



Petition for Vacation of City Property

City of Key West
Planning Department



This application and all required attachments must be submitted to the City Planning Department at 604 Simonton St., or mailed to Planning Department, City of Key West, PO Box 1409, Key West, FL 33041.

Please schedule an appointment with a planner upon submitting application.

Please complete the following:

1. Site Address 2516 Linda Avenue
2. Name of Applicant Erica Hughes Sterling
3. Applicant is Owner Authorized Representative
(Attached Authorization Form must be completed)
4. Address of Applicant 500 Fleming Street
Key West, FL 33040
5. Phone Number of Applicant 305-294-2450
6. Name of Owner, if different than above Randall Sterling
7. Address of Owner 2516 Linda Avenue
8. Phone Number of Owner 305-600-8478
9. Parcel RE# 00064520 - 000000
10. Description of specific location of requested Vacation. Also by separate attachment provide proposed legal description for property to be vacated.
Right of way immediately in front of
2516 Linda Avenue (parcel between
2516 Linda & 2519 Linda)

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



11. Description of current use(s) of property.

Parking for owners' & neighbors' vehicles.

12. Projected/future use(s) or re-use(s) of requested property (Please be specific)

Landscaping / Parking

13. Are there any existing easements, deed restrictions or other encumbrances attached to the subject property? Yes _____ No If Yes, please describe and attach relevant documents.

14. Please describe the projected impacts of the proposed vacation on public services now and in the future.

No impact - willing to provide City with an easement to access manhole.

**City of Key West Planning Department
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15. Please describe the impact on adjacent properties as well as major areas or land uses currently benefiting from a public service or system that uses the subject easement or right-of-way.

No impact on adjacent properties, no one currently benefiting from this area

The following items must be included with this application:

- ❖ Copy of a **recorded warranty deed** showing ownership and a legal description of the subject property
- ❖ Two (2) **signed and sealed** site surveys illustrating buildings and structures existing on property, as well as area of request
- ❖ Photographs of area of requested vacating of property
- ❖ Application fee --**\$1,000.00** payable to the City of Key West
- ❖ Fire Department Review Fee of **\$50.00**.
- ❖ Advertising and Noticing Fee of **\$100.00**.
- ❖ Notarized Verification Form
- ❖ Notarized Authorization Form (if applicable)

Verification



Verification

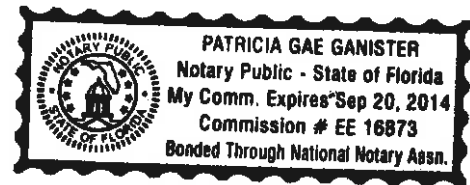
I, Erica Hughes Sterling, being duly sworn, depose and say that I am
Print Name of Applicant
the owner_____/legal representative ✓ of the property, which is the subject
matter of this application. All of the answers to the above questions, sketches
and attached data that make up this application, are true and correct to the best
of my knowledge and belief.

Erica Hughes Sterling
Signature of Applicant

Subscribes and sworn to (or affirmed) before me on May 3, 2013
(date)
by Erica Hughes Sterling (name of affiant, deponent or other signer).

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

Patricia Gae Ganister
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped _____

Commission Number, if any _____

Authorization



Authorization Form

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

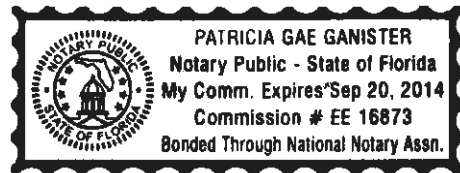
I, Randall Sterling, authorize Erica Hughes Sterling to
represent me for this application.
Print Property Owner's Name Print Applicant's name

Randall Sterling
Signature of Property Owner

Subscribed and sworn to (or affirmed) before me on May 3, 2013
(date)
by Erica Hughes Sterling (Name of affiant, deponent or other signer).

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

Patricia Gae Ganister
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped _____

Commission Number, if any _____

Deed

376129 This Indenture

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and assigns of the respective parties hereto, the use of the singular may here shall include the plural, and the plural the singular, the use of any gender shall include all genders, and, if used, the term "and" shall include all the uses herein described if more than one.

