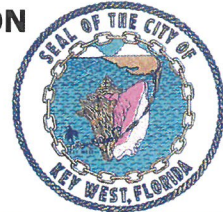


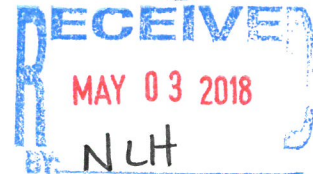
DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department
1300 White Street, Key West, FL 33040
(305) 809-3720



Development Plan & Conditional Use Application

Applications will not be accepted unless complete



Development Plan

Major ☐
Minor ☐

Conditional Use

☒

Historic District

Yes ☒
No ☐

Please print or type:

- 1) Site Address 1325 Simonton Street #26
- 2) Name of Applicant Trepamier & Associates, Inc.
- 3) Applicant is: Owner ☐ Authorized Representative ☒
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 1421 1st Street unit 101
Key West, FL 33040
- 5) Applicant's Phone # 305-293-8983 Email owen@owentrepanier.com
- 6) **Email Address:** c/o owen@owentrepanier.com
- 7) Name of Owner, if different than above Meisel Holdings FL-1321 Simonton Street, LLC
- 8) Address of Owner 600 Executive Blvd 7th Floor, Rockville, MD 20852
- 9) Owner Phone # c/o 305-293-8983 Email c/o owen@owentrepanier.com
- 10) Zoning District of Parcel HNC RE# 00035950-000000
- 11) Is Subject Property located within the Historic District? Yes ☒ No ☐
If Yes: Date of approval _____ HARC approval # _____
OR: Date of meeting _____
- 12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).
The proposed project seeks approval to operate a resort bar within the existing confines of the property.

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department
1300 White Street, Key West, FL 33040
(305) 809-3720



- 13) Has subject Property received any variance(s)? Yes ☐ No ☒

If Yes: Date of approval _____ Resolution # _____

Attach resolution(s).

- 14) Are there any easements, deed restrictions or other encumbrances on the subject property?

Yes ☐ No ☒

If Yes, describe and attach relevant documents.

-
-
- A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.
- B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
- C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
- D. For both *Conditional Uses* and *Development Plans*, one set of plans MUST be signed & sealed by an Engineer or Architect.

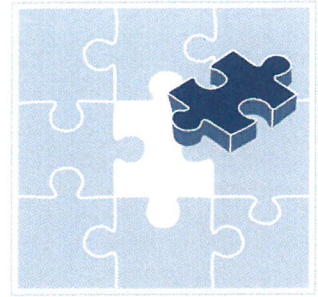
Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.

Project Analysis

Amendment to a Conditional Use

1321, 1323, 1325 Simonton Street & 625 South Street
(RE Nos. 00035950-000000, 00038140-000000 & 00035940-000000)

TREPANIER



& ASSOCIATES INC

LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Project Description:

The proposed project seeks approval to operate a resort bar within the existing confines of the property.

Key Persons and Entities:

- Owner: Meisel Holdings FL - 1321 Simonton Street, LLC.
- Authorized Agent: Trepanier & Associates, Inc.
- Legal and Equitable Owners: Marc L. Meisel & Joel S. Meisel



Solutions Statement:

The proposed project seeks approval for the existing resort-hotel to operate an accessory bar. Currently the property provides services normally associated with hotel of this size including accessory food service (breakfast, snacks, hors d'oeuvres, pizzas, etc.), room and pool-side food and drink service and a retail shop (liquor store). This request is to allow the retail area to also serve as a more traditional resort-style publicly accessible bar-setting, utilizing approximately half of the hotel's existing consumption area (~500 sq. ft.).

- No construction or demolition is proposed.
- No change in building coverage or impervious surface is proposed.

Intergovernmental Coordination

Required intergovernmental coordination shall be handled within the DRC process.

