seal) -Вотоwer		(Seal) -Borrower
	(Seal) -Воггоwer		(Seal) -Borrower
	(Seal)		(Seal) -Borrower

[Sign Original Only]

887 PAGE 1692

LA BRISA NORTH

EXHIBIT "3" TO THE

DECLARATION OF CONDOMINIUM OF

LA BRISA NORTH A CONDOMINIUM



PLOT PLAN, SURVEY AND

-40

SHEET I, OF 19

CARR SMITH AND ASSOCIATES INC.



J23 ALMERIA AVENUE, CORAL GABLES, FLORIDA 33134/305-442-0035

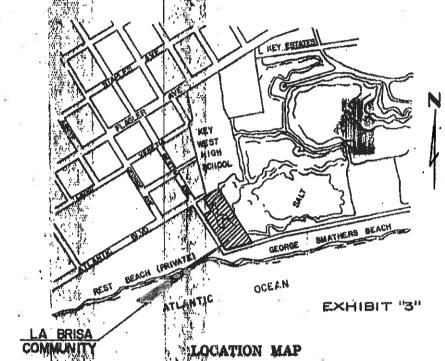
A CONDOMINIUM

A WOMEN TO STREET THE

887 PACE 1693

PLOT PLAN, SURVEY AND GRAPHIC DESCRIPTIONS

A PORTION OF "AUDITORIUM TRACT"
PLAT BOOK 1, PAGE 192
MONROE COUNTY, FLORIDA



SCALE: I" = 1000'

-41-



SHEET 2 OF 19

CARR SMITH AND ASSOCIATES INC



123 ALMERIA AVENUE. CORAL GABLES. FLORIDA 33134/305-442-0035

STATES !

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LA BRISA NORTH

LEGEND FOR GRAPHIC DESCRIPTION

Overall property boundary line

Condominium boundary line

Unit baundary

Building limits of per floor

Roof Line

Limited common elements

Indicates elevation at that certain point (See elevation schedule for vertical boundaries)

NOTE:

This condominium includes all of the fee title to the lands described on Sheet 12 as "Legal Description North Building" and a 32/136th interest, as co-tenant, in the fee title to the lands described on Sheets 16-18 as "Legal Description Common Area."

Note: The common elements is that portion of the condominium property not included in the units, unless noted otherwise.

EXHIBIT "3"

-42-

SHEET 3 OF 19

CARR SMITH AND ASSOCIATES INC

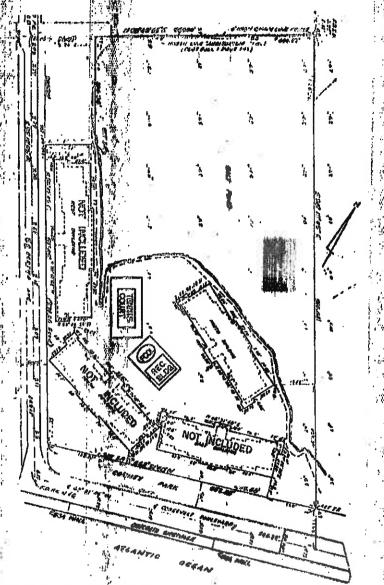


123 ALMERIA AVENUE, CORAL GABLES, FLORIDA 33134/305-442-0035

887 PAGE 1695

LA BRISA NORTH

A CONDOMINIUM



PLOT PLAN, SURVEY AND GRAPHIC DESCRIPTION

NOTE: Open parking areas and upense not shown, but will be "as built" and "as relocated" from time to time by the Developer or the Association according to the Declaration.



EXHIBIT "3

SHEET 4 OF IS



23 ALMERIA AVENUE, CORAL GABLES, FLORIDA 33134/305-442-0035

Mary No. 18 Comment \$\\ 887 PAGE 1696 PRISA NORTH CONDOMINIUM NORTH BLDG. FLOOR PLAN N 21°46'55"W 47.00 STORE EXHIBIT! "3" 47.00 N 21°46'55"E 26.00" SHEET 5 OF 19 123 ALMERIA AVENUE, CORAL GABLES, FLORIDA 33134/305-442-0035

887 PAGE 1697 BRISA NORTH NDOMINIUM NORTH BLDG. SECOND FLOOR PLAN N 21*46'85"W 47.00 BUILDING BOUNDARY AS PER LEGAL DESCRIPTION 44.19 43.01 43.03 APT. 105 STORE 44.26 # 2P46'35"€ N 21°46'55 E 26.00' SCALE I = 30 (-45-SHEET 6 OF 19 CARR SMITH AND ASSOCIATES 123 ALMERIA AVENUE. CORAL GABLES. FLORIDA 33134/305-442-0035 CHINTITY OF WATHING, TYPING OR PRINTING WAS

HIGHT OF WRITING, TYPING, OR PRINTING WAS ARREACTORY ON THIS DOCUMENT WHEN RECEIVED

1 776

#E 887 PAGE 1700 BRISA NORTH CNDOMINIUM NORTH BLDG. FIFTH FLOOR PLAN N 21*46'65" W BUILDING BOUNDARY AS PER LEGAL DESCRIPTION N 68*13'05" E 33.00' NOTE: EXHIBIT 8.001 SHEET 9 OF 19 SCALE I" = 30 (_{~48}_ CARR SMITH AND ASSOCIATES, INC ARCHITE TO LEANNERS 123 ALMERIA AVENUE. CORAL GABLES. FLORIDA 33134/305-442-0035 LA BRISA NORTH CONDOMINIUM SECTION NOTE: Elevations based on N.G.V.D. (1929) Datum FLORIDA 33134/305-442-0035

REGISTRATION OF WRITING, THINKS, CA PRINTING SECTIVED NICHTED WHEN RECEIVED

LA BRISA NORTH

LEGAL DESCRIPTION TOTAL PARCEL

A parcel of land in the "Auditorium Tract" on the Island of Key West, Honroe County, Florida, and being recorded in Plate Book 1. page 192, of the Public Records of Honroe County, Florida, and being more particularly described as follows:

Commonce at the intersection of the northwesterly boundary. Jine of said Auditorium Tract and the northeasterly boundary. Jine of Bertha Street; thence N53°45'55"Eyalong the north line of said "Auditorium Tract" for 96.71 feet to the Point of Beginning; thence tontinue N53°45'55"E ling said north line for 420.29 feat: thence S36°13'05"E for 916.48 feet to the northerly line of a Monroe County Park, said line being 50 feet north of and parallel to the northerly line of Rbosevelt Boulevard for 542.88 feet to a point on the northeasterly Right-of-May line of Bertha Street; thence N36°13'05"W along the northeasterly Right-of-May line of Bertha Street for 571.45 feet; thence N53°45'55"E for 96.71 feet; thence N36°13'05"N for 206.70 feet; to the Point of Beginning; containing 9.76 Acres more on less.

NOTE:

This description covers all of the lands described in the Declaration as the LA BRISA COMMUNITY. Only specified portions and specified fractional interests in other portions of the Community lands are dedicated to condominium form of ownership by the Declaration.



