

# STAFF REPORT

DATE: June 1, 2022

RE: 824 Duval Street (permit application # T2022-0168)

FROM: Karen DeMaria, City of Key West Urban Forestry Manager

An application was received requesting the removal of (1) Spanish Lime tree. A site inspection was done and documented the following:

Tree Species: Spanish Lime (*Melicoccus bijugatus*)



Photo showing location of tree, view 1.





Photo showing location of tree, view 2.





Photo showing base of tree and trunk against structure, view 1.





Photo showing tree trunk in relation to structure and roof, view 1.



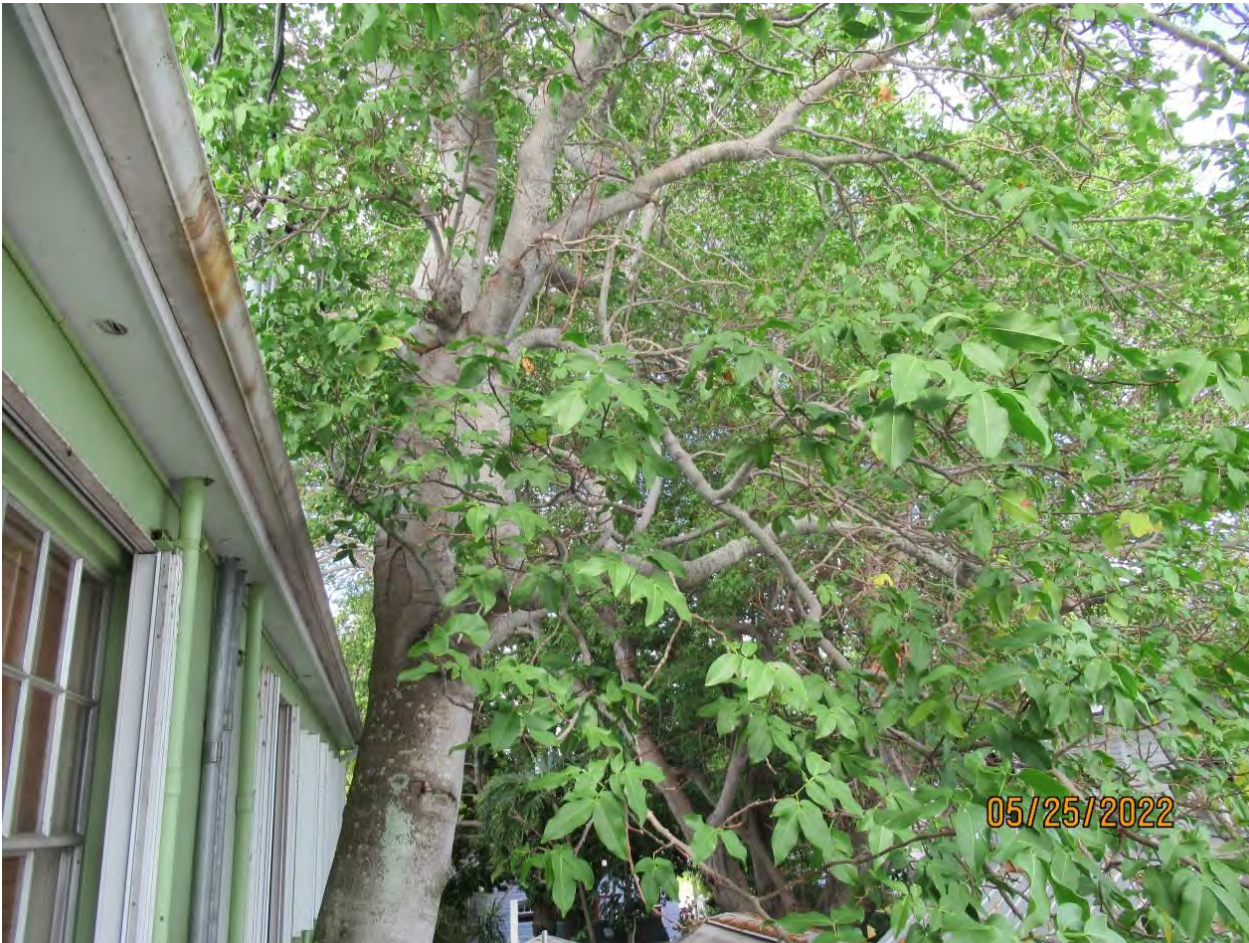
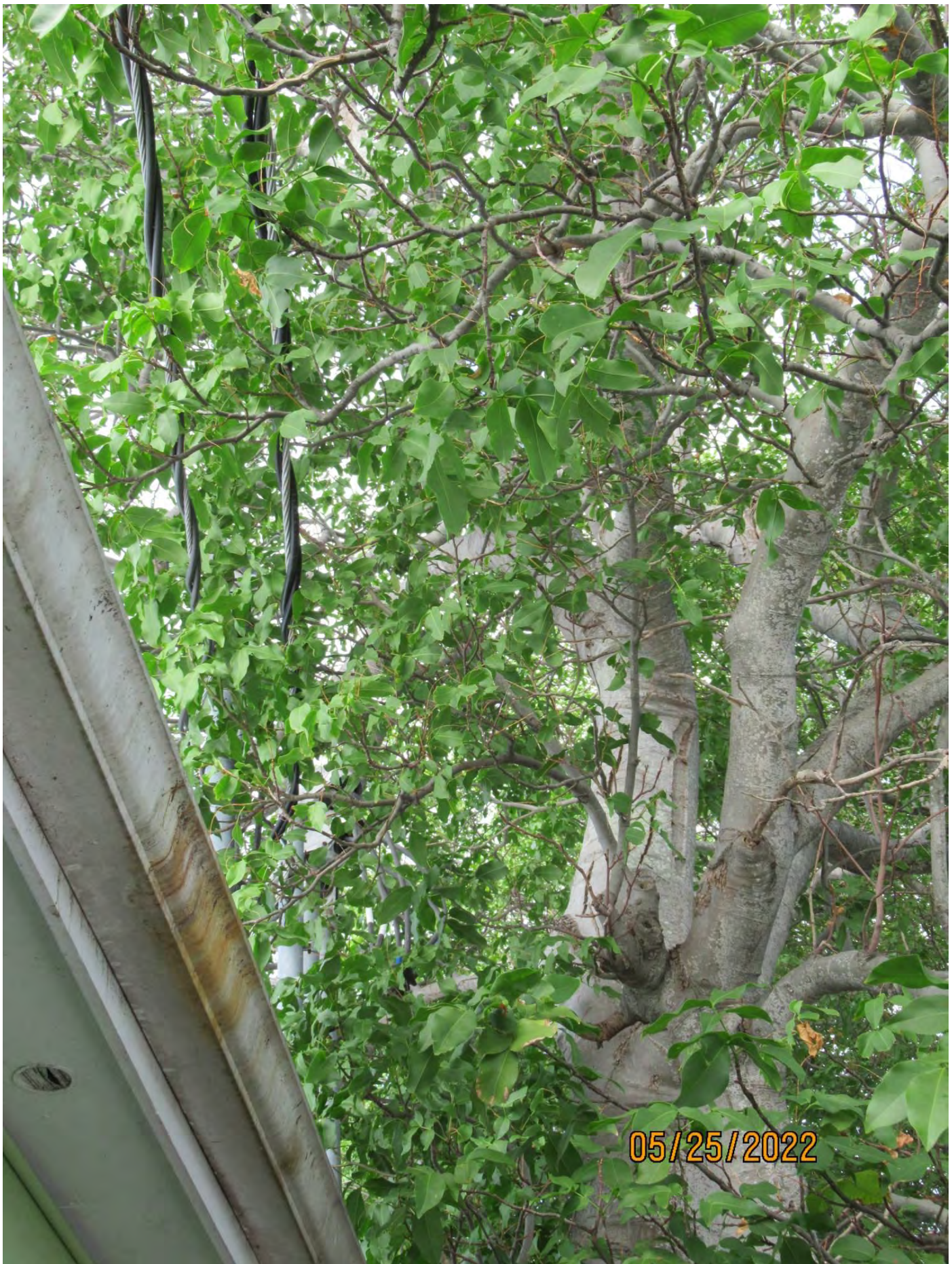


Photo showing tree canopy- note electrical lines to the left.