Schedule and Process

The following development approval schedule and process is anticipated:

Step	Date
1. Submit Applications	05/14/18
2. Development Review Committee (DRC) Meeting	06/28/18
3. Planning Board Meeting	07/19/18

Existing/ Proposed Conditions:

Use	Prior Condition	Proposed
Hotel	58 Rooms	No Change
Retail	453 sq. ft.	226.5 sq. ft.
Bar	0 sq. ft.	226.5 sq. ft.
Consumption Area	996 sq. ft.	1,007 sq. ft.
Parking	56 spaces	No Change

Concurrency Facilities and Other Utilities or Services (Sec. 108-233):

1. Potable Water: Based on the City of Key West adopted level of service the potable water demand is not anticipated to change (pursuant to Sec. 94-68, the potable water LOS for nonresidential development is 650 gal/acre/day).

No change in potable water LOS is predicted pursuant to Sec. 94-68, however, intuitively there will be some amount of functional increase. Notwithstanding, as demonstrated in the Concurrency Analysis below the supply system can provide adequate water for the proposed development, and there are no system improvements required to maintain the adopted level of service. The project team is coordinating with the FCAA and the City of Key West Fire Department to determine that the water pressure and flow will be adequate for fire protection for the proposed type of construction.

2. Waste Water: Based on the City of Key West adopted level of service the wastewater demand is not anticipated to change significantly (pursuant to Sec. 94-68, the wastewater LOS for nonresidential development at 660 gal/day/acre).

No change in wastewater LOS is predicted pursuant to Sec. 94-68, however, intuitively there will be some amount of functional increase. Notwithstanding, as demonstrated in the Concurrency Analysis below no change is required in the capacity of the treatment and transmission facilities of wastewater. No system improvements are required to maintain the adopted level of service.

3. Nearshore Waters: No adverse impacts to the quality of receiving waters are anticipated before, during or after construction.
4. Storm water: No changes are proposed or required to storm water management.
5. Solid Waste: Solid waste (i.e. construction debris) generated by the change will be handled within the existing contracted waste hauler.
6. Trip Generation: No change in parking demand or vehicular trip generation is anticipated.
7. City Infrastructure: The City of Key West's adopted level of service for recreational infrastructure is not affected by commercial development.
8. Fire hydrant locations: No change to the existing fire safety is anticipated.

9. Reclaimed Water: No change is proposed.
10. Public Facilities: As demonstrated by the attached Concurrency Analysis, there will be no adverse effects on public facilities.

Appearance, design, and compatibility

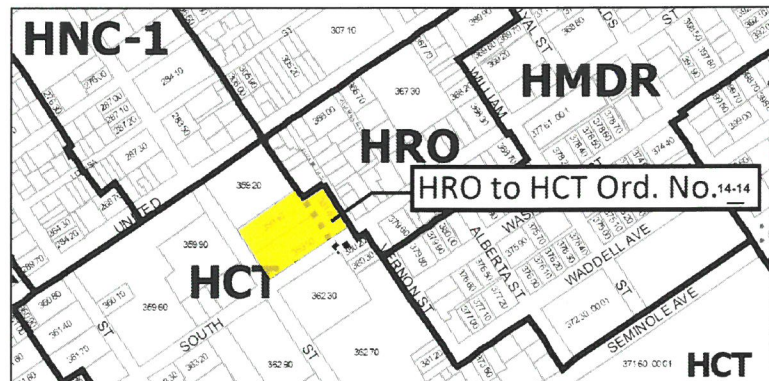
No changes are proposed.

Site Location and Character of Use

- (a) *Compliance.* This project complies with the requirements set forth in the Key West City Code as they pertain to Concurrency Management, Outdoor Displays and Nuisances, Resource Protection, Signs, and Articles I and III to IX of Chapter 108 of the Key West City Code.

- (b) *Vicinity Map.*

- (c) *Land Use Compatibility.* The project site is located in the Historic Commercial Tourist area. The proposed use is compatible with the surrounding uses all of which are commercial in nature.



- (d) *Historic and archeological resource protection.* The site located within the Historic District. Any archeological resources will be protected as required.
- (e) *Subdivision of Land.* No subdivisions are anticipated.