Made this 24 day of January, A. D. 1985

Between **MARIE S. STERLING**, an unmarried widow

of the County of Monroe and State of Florida, party of the first part,

and **RANDALL W. STERLING and FRANCES M. STERLING**, his wife
2516 Linda Avenue, Key West, Florida 33040
of the County of Monroe and State of Florida, party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** Dollars, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Monroe State of Florida, to wit:

An undivided 1/2 interest in and to:

Lot 9, Resubdivision of a Portion of Coral Estates, recorded in Plat Book 3, page 102, Public Records of Monroe County, Florida.

THIS INSTRUMENT PREPARED BY:
Robert T. Feldman
ATTORNEY AT LAW
FELDMAN & EDEN
417 EATON STREET - KEY WEST, FL. 33040

1985 JUN 22 4:27

DANNY L. KORNMAN
CLK. CIR. CT.
MONROE COUNTY, FLA.

DS Paid 45 Date 1-22-85
MONROE COUNTY
DANNY L. KORNMAN, CLERK OF CIR. CT.
By *[Signature]*

Do have and to hold the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:
[Signature] Marie S. Sterling
[Signature] Marie S. Sterling
[Signature] _____
[Signature] _____

State of Florida, }
County of MONROE }
I Herely Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,
MARIE S. STERLING

to me well known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same freely and voluntarily for the purposes therein expressed.
Witness my hand and official seal at Key West
County of Monroe and State of Florida, this 8th
day of January A. D. 1985

Recorded in Official Records Book
in Monroe County, Florida
Record Method
DANNY L. KORNMAN
Clerk Circuit Court

[Signature]
Notary Public, State of Florida
My Commission Expires 11-21-85

State of Florida

County of MONROE

OFF REC 499 PAGE 716

I Herby Certify. That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,

CLAYTON STERLING and MARIE S. STERLING, husband and wife, to me well known and known to me to be the individual described in and who executed the foregoing deed, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed. And I Further Certify, That the said MARIE S. STERLING

known to me to be the wife of the said CLAYTON STERLING on a separate and private examination taken and made by and before me, separately and apart from her said husband, did acknowledge that she made herself a party to said deed for the purpose of renouncing, relinquishing and conveying all her right, title and interest, whether of dower, homestead or of separate property, statutory or equitable, in and to the lands described therein, and that she execute the said deed freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

In witness my hand and official seal at Key West, Florida, this 10th day of March, A. D. 1972.

My Commission Expires 3-15-72

Lorely Ahlstedt
Notary Public, State of Florida



219312

Entered in Official Record Book
Monroe County, Florida
LACE B. ADAMS
CLERK OF CIRCUIT COURT
RECORDS DEPARTMENT

File	TO	219312
ABSTRACT OF DESCRIPTION		

219312

AFFIDAVIT

376128

STATE OF FLORIDA
COUNTY OF MONROE

THIS DAY, before me the undersigned authority personally appeared
FRANCES MARIA STERLING, who first by me being duly sworn says that:


My name is FRANCES MARIA STERLING, and I am also known as MARIA R.
STERLING, and I am the one and same person as MARIA R. STERLING, grantee
of that certain Warranty Deed recorded in Official Record Book 499, Page
715 of the Public Records of Monroe County, Florida, on the following
described real property:

An undivided 1/2 interest in and to: Lot 9, Resubdivision of a Portion
of Coral Estates, recorded in Plat Book 3, page 102, Public Records of
Monroe County, Florida.

Frances Maria Sterling
FRANCES MARIA STERLING

SWORN TO AND SUBSCRIBED before me, this 15 day of January, 1985.