Photo showing base of tree and trunk against structure, view 2.





Close up photo of electrical lines and masthead in canopy branches.





Photo showing base of tree and trunk against structure, view 3.





Photo showing tree trunk in relation to structure, view 2.





Photo of tree trunk and canopy.





Photo of  
base of  
tree and  
roots,  
view 1.



Photo  
looking up  
trunk  
toward  
canopy  
and roof.





Photo of base of tree and roots, view 2.





Photo showing tree trunk in relation to structure, view 3.





Photo of tree canopy in relation to structure.

Diameter: 19.1"

Location: 20% (growing inside yard against structure-electrical boxes and mast head area.)

Species: 100% (on protected tree list)

Condition: 70% (overall condition is good to fair health)

Total Average Value = 63%

Value x Diameter = 12 replacement caliper inches



# Application





T 2022-0168

## Tree Permit Application

Please Clearly Print All Information unless indicated otherwise. Date: 5/3/22

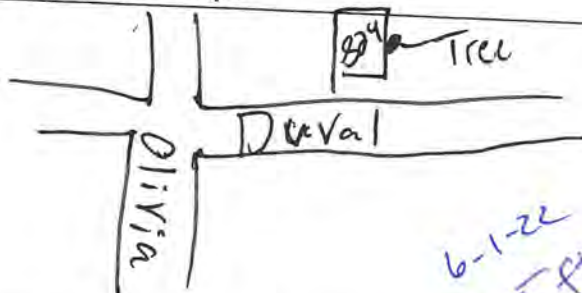
Tree Address 824 Duval  
Cross/Corner Street Olivia St  
List Tree Name(s) and Quantity One Spanish lime  
Species Type(s) check all that apply ☐ Palm ☐ Flowering ☒ Fruit ☐ Shade ☐ Unsure  
Reason(s) for Application:  
☒ Remove ☐ Tree Health ☒ Safety ☐ Other/Explain below  
☐ Transplant ☐ New Location ☐ Same Property ☐ Other/Explain below  
☐ Heavy Maintenance Trim ☐ Branch Removal ☐ Crown Cleaning/Thinning ☐ Crown Reduction  
Additional Information and Explanation pushing into Building

Property Owner Name X Al Rozant maintenance guy: For access  
Property Owner email Address X al@keysvacation.com Mike  
Property Owner Mailing Address X 1200 Fourth St #1184 KW FL 33040 305-906 0960  
Property Owner Phone Number X 910-622-9913  
Property Owner Signature X [Signature]

Representative Name John Haltman  
Representative email Address jhaltman90@gmail.com  
Representative Mailing Address 23027 Bluegill Ln, Cudjoe Key, FL  
Representative Phone Number 305-581-4834

NOTE: A Tree Representation Authorization form must accompany this application if someone other than the owner will be representing the owner at a Tree Commission meeting or picking up an issued Tree Permit. Tree Representation Authorization form attached ☐

Sketch location of tree in this area including cross/corner Street  
Please identify tree(s) with colored tape



5-25-22  
need access  
to tree  
19.1" dbh  
6-1-22  
5ft air

If this process requires blocking of a City right-of-way, a separate ROW Permit is required. Please contact 305-809-3740.





## Tree Representation Authorization

Attendance at the Tree Commission meeting on the date when your request will be discussed is necessary in order to expedite the resolution of your application. This Tree Representation Authorization form must accompany the application if the property owner is unable to attend or will have someone else pick up the Tree Permit once issued.

**Please Clearly Print All Information unless indicated otherwise.**

Date X 5-3-22  
Tree Address X 894 Duval St KW FL 33040  
Property Owner Name X Al Bozart  
Property Owner Mailing Address X 1200 Fourth St #1184 KW FL 3  
Property Owner Mailing City, X  
State, Zip X Key West FL 33040  
Property Owner Phone Number X 906 622-9913  
Property Owner email Address X al@keysvacation.com  
Property Owner Signature X [Signature]

Representative Name John Hartman  
Representative Mailing Address 23027 Bluegill Ln  
Representative Mailing City, Cudjoe Key  
State, Zip FL, 33042  
Representative Phone Number 305-567-4834  
Representative email Address Jhartman90@gmail.com

I, X Albert Bozart hereby authorize the above listed agent(s) to represent me in the matter of obtaining a Tree Permit from the City of Key West for my property at the tree address above listed. You may contact me at the telephone listed above is there is any questions or need access to my property.

