

# FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building 3900 Commonwealth Boulevard Tallahassee, FL 32399 Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Noah Valenstein Secretary

January 26, 2021

Mr. Jim Young Director of Code Compliance 1300 White Street Key West, Florida 33040

RE: Accreted Lands adjoining Roosevelt Blvd. and Marriott- City of Key West

Dear Mr. Young,

It was a pleasure to discuss the title history of the accreted lands North and adjoining Roosevelt Blvd. and the Marriott properties with the City of Key West.

In our review of our title and land records as well as legislative acts of the state of Florida, we determined the following:

- In 1950, the BOT deeded land to Key West Improvement, Inc. now the current Marriott site.
- In 1957 by Act of the Florida Legislature the area in question was conveyed to the City of Key West.
- In 2018 the City conveyed by quit claim deed the same area/ Roosevelt Blvd to FDOT.

Therefore, the Board of Trustees is not asserting ownership of the disputed accreted area as shown in the attached sketch. Any issue resolution regarding the fencing on the sketch would be between the Marriott, FDOT and/or the City of Key West.

If I may be of assistance to you in the future, please let me know.

Sincerely,

Scott Woolam

Bureau Chief of Survey and Mapping

Division of State Lands

/sew

**Enclosures** 

### No. 19710.

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THIS INDENTURE made and entered into this the oth, day of October A. D., 1950, by and between the Trustees of the Internal Improvement Fund of the State of Florida, as parties of the first part, and Key West Improvement, Inc., a Florida corporation, with its principal place of business in Key West, Monroe County, Florida, as party of the second part,

WITHESSETH: That the parties of the first part, for and in consideration of Ten (\$10.00) Dollars, and other valuable considerations, receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the party of the second part, the following described submerged land lying, being and situate in Monroe County, Florida:

A parcel of unsurveyed submerged land near the Northeasterly portion of the Island of Key West, Florids, described as follows:

Commence at the intersection of the center line of Roosevelt Boulevard and the northwesterly right of way line of State Road No. 5; Thence northeasterly along the northwesterly right of way line of said State Road, 430 feet to the point of beginning; From the point of beginning, thence northwesterly at right angles to the northwesterly right of way of said State Road No. 5, 600 feet; Thence southwesterly parallel with said State Road No. 5, 566 feet, more or less, to the northeasterly right of way line of Roosevelt Boulevard; Thence southeasterly along said right of way line to a point 175 feet north of the northwesterly right of way line of State Road No. 5, which said point is approximately at the edge of the along-shore fringe of mangrove; Thence by a straight line in a nearly easterly direction 430 feet, more or less, to the point of beginning first above described, containing 5.1. Acres, more or less.

To have and to hold the said premises and appurtenences thereof unto the party of the second part, or its assigns forever.

IN TESTIMONY WHEREOF, The said Trustees have hereunto subscribed their names and affixed their seals, and have caused the seal of "THE DEPARTMENT OF AGRICULTURE OF THE

STATE OF FLORIDA" to be hereunto affixed, at the Capitol, in the City of Tallahassee, on this the 5th, day of October A. D., 1950.

	Fuller Warren	
	dovernor	===
Sent to	C. M. Gay Comptroller	_(SEAL)
S. P. Robineau Alfred I. duPont Bldg. Miami 32, Florida December 5th, 1950	J. Edwin Larson Treasurer	_(SEAL)
	Richard W. Ervin Attorney General	_(SEAL)
	Nathan Mayo Commissioner of Agriculture	_(SEAL)

### **CHAPTER 57-480**

## SENATE BILL NO. 138

AN ACT disclaiming all rights and titles to certain described lands in Monroe County, which the State of Florida may be vested with; and providing an effective date.