My Commission expires:

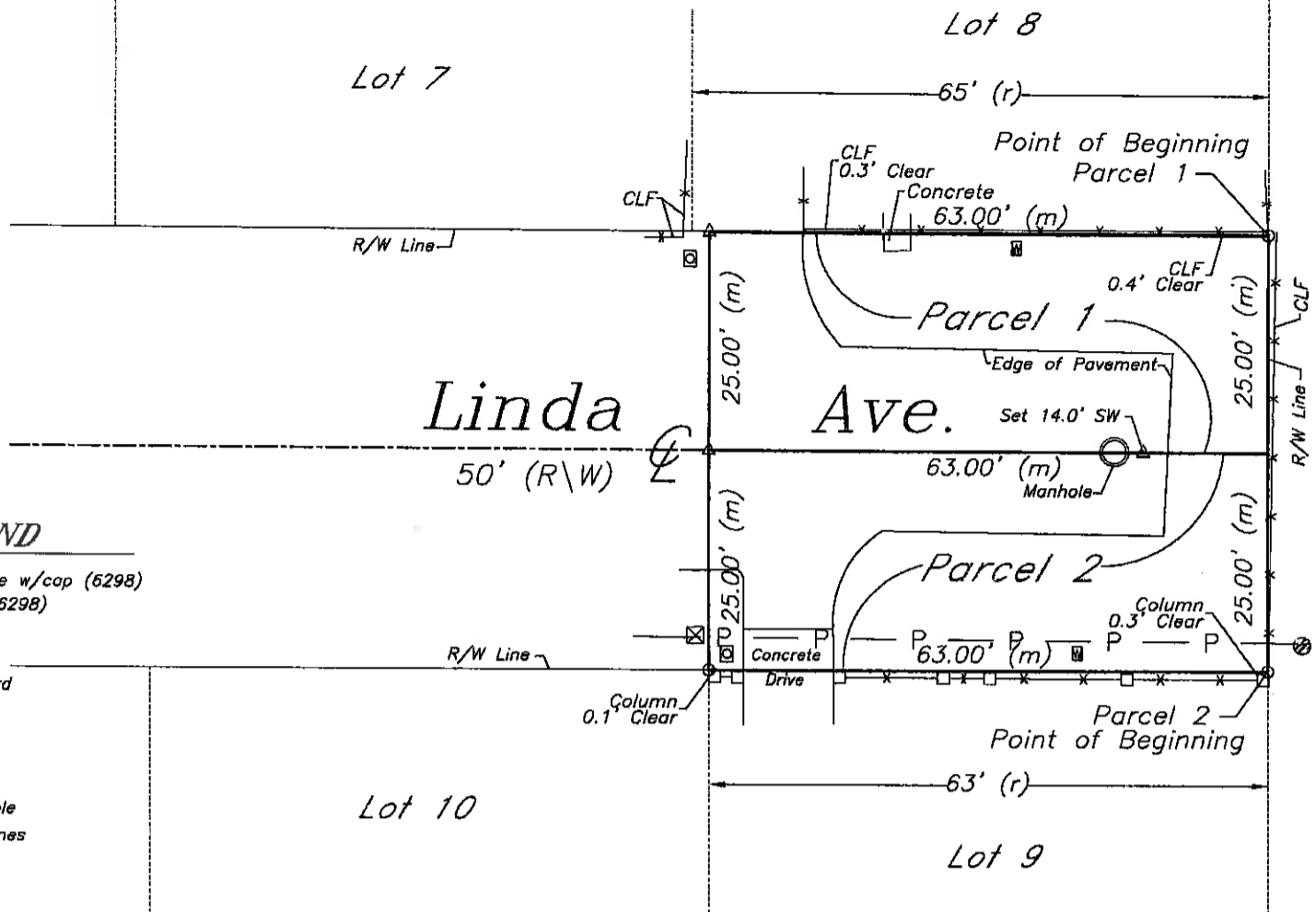
Theresa Stephens
NOTARY PUBLIC


FILED FOR RECORDED
85 JAN 22 P 4:27
DANNY L. KOLHAGE
CLERK CIR. CT.
MONROE COUNTY, FLA.

Recorded in Official Records Book
in Monroe County, Florida
Record Verified
DANNY L. KOLHAGE
Clerk Circuit Court

Survey

Specific Purpose Survey to illustrate legal descriptions
of portion of the Right of Way of Linda Ave., Island of Key West,
prepared by the undersigned



Not a Part of this Plat

LEGEND

- Set 3/4" Iron Pipe w/cap (6298)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊙ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines
- ⊠ Sewer Cleanout
- ⊠ Water Meter

NOTES:

1. The legal descriptions shown hereon were authored by the undersigned. This survey does not determine or imply ownership.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: Linda Avenue, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Date of field work: February 25, 2013
9. The description contained herein and sketch do not represent a field boundary survey.