SHEET II OF 19

CARRISMITH AND ASSOCIATES INC



123 Almeria Avenue, coral gables. Florida 33134/305-442-0035

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a Company

WEE 887 PAGE 1703

LA BRISA NORTH

A CONDOMINIUM

EGAL DESCRIPTION

MORTH BUILDING

A parcel of land in the "Auditorium Tract" on the Island of Key West, Monroe County, Florida, and being recorded in Plat Book ... page 192, of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Commence at the intersection of the northwesterly boundary line of said Auditorium Tract and the northeasterly boundary line of Bertha Street thence N53°45'55"E along the north line of said "Auditorium Tract" for 96.71 felicithence continue N53°45'55"E along said north line for the continue N53°45'55"E along said north line for 1420.29 feet; thence S36°13'05"E for 677.09 feet; thence S3146'55"W for 78.25 foet to the Point of Beginning; thence S1146'55"W for 47.00 feet; thence S68°13'05"E for 8.00 feet; thence N68°13'05"W for 26.00 feet; thence N68°13'05"W for 12.00 feet; thence N21°46'55"E for 10.00 feet; thence N68°13'05"W for 96.50 feet; thence S21°46'55"W for 10.00 feet; thence N68°13'05"W for 33,00 feet; thence S1°46'55"E for 10.00 feet; thence N68°13'05"W for 96.50 thence S21°46'55"W for 5.00 feet; thence N68°13'05"W for 96.50 thence S21°46'55"W for 5.00 feet; thence N68°13'05"E for 47.00 feet; thence S68°13'05"E for 88.00 feet; thence S68°13'05"E for 58.00 feet to the Point of Regioning:

Containing 0.39 Acresimore or less.

NOTE

All of these lands are dedicated to condominium form of ownership by the Declaration.



SHEET 12 OF 19

CARR SMITH AND ASSOCIATED INC



123 ALMERIA AVENUE, CORAL GABLES, FLORIDA 33134/305-442-0035

LA BRISA NORTH

A CONDOMINIUM

LEGAL DESCRIPTION

EXISTING EAST BUILDING

A parcel of land in the "Auditorium Tract" on the Island of Rey West, Monroe County, Florida, and being recorded in Plat Rook 1, page 192, of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Commence at the intersection of the northwesterly boundary line of said Auditorium Tract and the northwesterly boundary line of Bertha Street: thence N53*45'55" Ellang the north line of said "Auditorium Tract" for 96.71 thet; thence continue N53*45'55" along said north line of the said "Auditorium Tract" for 96.71 thet; thence continue N53*45'55" along said north line of the said thence S36*13'05" for 916.48 feet to the martherly line of a Monroe County Park; thence S68*31'40" wark; thence S68*31'40" wark; thence County Park, said in being 50 feet north of and parallel to the northerly line of Ropsevelt Boulevard for 99.00 feet; thence N21*28'20" w for 39.00 feet to the Point of Beginning; thence S68*31'40" w for S8.00 feet; thence S68*31'40" w for S8.00 feet; thence N21*28'20" w for 5.00 feet; thence S68*31'40" w for 88.00 feet; thence N21*28'20" w for 5.00 feet; thence S68*31'40" w for 88.00 feet; thence N21*28'20" w for 96.50 feet; thence S68*31'40" w for 88.00 feet; thence N21*28'20" w for 10.00 feet; thence S68*31'40" for 10.00 feet; thence S68*31'40" for 10.00 feet; thence N68*31'40" for 10.00 feet; thenc

Containing 0.39 Acres more or less.

Note: No part of these lands are dedicated to condominium form of ownership by the Decleration. These lands are excluded.



SHEET 13 OF 19

CARR SMITH AND ASSOCIATES INC



123 ALMERIA AVENUE, CORAL GABLES. FLORIDA 33134/305-442-0035

LA BRISA NORTH

PROPOSED WEST BUILDING

A parcel of land in the "Auditorium Tract" on the Island of Key West, Monroe County, Florida, and being recorded in Plot Book 1, page 192, of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Commence at the intersection of the northwesterly boundary line of said Auditorium Tract and the nontheasterly boundary line of Bertha Street; thence N53°45'55"R Jajong the north said "Auditorium Tract" for 96.71 Jefeet; thence S53'14'55"E for 96.71 thence S53'14'55"E for 96.71 thence S53'14'55"E for 96.71 thence S36°13'05"E along the easterly Right-of-Way of said Bertha Street; for 29.00 feet; thence N53°46'55"E for 12.00 feet to the Ppint of Beginning; thence N53°46'55"E for 12.00 feet; thence S36°13'05"E for 7.00 feet; thence N53°46'55"E for 26.00 feet; thence S36°13'05"E for 89.00 feet; thence N53°46'55"E for 14.00 feet; thence S36°13'05"E for 14.00 feet; thence S36°13'05"E for 14.00 feet; thence S36°13'05"E for 14.00 feet; thence S53'46'55"M for 44.00 feet; thence S36°13'05"E for 14.00 feet; thence S53'46'55"M for 44.00 feet; thence S53'46'55"M for 26.00 feet; thence N36°13'05"E for 13.00 feet; thence S53'46'55"M for 26.00 feet; thence N36'13'05"E for 300 feet; thence S53'46'55"M for 26.00 feet; thence N36'13'05"E for 300 feet; thence S55'46'55"M for 26.00 feet; thence N36'13'05"E for 300 feet; thence S55'46'55"M for 26.00 feet; thence N36'13'05"E for 300 feet to the Point of Reginning;

Containing 0.4907 Acres more or less.

NOTE:

No part of these lands are dedicated to condominium form of ownership by the Declaration. These lands are excluded.

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SHEET 14 OF 19

CARR SMITH AND ASSOCIATES INC



123 ALMERIA AVENUE. CORAL GABLES, FLORIDA 33134/305-442-0035

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PROPOSED SOUTH BUILDING

A parcel of land in the "Auditorium Tract" on the Island of Key West, Monroe County, Florida, and being recorded in Plat Book 1, page 192 of the Public Records of Monroe County, Florida, and being more particularly described as follows:

Commence at the intersection of the northwesterly boundary line of said Auditorium Tract and the northeasterly boundary line of Bertha Street; thence N53*45*55*E along the north line of said "Auditorium Tract" for 96.71 tert; thence continue N53*45*55*E along said north line for 428.29 feet; thence S36*13*05*E for 916.48 feet to the northerly line of a Monroe County Park; thence S68*31*40**W a line being 50 feet north of and parallel to the northerly line of Roosevelt Boulevard for 389.57 feet; thence N21*28*20**W for 23.47 feet to the Point of Reginning; thence N76*12*00**W for 389.00 feet; thence N76*12*00**W for 5.00 feet; thence N76*12*00**W for 88.00 feet; thence N13*48*00**E for 5.00; thence N76*12*00**W for 88.00 feet; thence N13*48*00**E for 47.00 feet; thence S13*48*00**W for 5.00 feet; thence S76*12*00**E for 26.00 feet; thence S76*12*00**E for 12.00 feet; thence S13*48*00**E for 10.00 feet; thence S76*12*00**E for 33.00 feet; thence S76*12*00**E for 10.00 feet; thence S13*48*00**E for 10.00 feet; thence S13*48*00**W for 10.00 feet; thence S13*48*00**W for 10.00 feet; thence S13*48*00**W for 26.00 feet; thence S13*48*00**W for 8.00 feet; thence S13*48*00**W for 26.00 feet; thence S13*48*00**W for 8.00 feet; thence S13*48*00**W for 26.00 feet; thence S13*48*00**W for 8.00 feet; thence S13*48*00**W for 26.00 feet; thence S13*48*00**W for 26.00 feet; thence S13*48*00**W for 8.00 feet; thence S13*48*00**W for 47.00 feet; to the Point of Beginning;

Containing 0.39 Acres more or less.

NOTE:

No part of these lands are dedicated to condominium form of ownership by the Declaration. These lands are excluded.