WHEREAS, although the State of Florida has no definite title or interest in the lands described in this act, and

WHEREAS, there is difficulty in establishing the exact boundaries from old maps and from the language of old Spanish Land Grants, although these boundaries are now clearly established by defined roads, and

WHEREAS, this act will remove a possible cloud on the title to these described lands, and facilitate the borrowing of money for the erection of improvements thereon by Monroe County, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the state hereby disclaim any interest, right and title to an area in the City of Key West, Monroe County described as follows:

Commencing at the intersection of North Roosevelt Boulevard with First Street, thence running in a Southeasterly direction along First Street and its continuation, known as Bertha Street to the intersection of Bertha Street and South Roosevelt Boulevard; thence in a Northeasterly direction and in a Northwesterly direction along South Roosevelt Boulevard to its intersection with North Roosevelt Boulevard; thence in a Southwesterly direction along North Roosevelt Boulevard to the point of beginning.

Section 2. This act shall take effect immediately upon becoming a law.

Became a law without the Governor's approval.

Filed in Office Secretary of State May 10, 1957.

Doc# 2154622 02/09/2018 9:49AM Filed & Recorded in Official Records of MONROE COUNTY KEVIN MADOK

04-QCD.02

This instrument prepared by, or under the direction of, Alicia Trujillo, Esq. District Six Chief Counsel State of Florida Department of Transportation 1000 N.W. 111th Avenue Miami, Florida 33172 September 19, 2016 – DD

Doc# 2154622 Bk# 2891 Pg# 418

Parcel No.

: 169.1R(01-23-2017)

Item/Segment No.: 250548-7

Managing District: 6

### QUITCLAIM DEED

THIS QUITCLAIM DEED, Made this 3rd day of 2018, by THE CITY OF KEY WEST, Grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Grantee: (wherever used herein the terms "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 organizations.)

WITNESSETH: That the said Grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, does hereby remise, release and quitclaim unto the said Grantee forever, all right, title, interest, claim and demand, which said Grantor has in and to the hereinafter described parcel of land, situate in the County of Monroe Florida, viz:

PARCEL 169 F.P. No. 250548-7

A strip of land formerly part of GARRISON BIGHT as shown on the Florida Department of Transportation Right-of-Way map for State Road No.5, in Section 90010, being a portion of Sections 33 and 34, Township 67 South, Range 25 East, and located in the Island of Key West, Monroe County, Florida, being more particularly described as follows:

## Parcel 169 Part One

Commence at the intersection of the centerlines of First Street and State Road No. 5, North Roosevelt Boulevard, as shown on Sunshine Subdivision Plat No. 3, according to the Plat thereof, as recorded in Plat Book 2, at Page 169, of the Public Records of Monroe County, Florida and as shown on said Florida Department of Transportation Right-of-Way map for State Road No.5, in Section 90010; thence S74°39'21"W, along the centerline of said State Road No.5, North Roosevelt Boulevard for a distance of 65.50 feet; thence N15°20'39"W for a distance of 25.00 feet to a point on the Existing Northerly Right-of-Way line of said State Road No.5, North Roosevelt Boulevard said point also being the Point of Beginning of the hereinafter described parcel; thence S74°39'21"W, along the Existing Northerly Right-of-Way line of said State Road No.5, North Roosevelt Boulevard, for a distance of 163.49 feet; thence N15°20'39"W for a distance of 20.61 feet; thence N74°39'21"E, parallel to and 20.61 feet Northerly of, as measured at right angles, the Existing Northerly Rightof-Way line of said State Road No.5, North Roosevelt Boulevard, for a distance of 149.82 feet to the point of curvature of a circular curve concave to the Northwest; thence Northeasterly, Northerly and Northwesterly, along the arc of said curve to the Left, having a radius of 28.50 feet and a central angle of 112°31'01" for a distance of 55.97 feet to a point on said curve; thence N51°44'41"E for a distance of 6.66 feet; thence S38°15'19"E for a distance of 22.73 feet to the point of curvature of a circular curve concave to the Northwest; thence Southeasterly, Southerly and Southwesterly, along the arc of said curve to the Right, having a radius of 30.00 feet and a central angle of 112°54'39" for a distance of 59.12 feet to the Point of Beginning;