**SPECIFIC PURPOSE SURVEY TO ILLUSTRATE A LEGAL DESCRIPTION
AUTHORED BY THE UNDERSIGNED**

PARCEL 1:

A parcel of land on the Island of Key West, being a part of the Northwestern half of Linda Avenue lying Southeasterly of Lot 8, of CORAL ESTATES, according to the plat thereof as recorded in Plat Book 3, at Page 97 of the Public Records of Monroe County, Florida, said Parcel being more particularly described by metes and bounds as follows:

BEGINNING at the Southeast corner of the said Lot 8 and running thence in a Southwesterly direction along the Northwestern right of way line of the said Linda Avenue for a distance of 63.00 feet; thence Southeasterly and at right angles for a distance of 25.00 feet to the centerline of the said Linda Avenue; thence Northeasterly and at right angles along the said centerline of Linda Avenue for a distance of 63.00 feet to the Northeasterly boundary line of the said Linda Avenue; thence Northwesterly and at right angles along the said Northeasterly boundary line of Linda Avenue for a distance of 25.00 feet back to the Point of Beginning. Said parcel containing 1575 square feet, more or less.

PARCEL 2:

A parcel of land on the Island of Key West, being a part of the Southeasterly half of Linda Avenue lying Northwesternly of Lot 9, of CORAL ESTATES, according to the plat thereof as recorded in Plat Book 3, at Page 97 of the Public Records of Monroe County, Florida, said Parcel being more particularly described by metes and bounds as follows:

BEGINNING at the Northeast corner of the said Lot 9 and running thence in a Southwesterly direction along the Southeasterly right of way line of the said Linda Avenue for a distance of 63.00 feet to the Northwesternly corner of the said Lot 9; thence Northwesterly and at right angles for a distance of 25.00 feet to the centerline of the said Linda Avenue; thence Northeasterly and at right angles along the said centerline of Linda Avenue for a distance of 63.00 feet to the Northeasterly boundary line of the said Linda Avenue; thence Southeasterly and at right angles along the said Northeasterly boundary line of Linda Avenue for a distance of 25.00 feet back to the Point of Beginning. Said parcel containing 1575 square feet, more or less.

SPECIFIC PURPOSE SURVEY FOR: Randy Sterling;
Jose Gonzalez;