Property Owner Signature X [Signature]

The forgoing instrument was acknowledged before me on this 3rd day May 2022.  
By (Print name of Affiant) Albert Bozart FL DL who is personally known to me or has produced as identification and who did take an oath.

Notary Public

Sign name:

Print name:

Mia Castillo  
Mia Castillo

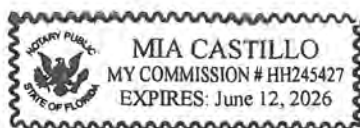
My Commission expires:

June 12, 2026

Notary Public-State of

Florida

(Seal)





**Disclaimer**

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

**Summary**

Parcel ID 00017141-000000  
 Account# 9085082  
 Property ID 9085082  
 Millage Group 10KW  
 Location Address 824-826 DUVAL St, KEY WEST  
 Legal Description MAISON SUR DUVAL CONDOMINIUM (F/K/A RE 00017140-000000 AK 1017574) OR2160-2191/2272DEC OR2397-879/882AMD  
 (Note: Not to be used on legal documents.)  
 Neighborhood 8144  
 Property Class CONDO HEADER (4H00)  
 Subdivision  
 Sec/Twp/Rng 06/68/25  
 Affordable Housing No



AK 9085082 7/2/2010 Maison Sur Duval

**Owner**

MAISON SUR DUVAL CONDOMINIUM

**Valuation**

	2021	2020	2019	2018
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$0	\$0	\$0	\$0
= Just Market Value	\$0	\$0	\$0	\$0
= Total Assessed Value	\$0	\$0	\$0	\$0
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$0	\$0	\$0	\$0

**Permits**

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
13-01001220	10/9/2013		\$0	Residential	
13-00004184	9/30/2013		\$5,500	Residential	PAINT THE MAIN BUILDING
13-00003815	9/26/2013		\$15,000	Residential	COMPLETE WIRING.
13-00004471	1/1/1900		\$1,519	Residential	DEMO TILE ON WALLS, 500 SF FLOOR TILE, 350 SF DRYWALL, NEW WOOD FLOOR, FRAMING, DOORS AND PAINTING. INSTALL NEW SIGN TO EXISTING HANGING BRACKET.

**View Tax Info**
[View Taxes for this Parcel](#)
**Photos**

AK 9085082 7/2/2010 Maison Sur Duval

No data available for the following modules: Land, Buildings, Yard Items, Sales, Sketches (click to enlarge), TRIM Notice.

Monroe County Property Appraiser's Office is not responsible for the accuracy of the data provided. The data is provided for informational purposes only. The data is not to be used for legal purposes. The data is not to be used for any other purpose.

[User Privacy Policy](#)  
[GDPR Privacy Notice](#)

Last Data Upload: 6/2/2022, 2:36:18 AM







#### Overview



#### Legend

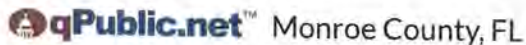
- Centerline
- ... Easements
- Hooks
- Lot Lines
- Road Center
- Rights of Way
- Shoreline
- [ ] Condo Building
- Key Names
- [ ] Subdivisions
- [ ] Parcels

Parcel ID	00017141-000824	Alternate ID	9085091	Owner Address	TERRA 9 LLC
Sec/Twp/Rng	06/68/25	Class	RETAIL-CONDO		1200 4th St
Property Address	824 DUVAL St				Key West, FL 33040
	KEY WEST				
District	10KW				
Brief Tax	UNIT 824 DUVAL-DOWNSTAIRS MAISON SUR DUVAL CONDOMINIUM OR2160-2191/2272DEC OR2351-1495/96 OR2525-				
Description	345 OR3157-1886				
	(Note: Not to be used on legal documents)				

