



Florida Department of Environmental Protection

South District
Post Office Box 2549
Fort Myers, Florida 33902-2549
SouthDistrict@dep.state.fl.us

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

January 4, 2018

Mr. Douglas Bradshaw
Port and Marina Services Director
City of Key West
201 William St
Key West, FL 33040
dbradshaw@cityofkeywest-fl.gov

Re: Monroe County - ERP
BOT No. 440346895
Site No. 302907

Dear Mr. Bradshaw:

Enclosed is the Temporary Use Agreement Addendum (No. 440346895) to provide the City of Key West with continued temporary authorization for the existing structures and activities on state-owned submerged lands in the City of Key West Mooring Field.

Please have the appropriate entity sign the original and return the signed page (via email) to this office within twenty (20) calendar days of receipt. Please leave the date on the first page blank. After the Temporary Use Agreement Addendum has been executed by the Department, a copy will be returned to you for your records.

If you have any questions regarding this matter, please contact Mark Miller by phone at (239) 344-5669, or by e-mail at Mark.Miller@dep.state.fl.us.

Thank you for your continued patience and cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer L. Carpenter".

Jennifer L. Carpenter
Assistant Director of District Management
South District Office

JLC/ mrm

Enclosure: Temporary Use Agreement Addendum

cc: Mark Tait, mtait@cityofkeywest-fl.gov
David Hawthorne, dhawthorne@cityofkeywest-fl.gov

TEMPORARY USE AGREEMENT ADDENDUM
BOT # 440346895

This Temporary Use Agreement Addendum (hereinafter referred to as "Addendum") is entered into this _____ day of _____, 2018, 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 into on December 18, 2013 by and between the Board and the Applicant, and the Temporary Use Agreement Addendums by and between the Board and the Applicant on January 4, 2016 and June 5, 2017.

Whereas, the Temporary Use Agreement Addendum expired on January 4, 2018, and the Applicant needs additional time to complete the application for a sovereignty, submerged lands lease for 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 January 4, 2018, and expiring on January 4, 2019, or the date of execution of a sovereignty submerged lands lease 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: _____

Jon. M. Iglehart
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

LOCATION MAP

4
N
N.T.S.



Lat: 24°34'35"
Long: 81°47'15"

BOT No. 440346985

Exhibit A

Page 1 of 8 Pages

RECEIVED

AUG 26 2011

U.S. OF FLORIDA "KEY WEST"

Sheet 1 of 8

City of Key West
Bay of Florida (Mooring Field)

Specific Purpose Survey
Submerged Land Lease

Dwn No.:
11-150

Scale: N.T.S.

Ref.
File

Flood panel No.

Dwn. By: F.H.H.

Date: 4/06/11

Flood Zone:

Flood Elev.

REVISIONS AND/OR ADDITIONS

8/23/11: Revise Lease Area

f:/data/fred/dwg/cityK.W./MOORING1

ISLAND SURVEYING INC.
ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, FL 33040

(305) 293-0466
Fax. (305) 293-0237
fhildeb1@bellsouth.net
L.B. No. 7700

Easterly

Shoreline

Fleming

Key

S.85°24'11"E. 1361.78'
P.O.C.
Alum. Mon.
FK-2
N=90511.05
E=392054.40
Elev. 3.22

P.O.B.

EAST 2730.09'

B
A
Y

N.08°34'00"W. 47354.91'

Future Phase II

Phase I

125.045± M

S.31°14'37"W. 2734.00'

edge of Mooring Field approved 12/8/97

FLORIDA

- ⬇ Denotes Position of Mooring Buoy
- ⬇ M Denotes Missing Buoy
- ⊙ Denotes Mooring area marker

BOT No. 440346985

Exhibit A

Page 2 of 8 Pages

N=88064.42
E=394723.82

Lat: 24°34'25" (24°34.417' N)
Long: 81°47'12.1" (81°47.203' W)

All coordinates shown are
NAD 83/90 Florida East Zone

Alum. Mon.
FK-1
N=86609.96
E=392049.80
Elev. 3.74

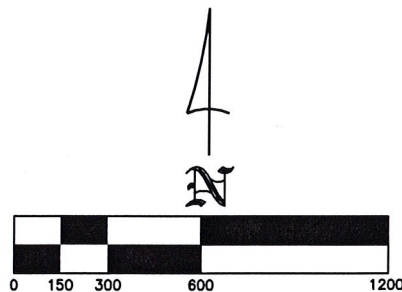
2260.89'
S.66°17'44"E.

