



# FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Branch Office  
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Marathon, FL 33050  
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**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

October 7, 2022

Mr. Steven McAlearney  
Port and Marina Services Director  
City of Key West  
201 William St.  
Key West, FL 33040  
[smcalearney@cityofkeywest-fl.gov](mailto:smcalearney@cityofkeywest-fl.gov)

Re: Monroe County - ERP  
City of Key West / Mallory Pier  
BOT No. 440769265  
Site No. 142061 / Project No. 389894

Dear Mr. McAlearney:

Enclosed is the fully executed Temporary Use Agreement Addendum to provide the City of Key West with continued temporary authorization for the existing structures and activities on state-owned submerged lands at the City of Key West Mallory Pier. The Temporary Use Agreement Addendum is effective through October 7, 2023.

If you have any questions regarding this matter, please contact McKenzie Fraley by phone at (305) 289-7079, or by e-mail at [Mckenzie.Fraley@FloridaDEP.gov](mailto:Mckenzie.Fraley@FloridaDEP.gov).

Thank you for your continued cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Andreotta".

Jason Andreotta  
Director of District Management  
Southeast District Office

Enclosure: Temporary Use Agreement Addendum

**TEMPORARY USE AGREEMENT ADDENDUM**  
**BOT # 440769265**

This Temporary Use Agreement Addendum (hereinafter referred to as "Addendum") is entered into this 7th day of October, 2022, and between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (hereinafter referred to as the "Board") and the City of Key West, a Florida Municipal Corporation, (hereinafter referred to as the "Applicant"), and is hereby made a part of the Temporary-Use Agreement previously entered on April 7, 2020 and Temporary Use Agreement Addendums entered on April 20, 2021 and April 14, 2022 by and between the Board and the Applicant.

Whereas, the Temporary Use Agreement Addendum expires on October 7, 2022, and the Applicant needs additional time to complete the application made on August 29, 2022, for a sovereignty, submerged lands lease renewal and modification of the structures and activities shown on Exhibit A attached hereto.

The parties hereto, then, agree as follows:

1. The parties hereby agree to extend and continue the Temporary Use Agreement for an additional term, commencing on October 6, 2022, and expiring on October 6, 2023, or the date of execution of a sovereignty submerged lands lease renewal and modification between the Board and the Applicant, whichever occurs first.
2. Except as specifically amended by the provisions of this Addendum, all of the terms and provisions of the Temporary Use Agreement shall remain unchanged and in full force and effect and the same are hereby ratified, approved and confirmed by the parties hereto.
3. The terms and conditions of this Addendum shall be binding upon and inure to the benefit of the parties hereto and their representatives, heirs, personal representatives, successors and assigns.

Executed on the date first written above.


CITY OF KEY WEST

By:   
Original Signature

  
Printed/Typed Name

  
Title

BOARD OF TRUSTEES OF THE  
INTERNAL IMPROVEMENT TRUST  
FUND OF THE STATE OF FLORIDA

By:   
\_\_\_\_\_












Jason Andreotta  
Director of District Management,  
Department of Environmental Protection, as  
agent for and on behalf of the Board of  
Trustees of the Internal Improvement Trust  
Fund of the State of Florida



Overview



Legend

-  Centerline
-  Easements
-  Hooks
-  Lot Lines
-  Road Center
-  Rights of Way
-  Shoreline
-  Condo Building
-  Key Names
-  Subdivisions
-  Parcels

Parcel ID	0000170-000000	Alternate ID	1000167	Owner Address	CITY OF KEY WEST MALLORY SQUARE
Sec/Twp/Rng	06/68/25	Class	MUNICIPAL		PO Box 1409
Property Address	402 WALL St				Key West, FL 33041
	KEY WEST				
District	10KW				
Brief Tax	KW PT LOTS 2-3-4-5 SQR 3 G64-274-275 (CULTURAL PRESERVATION SOCIETY INC -LEASE) OR1338-417/37(II LEASE) OR1623-				
Description	215/229(II LEASE) OR2080-939/950(II LEASE)				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 3/19/2020  
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BOT No. 440769265  
 Exhibit A