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SHEET IS OF 19

CARR SMITH AND ASSOCIATES INC



123 ALMERIA AVENUE. CORAL GABLES. FLORIDA 33134/305-442-0035

LA BRISA NORTH

LEGAL DESCRIPTION
COMMON AREA
(PAGE | OF 3)

A parcel of land in the "Auditorium Tract" on the Island of Key West, Monroe County, Florida, and being recorded in Plat Book 1, page 192, of the Public Records of Monroe County, Florida, and being many particularly described as follows:

Commence at the intersection of the northwesterly boundary line of said Auditonium Tract and the northeasterly boundary line of Bertha Street: thence N53°45'55"E along the north line of said "Auditorium Tract for 96.71 feet to the Point of Beginning: thence Scontinue N53°45'55"E along said north line for 428.29 feet; thence S36°13'05"E along said north line for 428.29 feet; thence S36°13'05"E for 916.48 feet to the northerly line of a Monroe County Park; thance S68°31'40"W along the said northerly line of Monroe County Park, said line begin 50 feet north of and parallel to the northerly line of Roosevelt Boulevard for 542 88 feet to a point on the northeasterly Right-of-Way line of Beginning the northeasterly Right-of-Way line of Beginning; Less: commence at the intersection of the northwesterly

Less: commence at the intersection of the northwesterly boundary line of said Auditorium Tract and the northwesterly boundary line of Bertha Street; thence N53*45'55"E along the north line of said "Auditorium Tract" for 96.71 feet; thence continue N53*45'55"E along said north line for 428.29 feet; thence S36*13'05"E for 677.09 feet; thence S53*46'55"W for 78.25 feet to the Point of Beginning; thence S21*46'55"W for 26.00 feet; thence N68*13'05"M for 12.00 feet; thence N68*13'05"M for 12.00 feet; thence N21*46'55"E for 5.00 feet; thence N68*13'05"W for 10.00 feet; thence N68*13'05"W for 33.00 feet; thence N21*46'55"E for 10.00 feet; thence N68*13'05"W for 5.00 feet; thence N68*13'05"W for 33.00 feet; thence S21*46'55"E for 10.00 feet; thence N68*13'05"W for 5.00 feet; thence N68*13'05"W for 5.00 feet; thence N68*13'05"W for 5.00 feet; thence S68*13'05"E for 88.00 feet; thence S21*46'55"E for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence N21*46'55"E for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence S68*13'05"E for 58.00 feet; thence S21*46'55"W for 5.00 feet; thence S68*13'05"E for 58.00 feet to the Point of Beginning.

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SHEET 16 OF 19

CARR SMITH AND ASSOCIATES INC



123 ALMERIA AVENUE, CORAL GABLES, FLORIDA 33134/305-442-0035

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A CONDOMINIUM

LEGAL DESCRIPTION COMMON AREA (FAGE 2 OF 3)

Less commence at the intersection of the northwesterly houndary line of said Auditorium Tract and the northesterly boundary line of Bertha Street; thence M53°45'55"E along the north line of said "Auditorium Tract" for 96.71 feet; thence M53°45'55"E along said north line for 428.29 feet; thence S36°13'05'E for 916.40 feet to the northerly line of a Monroe County Park; thence S68°31'40"W along the said northerly line of an Nonroe County Park, said line being 50 feet north of an parallel to the northerly line of Roosevelt Boulevord for 389.57 feet; thence N21'28'20"W for 23.47 feet to the Point of Beginning; thence N76'12'00"W for 380.00 feet; thence N76'12'00"W for 5.00 feet; thence N76'12'00"W for 5.00 feet; thence N13'48'00"E for 47.00 feet; thence N76'12'00"W for 8.00 feet; thence N13'48'00"E for 26.60 feet; thence S76'12'00"E for 12.00 feet; thence S13'48'00"W for 5.00 feet; thence S76'12'00"E for 26.00 feet; thence S76'12'00"E for 10.00 feet; thence S76'12'00"E for 33.00 feet; thence S76'12'00"E for 10.00 feet; thence S76'12'00"E for 33.00 feet; thence S13'48'00"E for 10.00 feet; thence S76'12'00"E for 33.00 feet; thence S13'48'00"E for 12.00 feet; thence S76'12'00"E for 26.00 feet; thence S76'12'00"E for 33.00 feet; thence S13'48'00"E for 5.00 feet; thence S76'12'00"E for 5.00 feet; thence S76'12'00"W for 8.00 feet; thence S76'12'00"W for 47.00 feet; to the Point of Beginning;

Loss: commence at the intersection of the northwesterly boundary line of said Auditorium Tract and the northeasterly poundary line of Bertha Street; thence N53*45'55"E along the north line of said "Auditorium Tract" for 96.71 feet; thence continue N53*45'55"E along said north line for 428.29 feet; thence S36*13'05"E for 916.48 feet to the northerly line of a Monroe County Park; thence S68*31'40"W along the said northerly line of a Monroe County Park, said line being 50 feet north of and parallel to the northerly line of Ropsevelt Boulevard for 99.00 feet; thence N21*28'20"W for 39.00 feet to the Roint of Beginning; thence S68*31'40"W for 88.00 feet; thence \$21*28'20"E for 5.00 feet; thence \$568*31'40"W for \$8.00 feet; thence N21*28'20"W for 5.00 feet; thence N21*28'20"W for 5.00 feet; thence N21*28'20"W for 68.00 feet; thence N21*28'20"W for 68.00 feet; thence N21*28'20"W for 26.00 feet; thence N68*31'40"E for 12.00 feet; thence S21*28'20"E for 5.00 feet; thence N68*31'40"E for 10.00 feet; thence N88*31'40"E for 10.00 feet; thence N88*31'40"E for 30.00 feet; thence N21*28'20"W for 10.00 feet; thence N68*31'40"E for 96.50 feet; thence N21*28'20"W for 10.00 feet; thence N68*31'40"E for 96.50 feet; thence N21*28'20"W for 10.00 feet; thence N21*28'20"W for 5.00 feet; thence N21*28'

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CARR SMITH AND ASSOCIATES INC.



123 ALMERIA AVENUE. CORAL GABLES, FLORIDA 33134/305-442-0035

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LA BRISA NORTH

LEGAL DESCRIPTION COMMON AREA (PAGE 3 OF 3)

thence S21°28'20'E for 26.00 feet; thence S68°31'40"W for 8.00 feet; thence S21'28'20"E for 47.00 feet to the Point Beginning.

Less; commence at the intersection of the northwesterly boundary line of said Auditorium Tract and the northwasterly boundary line of Bertha Street; thence N53°45'55"E along the north line of said "Auditorium Tract" for 96.71 feet; thence S36'13'05"E for 205.70 feet; thence S53°45'55"E for 96.71 feet; thence S36'13'05"E along the easterly Right-of-Way of said Bertha Street; thence S36'13'05"E along the easterly Right-of-Way of said Bertha Street for 29:00 feet; thence N53'46'65"E for 17.00 feet; thence S36'13'05"E for 7.00 feet; thence S36'13'05"E for 26.00 feet; thence S36'13'05"E for 7.00 feet; thence S36'13'05"E for 144.00 feet; thence S36'13'05"E for 89.00 feet; thence S53°46'55"W for 5.00 feet; thence S36'13'05"E for 7.00 feet; thence S36'13'05"E for 144.00 feet; thence S53°46'55"W for 26.00 feet; thence S53'46'55"W for 26.00 feet; thence S36'13'05"E for 7.00 feet; thence S53'46'55"W for 26.00 feet; thence N36'13'05"E for 7.00 feet; thence S53'46'55"W for 26.00 feet; thence N36'13'05"E for 7.00 feet; thence S53'46'55"W for 26.00 feet; thence N36'13'05"E for 7.00 feet; thence S53'46'55"W for 26.00 feet; thence N36'13'05"E for 7.00 feet; thence S53'46'55"W for 26.00 feet; thence N36'13'05"W for 306.00 feet to the Point of Raginaling:

Containing 8.10 Agres more or less:

NOTE

A 32/136th interest, as co-tenant, in this Common Area is dedicated to condominium form of ownership by the Daclaration.