4" Underwater Fuel Line

400'
to channel

N=85701.04
E=394119.94
Lat: 24°34'02.0" (24°34.033' N)
Long: 81°47'18.6" (81°47.325' W)

edge of shelf



GRAPHIC SCALE

RECEIVED

AUG 26 2011

D.E.P. Marathon

Sheet 2 of 8

City of Key West
Bay of Florida (Mooring Field)

Specific Purpose Survey
Submerged Land Lease

Dwn No.:
11-150

Scale: 1"=600'

Ref.
File

Flood panel No.

Dwn. By: F.H.H.

Date: 4/06/11

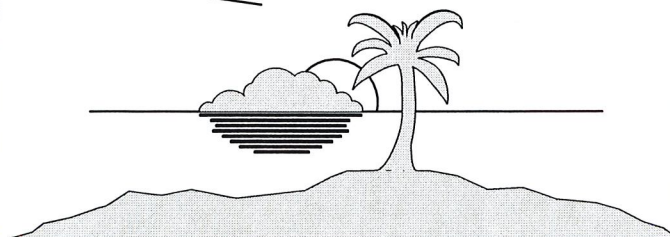
Flood Zone:

Flood Elev.

REVISIONS AND/OR ADDITIONS

8/23/11: Revise Lease Area

f:/datafred/dwg//cityK.W./MOORING1



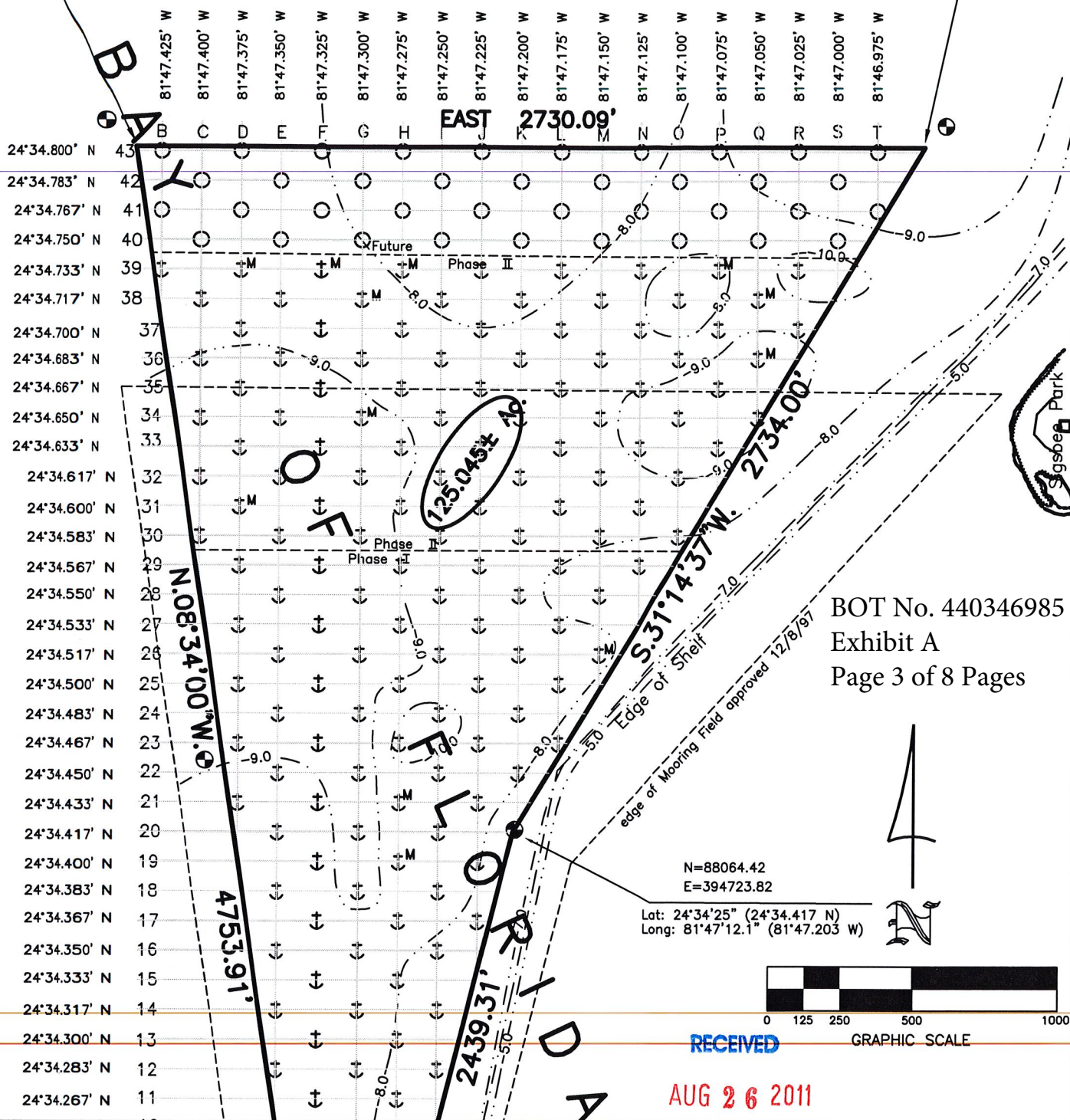
ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, Fl. 33040