Location and screening of mechanical equipment, utility hardware and waste storage areas

No changes are proposed.

Appearance of Site and Structures

No changes are proposed.

Site Plan

No changes are proposed.

Architectural Drawings

No changes are proposed.

Site Amenities

This resort has standard amenities normally associated with similar hotels and resorts.

Site Survey

Survey of the site is attached.

Soil Survey

Soil surveys are not anticipated as part of this project.

Environmentally Sensitive Areas

No Environmentally sensitive areas exist on this site.

Land clearing, excavation and fill, tree protection, landscaping and irrigation plan

No changes are proposed.

On-site and off-site parking and vehicular, bicycle, and pedestrian circulation

No changes are proposed.

Housing

No changes are proposed.

Economic Resources

Trepanier & Associates, Inc. has contacted the Monroe County Property Appraiser's office to seek assistance in estimating the average ad valorem tax yield from the proposed project.

Special Considerations

The proposal complies with the goals, objectives and policies of the comprehensive plan and as demonstrated by this and the concurrency analysis. There are no conflicts with the existing public facilities, such as wastewater treatment and transportation.

This project complies with all City land use plans, objectives and policies.

Construction Management Plan and Inspection Schedule

No changes are proposed.

Truman Waterfront Port Facilities

This project is not located at the Truman Waterfront Port

SITE PLAN**Scope**

This site plan conforms to all applicable sections of land development regulations.

Site Location and Character of Use

As depicted, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. The infrastructure and site plan improvements are designed to mitigate potential adverse impacts of the proposed use.

Appearance of Site and Structures

This applications development plan exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in sections 108-278 through 108-288.

Location and screening of mechanical equipment, utility hardware and waste storage areas

No changes are proposed.

Front-end loaded refuse container requirements

No changes are proposed.

Roll-off Compactor Container location requirements

No changes are proposed.

Utility lines

No changes are proposed.

Exterior Lighting

No changes are proposed.

Signs

No changes are proposed.

Pedestrian sidewalks

No changes are proposed.

Loading docks

No changes are proposed.

Storage Areas

No changes are proposed.

Land Clearing, Excavation, and Fill

No changes are proposed.

Open space, landscaping and removal of exotic vegetation

No changes are proposed.

Off-street parking and loading (Article VII):

A de minimis expansion of consumption area is proposed, as such, no increase in parking demand is anticipated under the code.

Storm water and Surface Water Management

No changes are proposed.

Flood Hazard Areas

The proposed project is located in the AE 6 flood zone.

Utilities (Article IX):

See Concurrency Analysis below.



CONCURRENCY ANALYSIS:

The City's Comprehensive Plan Objective 9-1.5 directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

The following specific issues are outlined:

1. Potable Water & Sanitary Sewer
2. Recreation (for residential development only)
3. Solid Waste
4. Drainage
5. Roads/Trip Generation

The following concurrency analysis reflects the anticipated impacts resulting from the proposed development at 921 Truman Avenue.

Potable Water & Sanitary Sewer "Planned improvements in potable water and/or wastewater systems required to establish and/or maintain adopted water and wastewater levels of service. System improvements and proposed funding resources required for implementing any improvements required to establish and/or maintain adopted potable water and wastewater system level of service standards¹."

Potable Water Policy 9-1.6.1 sets the level of service for residential potable water at 100 gal/capita/ day and does not provide an LOS for non-residential, therefore we utilize the the LDR Sec. 94-67, which applies 660 gallons per acre per day.