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CARR SMITH AND ASSOCIATES, INC



123 ALMERIA AVENUE. CORAL GABLES, FLORIDA 33134/305-442-0035

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A BRISA NORTH

CONDOMINIUM

SURVEYOR'S CERTIFICATE

THIS CERTIFICATION made this 29th day of the undersigned registered land surveyor authorized to practice in the State of Florida, is made pursuant to the provisions of Section 718.04 (4)(E) of the Florida Statutes effective: January 1, 1977, as amended, and certifies that the survey and plot plan, description, floor plans, graphic descriptions and other material, together with this declaration are in sufficient detail to identify the common elements and each unit. and their relative locations and approximate dimensions. Further, this is a certification that this survey and plot plan, description, floor plans, graphic descriptioning other material in connection herewith and the construction of the accovements is substantially complete spithat the material, together with the provisions of the declaration describing the condominium property is an accurate representation of the location and dimensions of the improvements, and that the identification, location and dimensions of the common elements and of each unit can be determined from these materials.

E. CARR SMITH AND ASSOCIATES, INC.

Frederick H. Hildebrandt Registered LandSurveyor No. State of Florida

SHEET IS OF 19



123 ALMERIA AVENUE, CORAL GABLES, FLORIDA 33134/305-442-0035

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Wells Fargo P.O. Box 10335 Des Moines, IA 50306-0335



VIA FACSIMILE 1-305-809-3978

August 18, 2015

Melissa Leto Key West Planning

Subject: Resolution to the inquiry about account number 0048679856

Dear Ms. Melissa Leto:

Thank you for the opportunity to address the request to transferring license number 15-00021352. We've carefully researched this matter and are providing you with a response, property. We've carefully researched this matter and are providing you with a response.

I'm writing to let you know that we have no objection to transferring the license number 15-00021352 for the property located at 1901 S. Roosevelt Blvd., Unit 404N, Key West, FL 33040.

Going forward

If you have questions about your account, please contact our Customer Service department at 1-800-222-0238. Representatives are ready to help you Monday through Friday, 6:00 a.m. to 10:00 p.m.; and Saturday, 8:00 a.m. to 2:00 p.m. Central Time

If you have any questions about the information in this letter, please contact me directly at 1-800-853-8516, extension 40485. I am available to assist you Monday through Friday, 8:00 a.m. to 5:00 p.m. Central Time. If you require immediate assistance and I am unavailable, other representatives are available to assist you at 1-800-853-8516, Monday through Friday, 7:00 a.m. to 7:00 p.m. Central Time.

Sincerely,

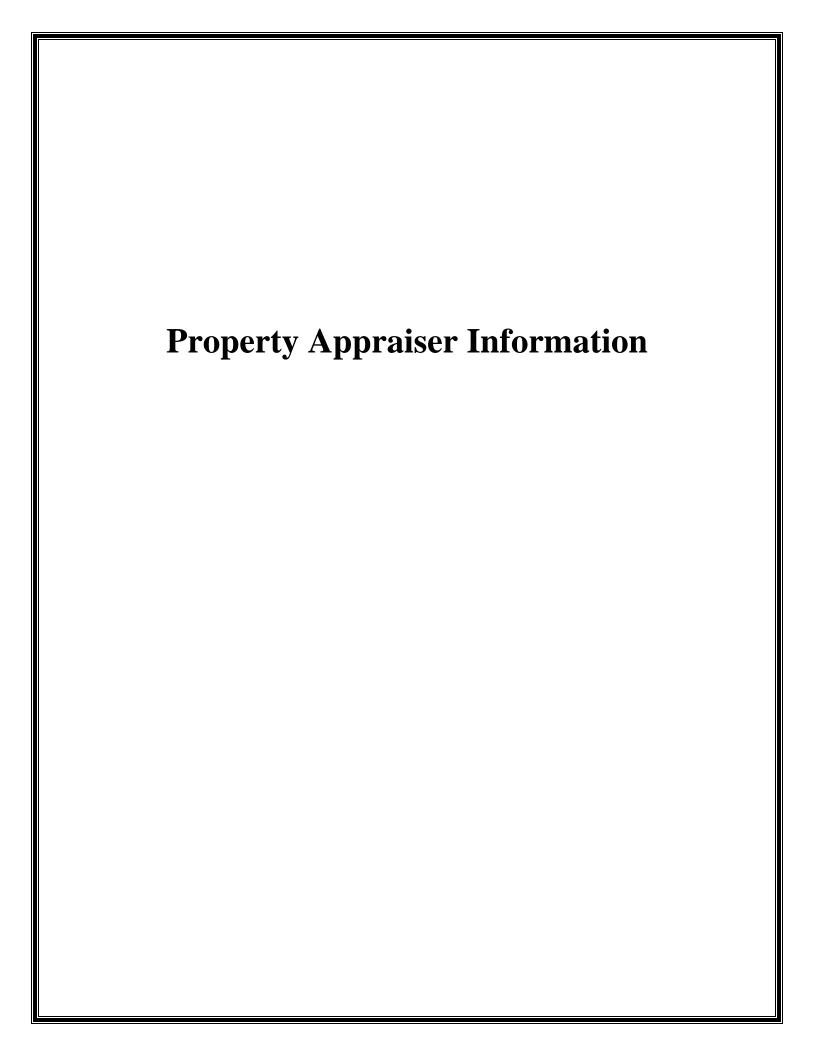
Lori Van Meter

Customer Care and Recovery Group

CC:

Alford C. Jordan Suzanne M. Borrell 1901 S. Roosevelt Blvd., Unit 404N Kew West, FL 33040

WC403/inm/co1451372/ge4021140/ci936





Key West (305) 292-3420 Marathon (305) 289-2550 Plantation Key (305) 852-7130

Property Record Card -

Website tested on IE8,

Maps are now launching the new map application version flash 10.3 or higher

Alternate Key: 8657072 Parcel ID: 00064700-000328

Ownership Details

Mailing Address: JORDAN ALFRED C 1901 S ROOSEVELT BLVD APT 404N KEY WEST, FL 33040-5259

All Owners: BORRELL SUZANNE M H/W, JORDAN ALFRED C

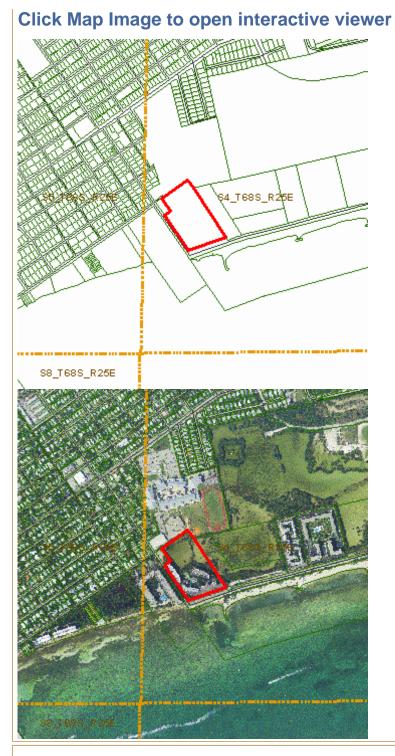
Property Details

PC Code: 04 - CONDOMINIUM

Millage Group: 10KW Affordable Housing: No Section-Township-Range: 04-68-25

Property Location: 1901 S ROOSEVELT BLVD UNIT: 404 N KEY WEST

Legal Description: UNIT 404 LA BRISA NORTH A CONDOMINIUM OR997-232/233 OR1562-1004/05



Exemptions

Exemption	Amount
39 - 25000 HOMESTEAD	25,000.00
44 - ADDL HOMESTEAD	25,000.00

Condominium Details

Condo Name: LA BRISA

Footage: 1175 Year Built: 1984

Appraiser Notes

2001/4/19 SP, ADDED LOCATION ONLY. 9/18/2004 EAST & NORTH BUILDINGS ARE EXPERIENCING SPALLING PROBLEMS DB

Building Permits

Bldg Number	Date Issued	Date Completed	Amount Description	Notes
12- 4441	12/17/2012	12/31/2012	10,500	REMOVED KITCHEN APPROX 113 SF.
12- 4525	12/21/2012	12/31/2012	0	INSTALL 6 RECESSED CAN LIGHT FIXTURES FOR KITCHEN REMODEL, RELOCATE SWITCHES AND OUTLETS.