(305) 293-0466
Fax: (305) 293-0237
fhildeb1@bellsouth.net
L.B. No. 7700

N=90401.91
E=393411.79
Lat: 24°34'48.1" (24°34.80.2 N)
Long: 81°47'26.5" (81°47.44.1 W)

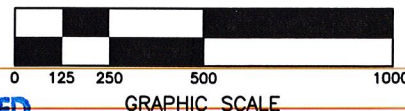
N=90401.91
E=396141.89
Lat: 24°34'48.3" (24°34.80.5 N)
Long: 81°46'57" (81°46.95' W)



BOT No. 440346985
Exhibit A
Page 3 of 8 Pages

N=88064.42
E=394723.82

Lat: 24°34'25" (24°34.417 N)
Long: 81°47'12.1" (81°47.203 W)



RECEIVED

AUG 26 2011

D.E.P. Marathon

Sheet 3 of 8

City of Key West
Bay of Florida (Mooring Field)

Specific Purpose Survey
Submerged Land Lease

Dwn No.:
11-150

Scale: 1"=500'

Ref.
File

Flood panel No.

Dwn. By: F.H.H.

Date: 4/06/11

Flood Zone:

Flood Elev.

REVISIONS AND/OR ADDITIONS

8/23/11: revised lease area

f:/datafred/dwg//cityK.W./MOORING1



ISLAND SURVEYING INC.

ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, FL 33040

(305) 293-0466
Fax: (305) 293-0237
fhldeb1@bellsouth.net
L.B. No. 7700

24°34.617' N 32
 24°34.600' N 31
 24°34.583' N 30
 24°34.567' N 29
 24°34.550' N 28
 24°34.533' N 27
 24°34.517' N 26
 24°34.500' N 25
 24°34.483' N 24
 24°34.467' N 23
 24°34.450' N 22
 24°34.433' N 21
 24°34.417' N 20
 24°34.400' N 19
 24°34.383' N 18
 24°34.367' N 17
 24°34.350' N 16
 24°34.333' N 15
 24°34.317' N 14
 24°34.300' N 13
 24°34.283' N 12
 24°34.267' N 11
 24°34.250' N 10
 24°34.233' N 9
 24°34.217' N 8
 24°34.200' N 7
 24°34.183' N 6
 24°34.167' N 5
 24°34.150' N 4
 24°34.133' N 3
 24°34.117' N 2
 24°34.100' N 1
 24°34.083' N 0

N.08°34'00"W.0

4753.91'

S.14°20'00"W.