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg. #6298

April 5, 2013

J. LYNN O'FLYNN, Inc.

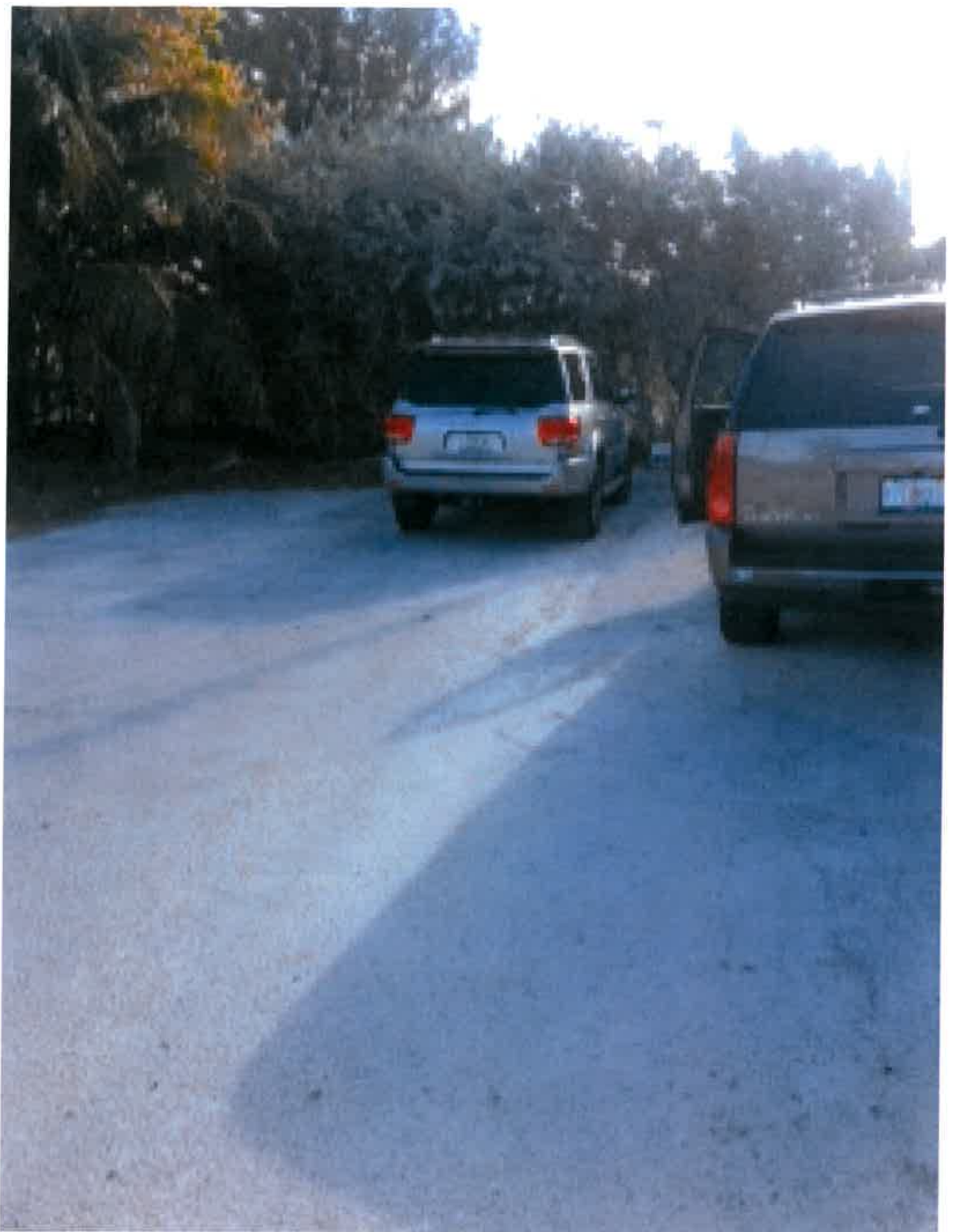


Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

Site Photos





Public Comment

**JOSE A. AND ANA J. GONZALEZ
2519 LINDA AVENUE
KEY WEST, FL 33040**

June 7, 2013

The City of Key West
3139 Flagler Avenue
Key West, FL 33040

Re: Linda Avenue Application for Road Abandonment by Randall W. Sterling

To Whom It May Concern:

We are the owners of 2519 Linda Avenue, and our property abuts the property that Mr. Sterling is proposing that the City abandon. We are in favor of the proposed road abandonment and support the approval for this. We join Mr. Sterling in his Application for Road Abandonment and, upon approval, request the road be abandoned so that Parcel 1 be conveyed to us and Parcel 2 be conveyed to the Sterlings.

Please let us know if you require anything further.

Sincerely,


Jose A. Gonzalez


Ana J. Gonzalez



Peace Covenant Presbyterian Church

2610 Flagler Avenue
Key West, Florida 33040
Dr. Lawrence L. Schenk, Pastor
(305) 294-1223



November 12, 2012

To Whom It May Concern,

We have been contacted by our neighbors on Linda Avenue about their proposed request to the city to declare the end of Linda Avenue as an abandoned street. As this street dead ends into our property and has, for a number of years, been closed off to our property by a large fence, actually protecting our property as a thoroughfare and from foot traffic, we would have no opposition to such a declaration.

This matter has been brought to our Session (the Church's governing body) and has the full support of this nine member board.

Several years ago the manse (minister's home owned by the Church) was re-designated from a Linda Avenue address to a Venetian Drive address and access from Venetian Drive is sufficient for the purpose of getting to this home.

If we can provide additional information or support for this decision, please contact us.

Respectfully submitted for the Session and the members of Peace Covenant Presbyterian Church,

Rev. Dr. Lawrence L. Schenk, Minister
Peace Covenant Presbyterian Church
2610 Flagler Ave.
Key West, FL. 33040