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
2015	319,970	0	0	326,018	290,455	25,000	265,455
2014	319,970	0	0	319,970	288,150	25,000	263,150
2013	283,892	0	0	283,892	283,892	25,000	258,892
2012	256,904	0	0	256,904	246,511	0	256,904
2011	224,101	0	0	224,101	224,101	0	224,101
2010	275,418	0	0	275,418	275,418	0	275,418
2009	265,770	0	0	265,770	265,770	0	265,770
2008	387,174	0	0	387,174	387,174	0	387,174
2007	546,939	0	0	546,939	546,939	0	546,939
2006	506,425	0	0	506,425	506,425	0	506,425
2005	0	375,144	1	375,145	375,145	0	375,145
2004	0	294,874	1	294,875	294,875	0	294,875
2003	0	244,399	1	244,400	244,400	0	244,400
2002	0	189,174	1	189,175	189,175	0	189,175
2001	0	187,229	1	187,230	187,230	0	187,230
2000	0	162,808	1	162,809	162,809	0	162,809
1999	0	141,572	1	141,573	141,573	0	141,573
1998	134,830	0	1	134,831	134,831	0	134,831
1997	131,834	0	1	131,835	131,835	0	131,835
1996	131,834	0	1	131,835	131,835	0	131,835
1995	99,724	0	1	99,725	99,725	0	99,725
1994	99,724	0	1	99,725	99,725	0	99,725
1993	110,925	0	13,730	124,655	124,655	0	124,655

1992	110,925	0	13,730	124,655	124,655	0	124,655
1991	124,655	0	1	124,656	124,656	0	124,656
1990	124,655	0	1	124,656	124,656	0	124,656
1989	124,655	0	1	124,656	124,656	0	124,656
1988	115,153	0	1	115,154	115,154	0	115,154
1987	109,262	0	1	109,263	109,263	0	109,263
1986	99,329	0	1	99,330	99,330	0	99,330
1985	99,329	0	1	99,330	99,330	0	99,330
1984	99,329	0	1	99,330	99,330	0	99,330

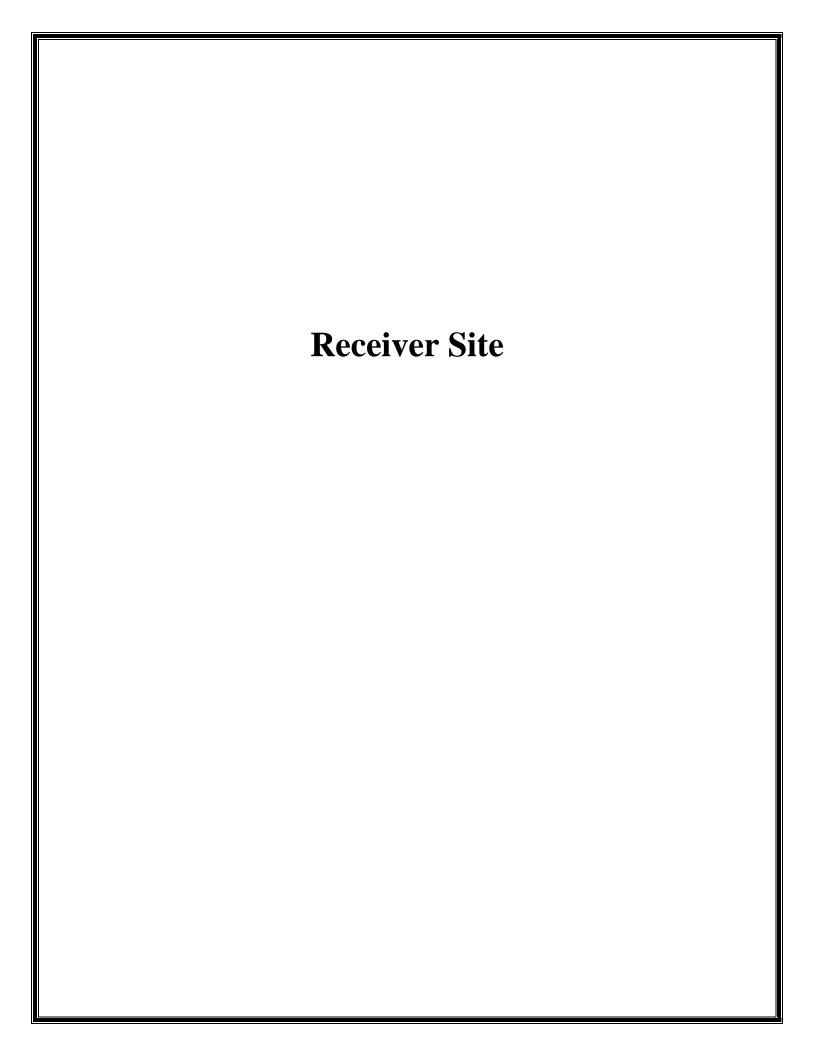
Parcel Sales History

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	Sale Date Official Records Book/Page		Instrument	Qualification
1/27/1999	1562 / 1004	191,500	WD	Q
12/1/1986	997 / 232	125,900	WD	Q

This page has been visited 133,120 times.

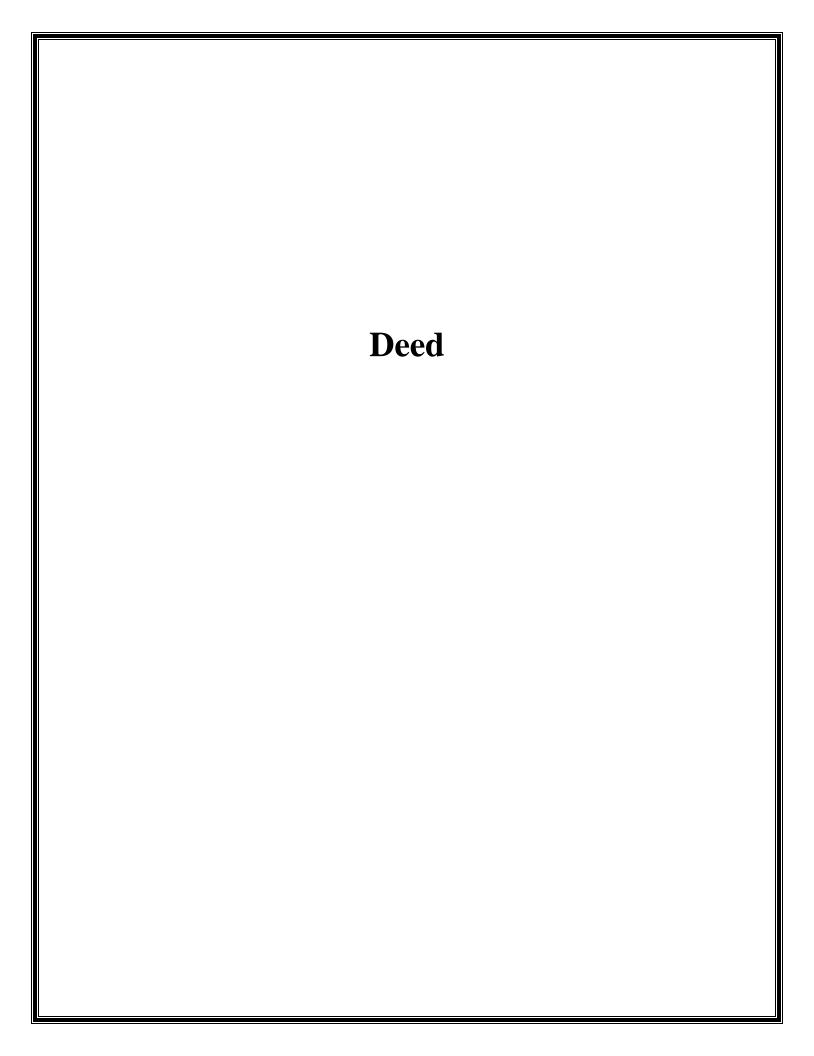
Monroe County Property Appraiser Scott P. Russell, CFA P.O. Box 1176 Key West, FL 33041-1176