2439.31'

S.31°14'37"W.

N=88064.42
E=394723.82

Lat: 24°34'25" (24°34.417' N)
Long: 81°47'12.1" (81°47.203' W)



GRAPHIC SCALE

- ⚓ Denotes Position of Mooring Buoy
- ⚓M Denotes Missing Buoy
- Denotes Future Mooring Buoy
- ⊙ Denotes Mooring area marker

All coordinates shown are
NAD 83/90 Florida East Zone

BOT No. 440346985
 Exhibit A
 Page 4 of 8 Pages

N=85701.04
E=394119.94

Lat: 24°34'02.0" (24°34.033' N)
Long: 81°47'18.6" (81°47.325' W)

4" Underwater Fuel Line

400' to channel

edge of shelf

RECEIVED

AUG 26 2011

D.E.P. Marathon

City of Key West
 Bay of Florida (Mooring Field)

Specific Purpose Survey
 Submerged Land Lease

Dwn No.:
 11-150

Scale: 1"=500'

Ref. File

Flood panel No.

Dwn. By: F.H.H.

Date: 4/06/11

Flood Zone:

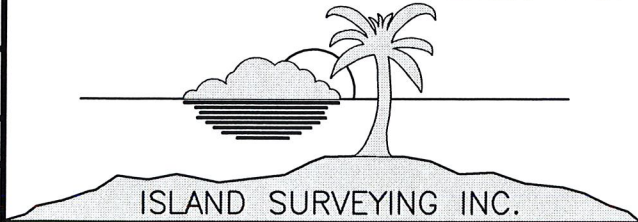
Flood Elev.

REVISIONS AND/OR ADDITIONS

8/23/11: revised lease area

f:/datafred/dwg//cityK.W./MOORING1

Sheet 4 of 8



ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
 Suite 201
 Key West, Fl. 33040

(305) 293-0466
 Fax. (305) 293-0237
 fhildeb1@bellsouth.net
 L.B. No. 7700

BOT No. 440346985
Exhibit A
Page 5 of 8 Pages

POSITION	Latitude	Longitude
D-21	24°34.433' N	81°47.375' W
D-23	24°34.467' N	81°47.375' W
D-25	24°34.500' N	81°47.375' W
D-27	24°34.533' N	81°47.375' W
D-29	24°34.567' N	81°47.375' W
E-12	24°34.283' N	81°47.350' W
E-14	24°34.317' N	81°47.350' W
E-16	24°34.350' N	81°47.350' W
E-18	24°34.375' N	81°47.350' W
E-20	24°34.417' N	81°47.350' W
E-22	24°34.450' N	81°47.350' W
E-24	24°34.483' N	81°47.350' W
E-26	24°34.517' N	81°47.350' W
E-28	24°34.550' N	81°47.350' W
F-03	24°34.133' N	81°47.325' W
F-05	24°34.167' N	81°47.325' W
F-07	24°34.200' N	81°47.325' W
F-09	24°34.233' N	81°47.325' W
F-11	24°34.267' N	81°47.325' W
F-13	24°34.300' N	81°47.325' W
F-15	24°34.333' N	81°47.325' W
F-17	24°34.367' N	81°47.325' W
F-19	24°34.400' N	81°47.325' W
F-21	24°34.433' N	81°47.325' W
F-23	24°34.467' N	81°47.325' W
F-25	24°34.500' N	81°47.325' W
F-27	24°34.533' N	81°47.325' W
F-29	24°34.567' N	81°47.325' W
G-02	24°34.117' N	81°47.300' W
G-04	24°34.150' N	81°47.300' W
G-06	24°34.183' N	81°47.300' W
G-08	24°34.217' N	81°47.300' W
G-10	24°34.250' N	81°47.300' W
G-12	24°34.283' N	81°47.300' W
G-14	24°34.317' N	81°47.300' W
G-16	24°34.350' N	81°47.300' W
G-18	24°34.383' N	81°47.300' W
G-20	24°34.417' N	81°47.300' W
G-22	24°34.450' N	81°47.300' W
G-24	24°34.483' N	81°47.300' W
G-26	24°34.517' N	81°47.300' W
G-28	24°34.550' N	81°47.300' W
H-07	24°34.200' N	81°47.275' W
H-09	24°34.233' N	81°47.275' W
H-11	24°34.267' N	81°47.275' W
H-13	24°34.300' N	81°47.275' W
H-15	24°34.333' N	81°47.275' W
H-17	24°34.367' N	81°47.275' W