Date created: 5/16/2022  
Last Data Uploaded: 5/16/2022 2:25:59 AM

Developed by Schneider GEOSPATIAL





Monroe County, FL

## Disclaimer

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## Summary

Parcel ID 00017141-000824  
 Account# 9085091  
 Property ID 9085091  
 Millage Group 10KW  
 Location Address 824 DUVAL ST KEY WEST  
 Legal Description UNIT 824 DUVAL-DOWNSTAIRS MAISON SUR DUVAL CONDOMINIUM OR2160-2191/2272DEC OR2351-1495/96 OR2525-345 OR3157-1886  
 (Note: Not to be used on legal documents.)  
 Neighborhood 8144  
 Property Class RETAIL-CONDO (1104)  
 Subdivision  
 Sec/Twp/Rng 06/68/25  
 Affordable Housing No

## Owner

TERRA 9 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040  
TERRA 15 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040  
TERRA 20 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040  
TERRA 10 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040  
TERRA 16 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040  
TERRA 73 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040  
TERRA 12 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040  
TERRA 19 LLC  
 1200 4th St  
 # 1184  
 Key West FL 33040

## Valuation

	2021	2020	2019	2018
+ Market Improvement Value	\$623,320	\$623,320	\$363,232	\$363,232
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$0	\$0	\$0	\$0
= Just Market Value	\$623,320	\$623,320	\$363,232	\$363,232
= Total Assessed Value	\$439,510	\$399,555	\$363,232	\$363,232
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$623,320	\$623,320	\$363,232	\$363,232

## Buildings

Building ID	56132				Exterior Walls	
Style					Year Built	1933
Building Type	CN_4 / CN_4				EffectiveYearBuilt	1933
Gross Sq Ft	1452				Foundation	
Finished Sq Ft	1452				Roof Type	
Stories					Roof Coverage	
Condition	AVERAGE				Flooring Type	
Perimeter	0				Heating Type	
Functional Obs	0				Bedrooms	1
Economic Obs	0				Full Bathrooms	1
Depreciation %	0				Half Bathrooms	0
Interior Walls					Grade	
Code	Description	Sketch Area	Finished Area	Perimeter	Number of Fire Pl	0
FLA	FLOOR LIV AREA	1,452	1,452	0		
TOTAL		1,452	1,452	0		

## Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
2/18/2022	\$5,800,000	Warranty Deed	2363508	3157	1886	05 - Qualified	Improved
6/28/2011	\$2,500,000	Warranty Deed		2525	345	05 - Qualified	Improved
2/4/2008	\$4,000,000	Warranty Deed		2351	1495	B - Unqualified	Improved

## Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
17-00005328	12/19/2017	1/3/2018	\$1,600	Commercial	IN FILL 10 FT OPENING BETWEEN UNITS METAL FRAMING 5/8" DRYWALL 100 SQ/FT OF INSULATION. N.O.C EXEMPT GH.
14-00004774	10/16/2014	5/14/2017	\$4,500	Commercial	DEMO EXISTING FLOORING MATERIAL. INSTALL APPROX. 1200 SQFT OF EPOXY FLOORING. NOC REC'D 10-27-2014. ** MC T/S: 10/15/2014 03:31 PM KEYWMAC - ***** CONTRACTOR REQUESTING CANCEL THIS PERMIT BECAUSE CUSTOMER CHANGE HIS MIND T/S: 12/02/2014

## View Tax Info

[View Taxes for this Parcel](#)





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company  
TERRA 9, LLC

OK  
(10, 12, 15, 16, 19, 20, 23)

### Filing Information

**Document Number** L22000051848  
**FEI/EIN Number** NONE  
**Date Filed** 02/10/2022  
**Effective Date** 03/03/2020  
**State** FL  
**Status** ACTIVE  
**Last Event** CONVERSION  
**Event Date Filed** 02/10/2022  
**Event Effective Date** NONE