Receiver Site: Current Owner Information

FOR INDIVIDUALS

1. NAME	2. NAME
ADDRESS	ADDRESS
TELEPHONE(1)	TELEPHONE(1)
(2)	(2)
FAX	FAX
FOR CORPORATIONS	*
A.CORPORATE NAME // @ > :	mus Properties 446
B. STATE/COUNTRY OF INCORPOR	ATION 74 MONTOP
C. REGISTERED TO DO BUSINESS IN	N THE STATE OF FLORIDA XYESNO
D. NAMES OF OFFICERS AND DESIG	
Warren Dedrick Pr	Andy Birvell agent
Pavid Lightweiss	Andy Birvell agent
FOR PARTNERSHIPS	
A. NAME OF PARTNERSHIP:	
B. STATE OF REGISTRATION:	
C. GENERAL PARTNER WITH AUTH	ORITY TO BIND PARTNERSHIP:
FOR CORPORATIONS AND PARTNE NAME AND ADDRESS OF PERSON "	
Andy Birrell	3608 Survise Dr. KW 82
TELEPHONE(S)	53 FAX 305 359 9216



IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT IN AND FOR MONROE COUNTY, FLORIDA

Doc# 1987037 06/20/2014 2:19PN
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

ficial Records of HFQVILIN				
IIGH ABAN		CASE NO	44-2013-CA-	1259-K
E SMITH and DANIF	ELE SKAHEN	05 (55 (55)		
	Plaintiff	DEED 000 ST	2:19PM AMP CL: Krys	\$1,050.00
HANY and PAMELA	D MCAI HANV of	al		
	Defendant	, aı,		20
CE	RTIFICATE	OF TITLE	NROE COUNT	CLK. CIB CHIFTCARD
igned Clerk of the Co	ourt certifies that he	or she executed	and filed are a	rtificor es
ion June 2014 for the	property described	herein and that	no objections	CILICALE CORD
een filed within the ti	me allowed for filir	ng objections	3	
			7037 Pg# 1544	
SEE AT	ITACHED LEGAI	L DESCRIPTIO	N	
MAXIMUS PRO	OPERTIES, LLC			
727 WASHING	TON STREET			
KEY WEST, FL	ORIDA 33040			
AND AND SEAL of	this Court on <u>June</u> 2	20, 2014.		
	igned Clerk of the Colon June 2014 for the een filed within the tiing property in Monro SEE ATMAXIMUS PROTEST WASHING KEY WEST, FL	ESMITH and DANIEL E. SKAHEN Plaintiff LHANY and PAMELA D. MCALHANY, et Defendant CERTIFICATE igned Clerk of the Court certifies that he ion June 2014 for the property described een filed within the time allowed for filir ing property in Monroe County, Florida: SEE ATTACHED LEGAI MAXIMUS PROPERTIES, LLC 727 WASHINGTON STREET KEY WEST, FLORIDA 33040	CASE NO E SMITH and DANIEL E. SKAHEN Plaintiff Plaintiff Plaintiff CERTIFICATE OF TITLE CERTIFICATE OF TITLE digned Clerk of the Court certifies that he or she executed ion June 2014 for the property described herein and that een filed within the time allowed for filing objections. ing property in Monroe County, Florida: Doc# 198 Bk# 2690 SEE ATTACHED LEGAL DESCRIPTIO MAXIMUS PROPERTIES, LLC 727 WASHINGTON STREET	CASE NO. 44-2013-CA- ESMITH and DANIEL E. SKAHEN Plaintiff Plaintiff CERTIFICATE OF TITLE igned Clerk of the Court certifies that he or she executed and filed action June 2014 for the property described herein and that no objections een filed within the time allowed for filing objections. ing property in Monroe County, Florida: Doc# 1987037 BKH 2690 PgH 1544 SEE ATTACHED LEGAL DESCRIPTION MAXIMUS PROPERTIES, LLC 727 WASHINGTON STREET KEY WEST, FLORIDA 33040

Bid Amount \$150,000.00

IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICAL CIRCUIT IN AND FOR MONROE COUNTY, FLORIDA

Dock 1985545 06/11/2014 9:38AN Filed & Recorded in Official Records of MONROE COUNTY AMY HEAVILIN

Doc# 1985545 Bk# 2688 Pg# 2428

WAYNE LaRUE SMITH and DANIEL E. SKAHEN
Plaintiff

VS.

JAMES G. McALHANY, et.al
Defendant

CERTIFICATE OF SALE

The undersigned Clerk of the Court certifies that Notice of Public Sale of the property described in the Final Judgment was published in the <u>KEY WEST CITIZEN</u> a newspaper circulated in Monroe County, Florida, in the manner shown by the Proof of Publication attached.

See attached Property Description

And on June 9, 2014 the property was offered for public sale to the highest and best bidder for cash.

The highest and best bid received for the property was submitted by MAXIMUS PROPERTIES, LLC to whom the property was sold.

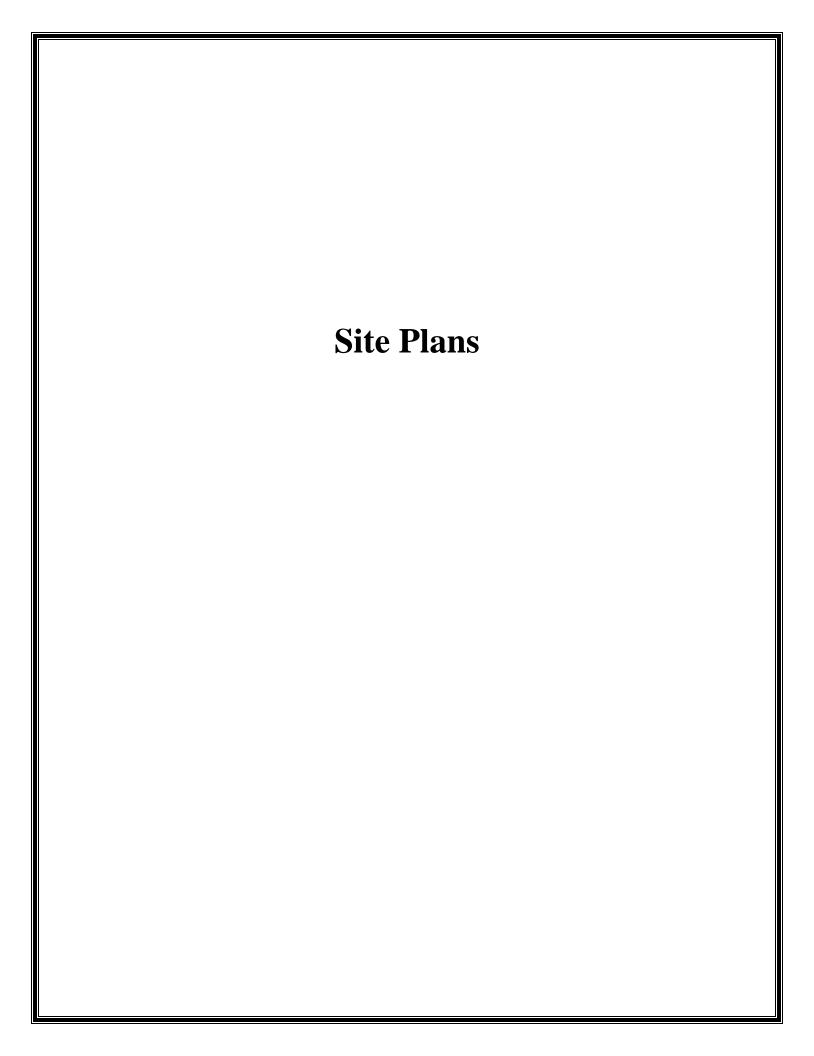
The proceeds of the sale are retained for distribution in accordance with the Final Judgment.