Analysis

1. Existing capacity required based on site size: **999.5 gal/day**
The total capacity required for nonresidential use on 1.51 acres is:
 $660 \text{ gal/acre/day} \times 1.51 \text{ acres} = 999.5 \text{ gal/day}$
2. Proposed capacity required based on site size: **999.5 gal/day**
The total capacity required for nonresidential use on 1.51 acres is:
 $660 \text{ gal/acre/day} \times 1.51 \text{ acres} = 999.5 \text{ gal/day}$
3. Existing capacity required based on floor area: **259.0 gal/day**
The total capacity required for nonresidential use on 0.39 acres is:
 $660 \text{ gal/acre/day} \times 0.39 \text{ acres} = 259.0 \text{ gal/day}$
4. Proposed capacity required based on floor area: **259.0 gal/day**
The total capacity required for nonresidential use on 0.39 acres is:
 $660 \text{ gal/acre/day} \times 0.39 \text{ acres} = 259.0 \text{ gal/day}$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is will be a di minimis decrease in the proposed capacity required by Key West Comprehensive Plan LOS standards; the Florida Keys Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated below.

FKAA Supply Capacity:

¹ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

The Florida Keys Aqueduct Authority ("FKAA") has adequate supply capacity to serve the potential development. FKAA has constructed facilities on the mainland in Florida City to expand water supply for the Florida Keys. This permitted and constructed improvement enables FKAA to provide over 23 MGD, which will provide sufficient capacity through 2022². Operational in 2011, the recent expansion of the R.O. plant will provide 6.0 MGD, which combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, increased available water supply to 23 MGD for the Florida Keys.

Expanded Florida City R.O. Plant. The Department of Health issued Permit # 150092-007-wc/04 (Exhibit I) on November 14, 2006 to allow for the construction of an expanded reverse osmosis (R.O.) water plant in Florida City. The expanded water plant is designed to treat blended Floridian Aquifer water as an alternative water source to the Biscayne Aquifer. The permit design capacity of the expanded R.O. plant is 6 MGD.

Revised Water Use Permit. The SFWMD issued revised Water Use Permit (WUP) #13-00005-W (Exhibit II) on March 26, 2008, which recognizes the additional blended Floridian Aquifer capacity that will be provided by the expanded R.O. plant. Interim Water Use Allocations in the WUP permit provide FKAA with an allocation of 17.00 MGD (dry season) and 17.79 GPD (wet season) which may be withdrawn from the Biscayne Aquifer and allows FKAA to utilize the Stock Island and Marathon Reverse Osmosis plants for any demands exceeding the interim withdrawal limit, pending completion of the R.O. plant in Florida City. The Stock Island and Marathon R.O. plants have a combined capacity of 3.0 MGD providing an interim WUP water supply of 20.0 MGD during the dry season if needed. Once operational in 2010, the R.O. plant will provide an additional 6.0 MGD, which when combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, will increase available water supply to 23 MGD for the Florida Keys.

The interim allocation of 20 MGD (7,300 MG/year) through 2010 and 23 MGD after 2010 provides ample water supply to support the adopted amendment and allocated growth well beyond 10 years. The "Monroe County 2007 Annual Public Facilities Report" documents historic water use in the Florida Keys. Water demand has fluctuated significantly on an annual basis, however when evaluated over a ten-year period, the data shows an increase in water demand of more than 1 billion gallons over the last 10 years with an annual average increase of approximately 104 MG/year. This increase in demand can be shown in the following calculation:

1996 annual water demand = 5,272 MG /year

2006 annual water demand = 6,310 MG /year

Average Annual Increase = $(6,310 \text{ MG} - 5,272 \text{ MG}) / 10 = 103.8 \text{ MG /year}$

Based on the average annual increase of 103.8 MG per year, the interim allocation would be sufficient for an additional 9.5 years of growth beyond 2006 or through 2015 until demand reaches the interim permitted withdrawal of 20 MGD (7,300 MG/year). Since completion of the Florida City facilities, the 23 MGD allocation is available to support yet another 9.5 years of growth. Based on these findings,

² Excerpt from Analysis by Kenneth B. Metcalf, AICP, (Greenberg Traurig, P.A.), August 22, 2008.

sufficient permitted water supply is available to meet the needs of the Florida Keys through 2024.

Improvements Schedule/Status. Condition 30 of the WUP provides the R.O. plant and the associated Floridian deep wells that will provide 23 MGD of capacity through 2024:

- DEP Underground Injection and Control permit was obtained on May 21, 2008.
- Construction contracts were required within 180 days or by November 21, 2008;
- Testing is required within one year and 30 days from issuance of the permit or by June 21, 2009.
- The R.O. plant construction was completed in January, 2010.