Containing 4,461 Square Feet more or less;

### Parcel 169 Part Two

Commence at the point of intersection of the centerlines of Dredgers Key Road and State Road No. 5, North Roosevelt Boulevard, as shown on the Florida Department of Transportation Right-of-Way map for State Road No.5, in Section 90010; thence N54°33'53"E along the centerline of State Road No. 5, North Roosevelt Boulevard, for a distance of 7.87 feet to the point of curvature of a circular curve concave to the Southeast; thence Northeasterly, along the centerline of said State Road No.5, North Roosevelt Boulevard and along the arc of said curve to the Right, having a radius of 5,373.39 feet and a central angle of 04°27'01" for a distance of 417.37 feet to a point on said curve, said point bears N30°59'06"W from the center of said curve; thence N41°51'07"W for a distance of 25.45 feet to the Point of Beginning of the hereinafter described parcel; thence continue N41°51'07"W for a distance of 29.16 feet to a point on a circular curve concave to the Southeast, and said point bears N31°21'35"W from the center of said curve; Thence northeasterly, along the arc of said curve to the Right having a radius of 5904.59 feet, and a central angle of 01°15'10" for a distance of 129.10 feet to the Point of Tangency; Thence N59°53'35"E for a distance of 1903.42 feet to the point of curvature of a circular curve concave to the Southeast; Thence northeasterly, along the arc of said curve to the Right, having a radius of 1224.68 feet, and a central angle of 26°30'05" for a distance of 566.46 feet to the Point of Tangency; Thence N86°23'40"E for a distance of 1827.27 feet to the Point of Curvature of a circular curve concave to the Southwest; Thence northeasterly, easterly and southeasterly, along the arc of said curve to the Right, having a radius of 1052.24 feet, and a central angle of 30°26'05" for a distance of 558.94 feet to the Point of Tangency; Thence S63°10'15"E for a distance of 238.58 feet to the Point of Curvature of a circular curve concave to the Southwest; Thence southeasterly, along the arc of said curve to the Right, having a radius of 921.93 feet, and a central angle of 02°04'52" for a distance of 33.49 feet to a point on said curve; Thence S28°54'38"W, along a line radial to the previously described curve, for a distance of 28.66 feet to a point on said Existing Northwesterly Right-of-Way line of State Road No. 5, North Roosevelt Boulevard, as shown on said Florida Department of Transportation Right-of-Way map for State Road No.5, Section 90010; Thence along said Existing Northwesterly Right-of-Way line of State Road No. 5, North Roosevelt Boulevard, as shown on said Florida Department of Transportation Right-of-Way map for State Road No.5, Section 90010 for the following described fourteen (14) courses; 1) Thence N63°10'15"W for a distance of 43.16 feet; 2) Thence N48°35'47"W for a distance of 51.66 feet; 3) Thence N63°10'15"W for a distance of 100.00 feet; 4) Thence N77°44'42"W for a distance of 51.66 feet; 5) Thence N63°10'15"W for a distance of 27.87 feet to the Point of Curvature of a circular curve concave to the Southwest; 6) Thence northwesterly, westerly and southwesterly, along the arc of said curve to the Left, having a radius of 1022.99 feet, and a central angle of 30°26'05" for a distance of 543.40 feet to the Point of Tangency; 7) Thence S86°23'40"W for a distance of 390.76 feet; 8) Thence N79°01'53"W for a distance of 51.66 feet; 9) Thence S86°23'40"W for a distance of 100.00 feet; 10) Thence S71°49'16"W for a distance of 51.66 feet; 11) Thence S86°23'40"W for a distance of 1236.51 feet to the Point of Curvature of a circular curve concave to the Southeast; 12) Thence southwesterly, along the arc of said curve to the Left, having a radius of 1195.43 feet, and a central angle of 26°30'05" for a distance of 552.93 feet to the Point of Tangency; 13) Thence S59°53'35"W for a distance of 1939.07 feet to the Point of Curvature of a circular curve concave to the Southeast; 14) Thence southwesterly, along the arc of said curve to the Left, having a radius of 5398.39 feet, and a central angle of 00°55'43" for a distance of 87.50 feet to the Point of Beginning;

Containing 3.428 Acres more or less; and a combine total of 3.530 Acres more or less.