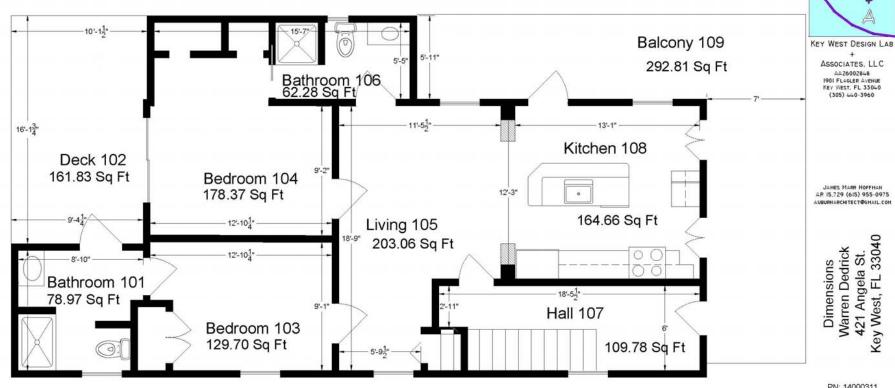
WITNESS MY HAND AND SEAL of this Court on June 9, 2014

AMY HEAVILIN, Clerk Clerk of the Court

CASE NO: 44-2013-CA-1259-K

Bid: \$150,000.00





Interior Square Footage: 817.04 Sq Ft

Interior Square Footage with Decks: 1271.68 Sq Ft

The CALL CONSTRUCTION, INC.



Dimensions Warren Dedrick 421 Angela St. Key West, FL 33040

PN: 14000311

Ground Floor

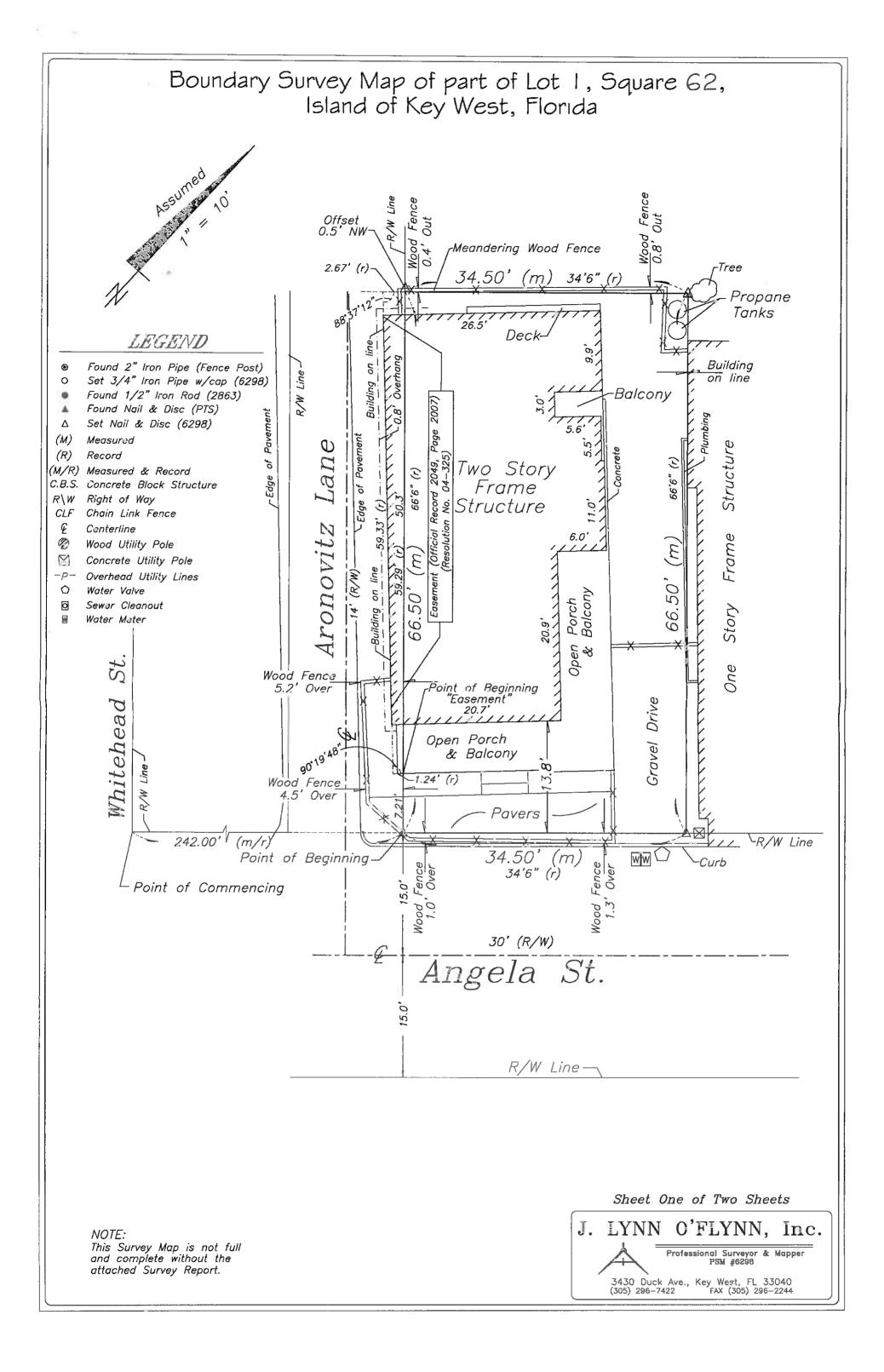
ASSOCIATES, LLC

AA26002848

1901 FLAGLER AVENUE
KEY WEST, FL 33040
(305) 440-3960

Ground Floor Scale: 1/4" = 1'-0"