Sanitary Sewer Policy 9-1.6.1 sets the level of service for residential sanitary sewer at 100 gal/capita/day and nonresidential sanitary sewer at 660 gal/acre/day.

Analysis

5. Existing capacity required based on site size: **999.5 gal/day**
The total capacity required for nonresidential use on 1.51 acres is:
 $660 \text{ gal/acres/day} \times 1.51 \text{ acres} = 999.5 \text{ gal/day}$
6. Proposed capacity required based on site size: **999.5 gal/day**
The total capacity required for nonresidential use on 1.51 acres is:
 $660 \text{ gal/acres/day} \times 1.51 \text{ acres} = 999.5 \text{ gal/day}$
7. Existing capacity required based on floor area: **259.0 gal/day**
The total capacity required for nonresidential use on 0.39 acres is:
 $660 \text{ gal/acres/day} \times 0.39 \text{ acres} = 259.0 \text{ gal/day}$
8. Proposed capacity required based on floor area: **259.0 gal/day**
The total capacity required for nonresidential use on 0.39 acres is:
 $660 \text{ gal/acres/day} \times 0.39 \text{ acres} = 259.0 \text{ gal/day}$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is will be no change to the sanitary sewer capacity required. The current wastewater treatment plant has the potential treatment capacity of 10 million gallons per day. Only 4.8 million gallons per day of capacity are currently utilized³. The current plant has the capacity to service this project's projected needs.

Recreation "In cases where residential development is proposed, information shall be submitted describing plans for accommodating recreational demands generated by the development, including demonstrated evidence that the City's adopted level of service for recreation shall not be adversely impacted⁴."

No change in onsite recreational facilities are proposed. The development currently has 3 swimming pools.

³ Per September 3, 2010 memo from Greg Smith, project Manager for CH2M Hill OMI (Exhibit III)

⁴ The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

Solid Waste- “Projected demand generated by the development on the solid waste disposal system and assurances that the City’s adopted level of service for solid waste disposal shall not be adversely impacted⁵.”

Policy 9-1.6.1 sets the following levels of service solid waste disposal:

Total Waste: 6.37 lb/capita/day
Recyclable Waste: 0.25 lb/capita/day

Analysis

1. Existing capacity required: **208.66 lbs/day**

The total capacity required for the nonresidential use of 152.31⁶ people is:
 $1.37 \text{ lbs/capita/day} \times 152.31 \text{ people} = 208.66 \text{ lbs/day}$

2. Existing capacity required: **208.66 lbs/day**

The total capacity required for the nonresidential use of 152.31⁷ people is:
 $1.38 \text{ lbs/capita/day} \times 152.31 \text{ people} = 208.66 \text{ lbs/day}$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is will be no change in the proposed capacity required by Key West Comprehensive Plan LOS standards. Waste Management has more than enough capacity to handle the waste stream⁸.

Drainage - “Conceptual plan for accommodating storm water run-off and demonstrated evidence that the proposed drainage improvements shall accommodate storm water run-off without adversely impacting natural systems or the City’s adopted level of service for storm drainage⁹”

No changes are required or proposed.

Roads/Trip Generation- “Estimated trips for the peak hour generated by the proposed land use(s) together with anticipated on- and off-site improvements necessitated to accommodate the traffic impacts generated by the development including, additional R/W, roadway improvements, additional paved laneage, traffic signalization, proposed methods for controlling access and egress, and other similar improvements¹⁰.”

⁵ The City of Key West’s Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

⁶ Based on average occupancy of 2.1 people per room with average occupancy rate of 84%, plus 50 additional people at the retail.

⁷ Based on average occupancy of 2.1 people per room with average occupancy rate of 84%, plus 50 additional people at the retail.