### Principal Address

824-826 DUVAL ST  
KEY WEST, FL 33040

### Mailing Address

1200 FOURTH ST #1184  
KEY WEST, FL 33040

### Registered Agent Name & Address

STERLING, ERICA H, ESQ  
500 FLEMING ST  
KEY WEST, FL 33040

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

TERRA M, LLC  
1200 FOURTH ST #1184  
KEY WEST, FL 33040

### Annual Reports

**No Annual Reports Filed**

### Document Images



## Karen DeMaria

---

**From:** Erica Sterling <erica@spottswoodlaw.com>  
**Sent:** Wednesday, May 18, 2022 9:01 AM  
**To:** Karen DeMaria; al@keysvacation.com; John Hartman  
**Cc:** Tippi Koziol  
**Subject:** [EXTERNAL] RE: tree removal application for 824 Duval Street  
**Attachments:** Terra 9 LLC Affidavit.pdf; Terra 10 LLC Affidavit.pdf; Terra 12 LLC Affidavit.pdf; Terra 16 LLC Affidavit.pdf; Terra 15 LLC Affidavit.pdf; Terra 19 LLC Affidavit.pdf; Terra 20 LLC Affidavit.pdf; Terra 23 LLC Affidavit.pdf

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Karen! Hope you are well. Please find attached the recorded LLC Affidavits for the Terra entities, which show how Albert Bozart has an interest in such entities. Please let me know if these documents will suffice. Thank you!  
Best, Erica

Erica Hughes Sterling, Esq.  
(305) 294-2450

**From:** Karen DeMaria <kdemaria@cityofkeywest-fl.gov>  
**Sent:** Monday, May 16, 2022 10:44 AM  
**To:** al@keysvacation.com; John Hartman <jhartman90@gmail.com>; Erica Sterling <erica@spottswoodlaw.com>  
**Cc:** Tippi Koziol <tippi.koziol@cityofkeywest-fl.gov>  
**Subject:** tree removal application for 824 Duval Street

Mr. Bozart:

We have received an application to remove a Spanish Lie tree at 824 Duval Street that has your contact information and signature on it. We are required to review all applications to ensure that the property owner or someone in authority related to the ownership of the property has signed the application. The common area of this property lists Mason Sur Duval Condominium and the units as owned by Terra 9, LLC, Terra 10, Terra 12, Terra 15, etc. When I look on Sunbiz I do not see your name directly associated with either group but I see Terra M, LLC as title manager. I did see Ms. Sterling's name so I have copied her on this email. In order for my office to process this application I need to verify your connection to either group. Please send a document that has your name in association with one of the groups mentioned as owner or agent for the property. Unfortunately, at this time we cannot process this application and it will be placed on hold until the requested documentation is received.

Looking at Google Earth, it appears that this tree is very close to the property line. If this tree is on the property line we will need authorization from the adjoining property owner regarding removal of the tree. Once I do a site visit I will be able to document where the tree is in relation to the property line.

Sincerely,

Karen

*Karen DeMaria*



Doc # 2363517 Bk# 3157 Pg# 1896 Recorded 2/28/2022 at 3:26 PM Pages 5  
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK  
REC: \$44.00

Prepared by and Return to:  
Erica H. Sterling  
Spottswood, Spottswood, Spottswood & Sterling, PLLC  
500 Fleming Street  
Key West, Florida 33040  
File No.

### LIMITED LIABILITY COMPANY AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Albert T. Bozart and Magen Strickland (collectively "Affiant"), who being by me first duly sworn, on oath deposes and says that:

1. That Albert T. Bozart is the Trustee of the TERRA PROPERTY TRUST DATED MARCH 3, 2020, which is the sole member/manager of Terra Property Holdings, LLC, a North Carolina limited liability company, which is a member/manager of TPI Enterprises, LLC, a North Carolina limited liability company, which is the sole Member/Manager of Terra M, LLC, a North Carolina limited liability company, Manager of Terra 9, LLC, a Florida limited liability company ("Company").
2. That Magen Strickland is the Trustee of the Mabo Property Trust Dated June 23, 2020, which is the sole member/manager of Mabo Investments, LLC, a North Carolina limited liability company, which is a member/manager of TPI Enterprises, LLC, a North Carolina limited liability company, which is the sole Member/Manager of Terra M, LLC, a North Carolina limited liability company, Manager of Company.
3. The Company was formed by the filing of its Articles of Organization with the North Carolina Secretary of State, as amended by Articles of Conversion filed with the Florida Secretary of State, and is currently in existence under a valid Operating Agreement. The Company is currently in existence under valid articles of organization has not been terminated or dissolved.
3. The Company is purchasing an undivided 16 % interest the property more particularly described on the attached Exhibit A (the "Property").
4. The Company is managed by its Manager, Terra M, LLC, a North Carolina limited liability company.
5. Albert T. Bozart is the Trustee of the TERRA PROPERTY TRUST DATED MARCH 3, 2020, which is the sole member/manager of Terra Property Holdings, LLC, a North Carolina limited liability company, which is a member/manager of TPI Enterprises, LLC, a North Carolina limited liability company, which is the sole Member/Manager of Terra M, LLC, a North Carolina limited liability company, Manager of Company and Magen Strickland is the Trustee of the Mabo Property Trust Dated June 23, 2020, which is the sole member/manager of Mabo Investments, LLC, a North Carolina limited liability company, which is a member/manager of TPI Enterprises, LLC, a North Carolina limited liability company, which is the sole Member/Manager of Terra M, LLC, a North Carolina limited liability company, Manager of Company are authorized by duly promulgated and approved written consent and pursuant to the articles of organization, operating agreement and applicable law, to execute a note and mortgage on behalf of such Company, and to take such other action to in favor of First State Bank of the Florida Keys in order to purchase the Property and encumber the Property with that certain mortgage executed simultaneously herewith.
6. Neither the Company nor any of the members are currently debtors in any bankruptcy proceedings. Additionally, no creditors have acquired or are attempting to acquire control of the Company by executing on or seizing any members' interest in the Company. No event has occurred causing any members to become disassociated as a member.
7. The Company is not one of a family or group of related entities or, if one of a family or group of related entities, none of such entities is a debtor in bankruptcy.
8. The Company has neither executed nor intends to execute and record a Statement of Authority limiting the power of the party executing the above-referenced documents.



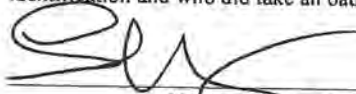
9. This affidavit is given to induce Spottswood, Spottswood, Spottswood & Sterling, PLLC and Chicago Title Insurance Company to issue a mortgagee title policy for the Property and Affiant acknowledges that this Affidavit may be relied upon to establish the truth of the matters set forth herein pursuant to Section 605.04074(3) Florida Statutes.

10. Affiant further states that he is familiar with the nature of an oath and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has fully read this affidavit and understands its contents.

  
Albert T. Bozart

State of FL )  
County of Monroe )

Sworn To, Subscribed and Acknowledged before me by ☒ means of physical presence or ☐ online notarization on February, 2022, by Albert T. Bozart, who is personally known to me or who has produced a valid driver's license as identification and who did take an oath.

  
Notary Public




\_\_\_\_\_  
(Printed Name)

My Commission expires:

{Notorial Seal}




Doc. # 2363517 Page Number: 3 of 5

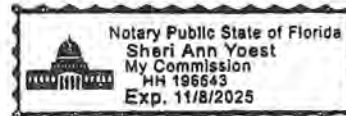
  
Megan Strickland  
Megan

State of FL )  
County of Monroe )

Sworn To, Subscribed and Acknowledged before me by ☒ means of physical presence or ☐ online notarization on February, 2022, by Megan Strickland, who is personally known to me or who has produced a valid driver's license as identification and who did take an oath.

  
Notary Public

(Printed Name)



My Commission expires:

{Notarial Seal}



*Exhibit "A"*

~~4~~



**EXHIBIT "A"**

All of MAISON SUR DUVAL CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2160, Page 2191, as amended, of the Public Records of Monroe County, Florida; together with any undivided interest or share in the common elements appurtenant thereto.



# Untitled Map

Write a description for your map.

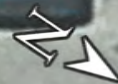
Legend

824 Duval St

*Tree* →

Google Earth

60 ft





# Untitled Map

Write a description for your map.

Legend



Google Earth

© 2022 Google

7.48 ft