[illegible]

RECEIVED

AUG 26 2011

D.E.P. Marathon

City of Key West
Bay of Florida (Mooring Field)

Specific Purpose Survey
Submerged Land Lease

Dwn No.:
11-150

Scale: 1"=500'

Ref.	File
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
47	47
48	48
49	49
50	50
51	51
52	52
53	53
54	54
55	55
56	56
57	57
58	58
59	59
60	60
61	61
62	62
63	63
64	64
65	65
66	66
67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Flood panel No.

Dwn. By: F.H.H.

Date: 4/06/11

Flood Zone:

Flood Elev.

REVISIONS AND/OR ADDITIONS

8/23/11: Revise Lease Area

f/datafred/dwg/cityK.W./MOORING1

Sheet 5 of 8



ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, Fl. 33040


(305) 293-0466
Fax: (305) 293-0237
fhldeb1@bellsouth.net
L.B. No. 7700

Page 6 of 8 Pages

[illegible]

D.E.P. Marathon

Sheet 6 of 8



ISLAND SURVEYING INC.

ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, Fl. 33040

(305) 293-0466
Fax. (305) 293-0237
fhildeb1@bellsouth.net
L.B. No. 7700

MOORING BUOY POSTIONS FUTURE

POSITION	Latitude	Longitude
B-41	24°34.767' N	81°47.425' W
B-43	24°34.800' N	81°47.425' W
C-40	24°34.750' N	81°47.400' W
C-42	24°34.783' N	81°47.400' W
D-41	24°34.767' N	81°47.375' W
D-43	24°34.800' N	81°47.375' W
E-40	24°34.750' N	81°47.350' W
E-42	24°34.783' N	81°47.350' W
F-41	24°34.767' N	81°47.325' W
F-43	24°34.800' N	81°47.325' W
G-00	24°34.080' N	81°47.300' W
G-40	24°34.750' N	81°47.300' W
G-42	24°34.783' N	81°47.300' W
H-41	24°34.767' N	81°47.275' W
H-43	24°34.800' N	81°47.275' W
I-40	24°34.750' N	81°47.250' W
I-42	24°34.783' N	81°47.250' W
J-41	24°34.767' N	81°47.225' W
J-43	24°34.800' N	81°47.225' W
K-40	24°34.750' N	81°47.200' W
K-42	24°34.783' N	81°47.200' W
L-41	24°34.767' N	81°47.175' W
L-43	24°34.800' N	81°47.175' W
M-40	24°34.750' N	81°47.150' W
M-42	24°34.783' N	81°47.150' W
N-41	24°34.767' N	81°47.125' W
N-43	24°34.800' N	81°47.125' W
O-40	24°34.750' N	81°47.100' W
O-42	24°34.783' N	81°47.100' W
P-41	24°34.767' N	81°47.075' W
P-43	24°34.800' N	81°47.075' W
Q-40	24°34.750' N	81°47.050' W
Q-42	24°34.783' N	81°47.050' W
R-41	24°34.767' N	81°47.025' W
R-43	24°34.800' N	81°47.025' W
S-40	24°34.750' N	81°47.000' W
S-42	24°34.783' N	81°47.000' W
T-41	24°34.767' N	81°46.975' W
T-43	24°34.800' N	81°46.975' W

BOT No. 440346985
Exhibit A
Page 7 of 8 Pages

RECEIVED

AUG 26 2011

D.E.P. Marathon

Sheet 7 of 8

City of Key West Bay of Florida (Mooring Field)		
Specific Purpose Survey Submerged Land Lease		Dwn No.: 11-150
Scale: 1"=500'	Ref. File	Flood panel No.
Date: 4/06/11		Dwn. By: F.H.H.
		Flood Zone: Flood Elev.
REVISIONS AND/OR ADDITIONS		
8/23/11: Revise Lease Area		
f:/datafred/dwg//cityK.W./MOORING1		



ISLAND SURVEYING INC.

ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive Suite 201 Key West, Fl. 33040

(305) 293-0466
Fax. (305) 293-0237
fhldeb1@bellsouth.net
L.B. No. 7700

LEGAL DESCRIPTION: SUBMERGED LAND LEASE

Prepared by undersigned:

A parcel of submerged land in the Bay of Florida located in Township 67 South, Range 25 East, Monroe County Florida and being more particularly described as follows:

Commence at a Aluminium Monument (FK-2) located on Fleming Key, having for it coordinates N 90511.05, E 392054.40 (NAD-83, Florida East Zone); thence S 85°24'11" E for a distance of 1361.78 feet to the Northwest corner of a mooring field, having a coordinate of N 90,401.91, and E 393411.79 and also being the Point of Beginning of the following parcel; thence East for a distance of 2730.09 feet; thence S 31°14'37" W for a distance of 2734.00 feet; thence S 14°20'00" W for a distance of 2439.31 feet; thence N 08°34'00" W for a distance of 4753.91 feet to the Point of Beginning. Containing 5,446,969.93 square feet, or 125.0452 acres, more or less.

SURVEYOR'S NOTES:

North arrow based on State Plane Coord. (Florida East Zone)

Reference Bearings: NAD/90 Florida East Zone

Elevations based on N.V.A.D. 1988

Bench Mark No.:FK-2, Elev. 3.22

Monumentation:

⊕ = Found Alumin. Disc. in Concrete

fd. = Found

m. = Measured

M.H.W.= Mean High Water

Sec. = Section

Twp. = Township

Rge. = Range

N.T.S.= Not to Scale

Mean High Water Elevation -0.25

Mean Low Water Elevation -1.60

This is a field survey

Field Work performed on: 3/22/11

_____ -8.0 _____ Contour line showing the
depth of water at Mean Low Water

P.O.C.= Point of Commence

P.O.B.= Point of Beginning

The length of the boundary of the mooring field is 12,507.00 l.f.

The entire land Lease lies in the Bay of Florida. No part of the lease abuts upland

CERTIFICATION made to: The Board of Trustees of the Internal Improvement Trust
Fund of the State of Florida.

CERTIFICATION:

I HEREBY CERTIFY that the attached **Specific Purpose Survey, Submerged Land Lease** is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 61G17-6, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

BOT No. 440346985

RECEIVED

Exhibit A

AUG 26 2011

Page 8 of 8 Pages

D.E.P. Marathon

FREDERICK H. HILDEBRANDT

Professional Land Surveyor & Mapper No. 2749

Professional Engineer No. 36810

State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

City of Key West
Bay of Florida (Mooring Field)

Specific Purpose Survey
Submerged Land Lease

Dwn No.:
11-150

Scale: 1"=500'

Ref.
File

Flood panel No.

Dwn. By: F.H.H.

Date: 4/06/11

Flood Zone:

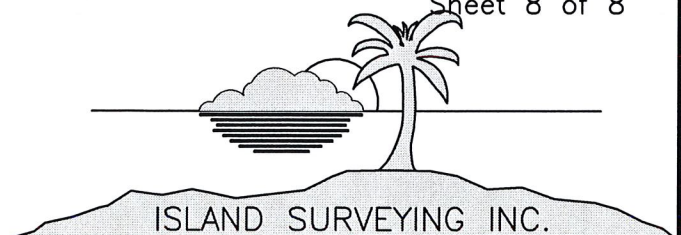
Flood Elev.

REVISIONS AND/OR ADDITIONS

8/23/11: Revise Lease Area

f:/datafred/dwg//cityK.W./MOORING1

Sheet 8 of 8



ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, Fl. 33040

(305) 293-0466
Fax. (305) 293-0237
fhildeb1@bellsouth.net
L.B. No. 7700