⁸ Per January 25, 2010 memo from Jay Gewin, City of Key West (Exhibit V)

⁹ The City of Key West’s Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

¹⁰ The City of Key West’s Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an Entity)


I, OWEN TREPANIER, in my capacity as PRESIDENT
(print name) *(print position; president, managing member)*
of TREPANIER & ASSOCIATES, INC
(print name of entity serving as Authorized Representative)

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

1325 SIMONTON ST #26

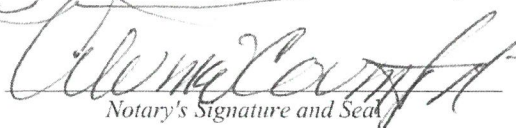
Street Address of subject property

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.


Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 4-18-18 by
OWEN TREPANIER
Name of Authorized Representative
date

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


Notary's Signature and Seal

ALVINA COVINGTON

Name of Acknowledger typed, printed or stamped



Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2019
WWW.AARONNOTARY.COM

FF 913801
Commission Number, if any

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

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

I, **MARC MEISEL** _____ as
Please Print Name of person with authority to execute documents on behalf of entity

MGR _____ of **MEISEL HOLDINGS FL-SIMONTON STREET, LLC**
Name of office (President, Managing Member) *Name of owner from deed*

authorize **TREPANIER & ASSOCIATES, INC** _____
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

Signature of person with authority to execute documents on behalf on entity owner

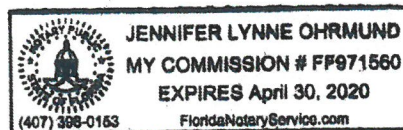
Subscribed and sworn to (or affirmed) before me on this 4/19/18
Date

by **MARC MEISEL** _____
Name of person with authority to execute documents on behalf on entity owner

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

Jennifer Lynne Ohrmund
Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped



Commission Number, if any

Doc# 2074519 05/06/2016 9:36AM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

05/06/2016 9:36AM
DEED DOC STAMP CL: Krys \$65,800.00

Prepared by and return to:
Erica Hughes-Sterling
Attorney at Law
Spottswood, Spottswood & Spottswood
500 Fleming Street
Key West, FL 33040
305-294-9556
File Number: 14-100-EB
Purchase Price: 9,400,000.00

Doc# 2074519
Bk# 2795 Pg# 953

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 4th day of May, 2016 between Spanish Gardens, Inc., a Florida corporation whose post office address is 31 Cypress Avenue, Key West, FL 33040, grantor, and Meisel Holdings FL - 1325 Simonton Street, LLC, a Florida limited liability company whose post office address is 6000 Executive Blvd., Rockville, MD 20852, grantee:

(Whenever 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 corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida** to-wit:

On the Island of Key West, and being a part of Tract 16 according to Wm. A. Whitehead's Map of said Island but better described as Lot 4 of Square Number 1 of said Tract 16 on the Island of Key West between Frederick Filer and John Doyle, recorded in Book "N", Page 476 of Monroe County Records, but more particularly described by metes and bounds as follows: Commencing at the corner of South and Simonton Street, running thence along Simonton Street in a Northwesterly direction 100 feet; thence at right angles in a Northeasterly direction 248 feet; thence at right angles in a Southeasterly direction 100 feet to South Street; thence along South Street in a Southwesterly direction 248 feet to the place of beginning.

Parcel Identification Number: 00035950-000000

Subject to taxes for 2016 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2015**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Gregory Cropez
Witness Name: Gregory Cropez
ERICA N. STERLING
Witness Name: ERICA N. STERLING

Spanish Gardens, Inc. a Florida corporation

By: Julius C. Masiello
Julius C. Masiello, President

(Corporate Seal)

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 4th day of May, 2016 by Julius C. Masiello, as President of Spanish Gardens, Inc., a Florida corporation, on behalf of the corporation. He ☐ is personally known to me or ☒ has produced a driver's license as identification.

[Notary Seal]



Mary E. Turso
Notary Public

Printed Name: MARY E. TURSO

My Commission Expires: 5/16/17

MONROE COUNTY
OFFICIAL RECORDS