## AS SHOWN ON EXHIBIT "A". ATTACHED HERETO AND TO BE MADE A PART HEREOF

TO HAVE AND TO HOLD the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the said Grantee forever.

### Doc# 2154622 Bk# 2891 Pg# 420

IN WITNESS WHEREOF, the said Grantor Mayor, and its seal to be hereto affixed, attested by its	has caused these presents to be executed in its name by its City Clerk, the date first above written.
ATTEST: Mercy Smith	The City of Key West
Its City Clerk	Its Mayor PO BOX 1409 KEY WEST, FL 33041-1409 Address
STATE OF FLORIDA	
COUNTY OF MONROE	
20 18, by Craig CAtes	before me this 3rd day of fanuary Mayor, who is personally known to me or who has attification.
SUSAN P. HARRISON Commission # FF 207662 Expires April 8, 2019 Bonded Thru Troy Fein Insurance 800-345-7019	(Signature of person taking acknowledgment)  Susas P H Acroson  (Type, print or stamp name under signature)  Title or rank and serial number, if any:

## EXHIBIT "A"

#### SURVEYOR'S NOTES

- Bearings and coordinates are relative to the State Plane Coordinate System, Florida East Zone (901).
   Transverse Mercator Projection, North American Datum 1983 (NAD83), 1990 adjustment.
- A bearing of N59°53'35°E has being established along the Baseline of Survey of State Road 5 (North Roosevelt Boulevard).
- Additions and/or deletions to survey maps, sketches or reports by any party other than the signing party are prohibited without the written consent of the signing party.

Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

This Sketch to accompany Legal Description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers, referenced in Rule 5J-17 Florida Administrative Code pursuant to Section 472.027, Florida Statutes.

Manuel G. Vera & Associates, Inc. does carry Professional Liability Insurance for Surveying and Mapping Services.

All stations and offsets refer to the Baseline of Survey of State Raod S (North Roosevelt Boulevard).

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	Δ	DELTA	PB	PLAT BOOK
	E.	ARC LENGTH	PG	PAGE
	Đ	BASE LINE	R	- RADIUS
	F.P. NO.	FINANCIAL PROJECT NUMBER	RT	RIGHT
	STA.	STATION	No.	NUMBER
	ORB	OFFICIAL RECORD BOOK	50. FT.	SQUARE FEET
	SEC.	SECTION	R/W	RIGHT OF WAY
	TWP.	TOWNSHIP	FPS-I	FLORIDA POWER
	RGE.	RANGE		& LIGHT COMPAN
	EXIST.	- EXISTING		
	P.O.8.	POINT OF BEGINNING	- 1	SPRING LINE
	P.O.C.	- POINT OF COMMENCEMENT		
	LB.	LICENSED BUSINESS	(169)	PARCEL NUMBER
	1011	Attmam	_	

AHEAD BACK - POINT OF CURVATURE ¶ STA - CENTERLINE - STATION

LEGEND:

(AH)

(BK)

C.B. - CHORD BEARING TANGENT

Manuel G. Vera, Jr. Professional Surveyor & Mapper Florida Certificate No. 5291 Licensed Business: LB-2439 13960 SW 47th street Miaml, Florida 33175

ANTURA 18 201

THIS DOCUMENT CONSISTS OF EIGHTEEN (18) SHEETS AND SHALL NOT BE CONSIDERED FULL, VALID, AND COMPLETE UNLESS EACH SHEET IS ATTACHED TO THE OTHER.