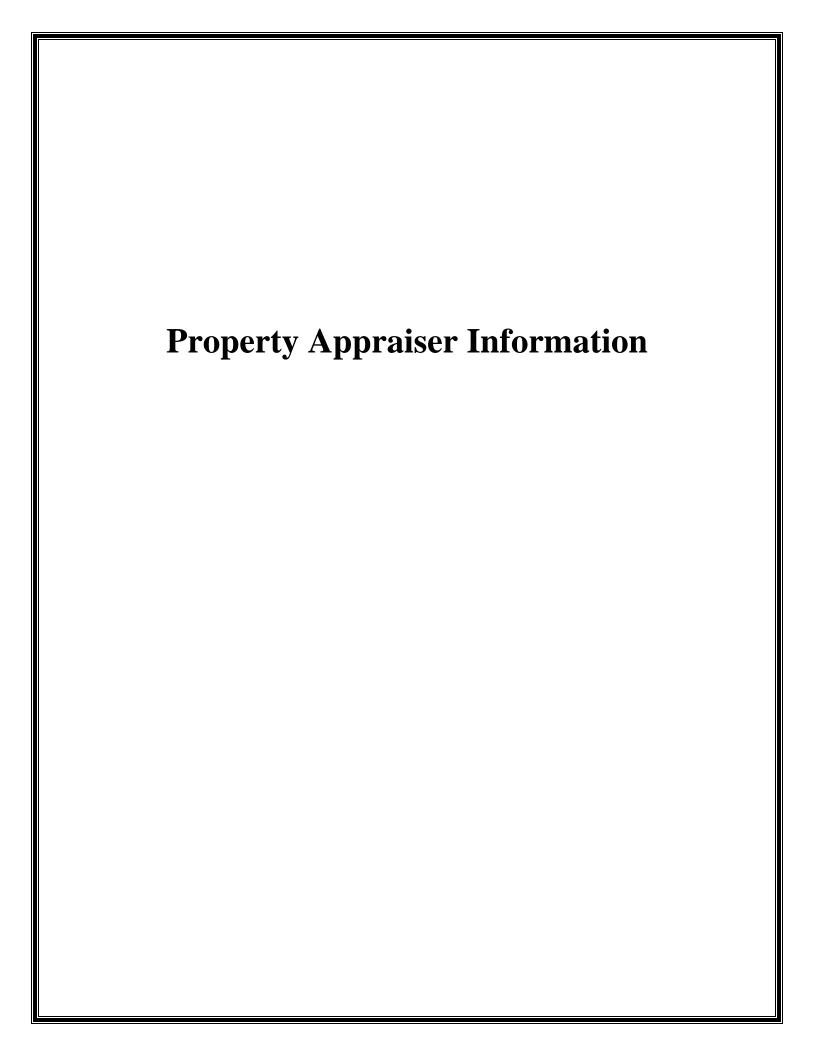
In the City of Key West and part of Lot 1 in Square 62 according to Whitehead's map of said City delineated in February 1829; COMMENCING at a point on Angela Street 242 feet from the corner of Angela and Whitehead Streets and running thence Northeasterly along Angela Street 34 feet and 6 inches; thence running Northwesterly 66 feet and 6 inches; thence running Southwesterly 34 feet and 6 inches; thence running Southeasterly 66 feet and 6 inches to the Place of Beginning on Angela Street.

TOGETHER WITH an Easement; a portion of the land located in the City of Key West, Monroe County, Florida and being a part of Lot 1 in Square 62 according to Whitehead's map of said City delineated in February 1829, and being more particularly described as follows: COMMENCING at the intersection of the Northeasterly right of way line of Whitehead Street and the Southeasterly right of way line of Angela Street; thence in a Northeasterly direction along the said Southeasterly right of way line of Angela Street for 242.00 feet; thence at a right angle and in a Northwesterly direction for 7.21 feet to the Point of Beginning; thence continue in a Northwesterly direction 59.29 feet; thence at a right angle and in a Southwesterly direction 2.67 feet; thence at an angle of 88° 37'12" to the right and in a Southeasterly direction for 59.33 feet; thence at a right angle and in a Northeasterly direction for 1.24 feet to the Point of Beginning.

including the buildings, appurtenances, and fixtures located thereon.

Property Address: 421 ANGELA STREET, KEY WEST, FL 33040

Doc# 1985545





Key West (305) 292-3420 Marathon (305) 289-2550 Plantation Key (305) 852-7130

Property Record Card -

Website tested on IE8.

Maps are now launching the new map application version for Flash

10.3 or higher

Alternate Key: 1012840 Parcel ID: 00012470-000000

Ownership Details

Mailing Address:

MAXIMUS PROPERTIES LLC 180 SUGARLOAF DR SUMMERLAND KEY, FL 33042-3673

Property Details

PC Code: 08 - MULTI FAMILY LESS THAN 10UNITS

Millage Group: 10KW Affordable Housing: No Section-Township-

Range:

Property Location: 421 ANGELA ST KEY WEST

Legal Description: KW PT LOT 1 SQR 62 G4-594 OR117-302 OR783-1655D/C OR783-494/497 OR790-1083 OR867-473

OR2049-2007/12(RES NO 04-325) OR2284-541/42 OR2690-1544/45

Total Living Area: 2116 Year Built: 1938

Building 1 Details

Building Type R2 Effective Age 76 Year Built 1938 Functional Obs 0

Heat 1 NONE

Heat Src 1 NONE

Condition P. Perimeter 308
Special Arch 0
Economic Obs 0

Quality Grade 550 Depreciation % 68 Grnd Floor Area 2,116

Inclusions:

s: R2 includes 2 3-fixture baths and 2 kitchens.
Roof Type GABLE/HIP Roof Cover ME

Roof Cover METAL
Heat 2 NONE

Heat Src 2 NONE

Foundation WD CONC PADS

Bedrooms 5

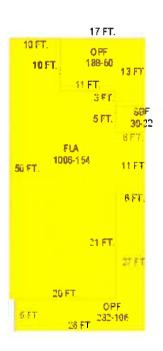
Extra Features:

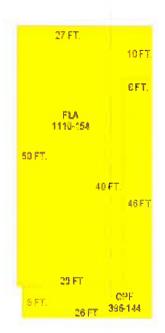
2 Fix Bath 0
3 Fix Bath 0
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 0

Vacuum 0
Garbage Disposal 0
Compactor 0

Security 0 intercom 0 Fireplaces 0

Dishwasher 0





Sections:

Nbr	Туре	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	OPF		1	1993					188
0	OPF		1	1993					396
1	FLA	12:ABOVE AVERAGE WOOD	1	1993	N	N	0.00	0.00	1,006
2	OPF		1	1993			0.00	0.00	282

OVERHANGS LIGHTFIT, OVERHANGS LIGHT BLUE9SKY BLUE). BUILDING TO BE PAINTED WHITE W/LIGHTBLUE PORCH CEILIGS. NO TILE ON PORCH .NO FENCE ON PORCH.

1	9902526 07/20/1999	10/20/1999	375	Residential	REPAIR SIDING	1
	04-2908 08/31/2004	12/02/2004	4,346		PAINT METAL ROOF COVER	1

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
2014	220,203	967	164,476	385,646	379,399	0	385,646
2013	226,494	995	153,001	380,490	344,909	0	380,490
2012	229,640	1,031	82,883	313,554	313,554	0	313,554
2011	229,640	1,059	114,761	345,460	345,460	0	345,460
2010	235,931	1,087	81,600	318,618	318,618	0	318,618
2009	266,179	1,124	231,258	498,561	498,561	0	498,561
2008	254,551	1,152	229,400	485,103	485,103	0	485,103
2007	290,756	2,378	378,510	671,644	671,644	0	671,644
2006	451,572	2,410	219,545	673,527	673,527	0	673,527
2005	430,069	2,458	173,325	605,852	605,852	0	605,852
2004	270,810	2,492	173,325	446,627	446,627	0	446,627
2003	281,225	2,540	55,464	339,229	339,229	0	339,229
2002	274,624	2,572	57,775	334,971	334,971	0	334,971
2001	254,282	2,733	57,775	314,790	314,790	0	314,790
2000	263,528	3,357	39,287	306,172	306,172	0	306,172
1999	226,747	2,956	46,220	275,923	275,923	0	275,923
1998	175,541	2,329	46,220	224,090	224,090	0	224,090
1997	160,494	2,280	41,598	204,372	204,372	0	204,372
1996	117,506	1,844	41,598	160,947	160,947	0	160,947
1995	117,506	1,940	41,598	161,043	161,043	0	161,043
1994	105,086	1,833	41,598	148,517	148,517	0	148,517
1993	112,058	705	41,598	154,361	154,361	0	154,361
1992	110,668	726	41,598	152,992	152,992	0	152,992
1991	110,668	756	41,598	153,021	153,021	0	153,021
1990	81,734	777	34,087	116,598	116,598	25,000	91,598
1989	74,304	731	33,510	108,545	108,545	25,000	83,545
1988	64,979	626	33,510	99,115	99,115	25,000	74,115
1987	64,238	647	19,972	84,857	84,857	25,000	59,857
1986	64,595	662	19,301	84,558	84,558	25,000	59,558
1985	44,126	685	32,850	77,661	77,661	0	77,661
1984	41,074	0	32,850	73,924	73,924	0	73,924
1983	41,074	0	11,209	52,283	52,283	0	52,283