THIS IS NOT A BOUNDARY SURVEY

			FLORIDA DEPARTMENT OF TRANSPORTATION SKETCH TO ACCOMPANY LEGAL DESCRIPTION  STATE ROAD NO. 5 (NORTH ROOSEVELT BOULEVARD)  MONROE COUNTY						
	+								
1000				88	DATE	PREPARED BY: MANUEL G. VERA AND ASSOCIATES BVC., 1802430	DATA SOURCE.		
			DRAWN	JP	01-17	13th SW 47th STREET MILES PLONIDA 33175	SEE SURVEYOR'S	IRVEYOR'S NOTES	
RFVISION	87	EATE	CHECKED	SN	01-17	F.P. NO. 250548-7 SECTION	90010-NR03	SHEET 01 OF 18	

### EXHIBIT "A"

#### LEGAL DESCRIPTION - PARCEL 169

A strip of land formerly part of GARRISON BIGHT as shown on the Florida Department of Transportation Right-of-Way map for State Road No.5, in Section 90010, being a portion of Sections 33 and 34, Township 67 South, Range 25 East, and located in the Island of Key West, Monroe County, Florida, being more particularly described as follows:

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Containing 4,461 Square Feet more or less;

And

Parcel 169 Part Two

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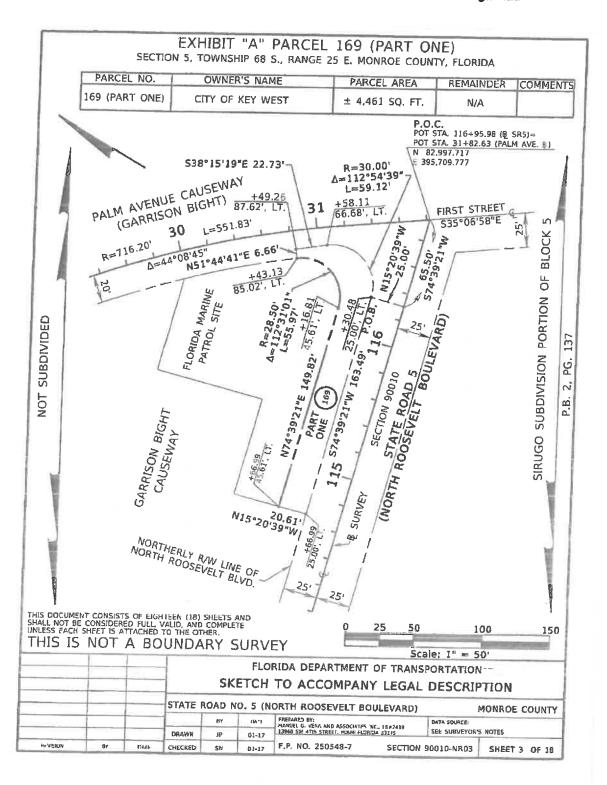
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and a combine total of 3.530 Acres more or less.

## THIS IS NOT A BOUNDARY SURVEY

				SK		RIDA DEPARTMENT OF TRAN TO ACCOMPANY LEGAL			
	-		STATE A	OAD I	VO. 5 (N	ORTH ROOSEVELT BOULEVARD)		MONROE COUNTY	
				tsv	DAIF	PREPARED BY: MARGET G VERA AND ASSOCIATES INC., LR#2429	DATA SOURCE:		
			DRAWN	41	01-17	13980 SW 47th TREEF MIANI FLORIDA 33175	SEE SURVEYOR'S	'S HOTES	
RI-VISION	BY	BAIF	CHECKED	SN	02-27	F.P. NO. 250548-7 SECTION	90010-NR03	SHEET 02 OF 18	



Doc# 2154622 Bk# 2891 Pg# 424

