

File #: 2025-062

Owner's Name: Allen F. Carter Rev Trust
11/8/22

Applicant/Contact: Smith Hawks (Barton Smith &
Jess Goodall)

Type of Application: Tier Overlay

Key: Key Haven

RE #: 00123110-000100

Additional Information added to File 2025-062

End of Additional File 2025-062

**MONROE COUNTY, FLORIDA
PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT**



RECEIVED
2025-062
MAR 20 2025

MONROE COUNTY
PLANNING DEPT.

Request to Amend the Tier Overlay District Map

An application must be deemed complete and in compliance with the Monroe County Comprehensive Plan and Code by the staff prior to the item being scheduled for review

Tier Amendment Application Fee: \$1,970.00 for an IS/URM platted lot
\$4,670.00 for a non IS/URM platted lot

In addition to the application fee, the following fees also apply:

Advertising Costs: \$245.00

Surrounding Property Owner Notification (SPON): \$3.00 for each property owner required to be noticed
Advertising and Noticing Fees for Community Meeting: \$245.00 plus \$3.00/SPON

Date of Request: 03 / 17 / 2025
Month Day Year

Applicant / Agent Authorized to Act for Property Owner: (Agents must provide notarized authorization from all property owners.)

SMITH HAWKS, PL

Barton W. Smith / Jess Miles Goodall

Applicant (Name of Person, Business or Organization)

Name of Person Submitting this Application

138 Simonton Street, Key West, Florida 33040

Mailing Address (Street, City, State and Zip Code)

Bart@SmithHawks.com;
Jess@SmithHawks.com;
Brandi@SmithHawks.com

(305) 296-7227

Work Phone

Home Phone

Cell Phone

Email Address

Property Owner: (Business/Corp must include documents showing who has legal authority to sign.)

Allen F. Carter Revocable Trust dated November 8, 2022 c/o Agent

(Name/Entity)

Contact Person

c/o Agent

Mailing Address (Street, City, State and Zip Code)

c/o Agent

c/o Agent

Work Phone

Home Phone

Cell Phone

Email Address

Legal Description of Property (if in metes and bounds, please attach separate sheet):

Block	Lot	Subdivision	Key Name
00123110-000100	1	Key Haven 7th Addition	Key Haven
Real Estate (RE) / Parcel ID Number	Alternate Key Number		
Vacant Land	5		
Street Address	Approximate Mile Marker		

Request an to Amend the Tier Overlay District Map to Correct a Tier Designation assigned in error in accordance with Section 130-130(e) of the Land Development Code

Size of Site: See attached Survey.

Platted lot (book/page): Plat Book 5, Page 53

Existing Use: Vacant Land

Total Wetlands/Habitat: 0 Sf in requested change

Total area of native upland habitat: 0 sf in requested change

Has clearing of tropical hardwood hammock or pinelands occurred on the property? Describe: No

Current Tier: I

Proposed Tier: III

Applicants requesting a Land Use District (Zoning) Map Amendment shall provide for community participation through a community meeting, as indicated in Code Section 102-159.

Scheduling. The applicant will coordinate with the Planning Director regarding the date, time and location of the proposed community meeting; however, all meetings are to be held on a weekday evening at a location close to the project site, between 45 - 120 days prior to any of the public hearings.

Notice of Meeting. The community meeting shall be noticed at least 15 days prior to the meeting date by advertisement in a Monroe County newspaper of general circulation, mailing of notice to surrounding property owners, and posting of the subject property.

Noticing and Advertising Costs. The applicant shall pay the cost of the public notice and advertising for the community meeting and provide proof of proper notice to the Planning Director.

The community meeting shall be facilitated by a representative from the Monroe County Planning & Environmental Resources Department and the applicant shall be present at the meeting.

PROOF OF PROPER NOTICING ON THE COMMUNITY MEETING WILL BE REQUIRED.

* * * * *

All of the following must be submitted in order to have a complete application submittal:

(Please check as you attach each required item to the application)

- Completed application form (unaltered and unbound)
- Correct fee (check or money order payable to *Monroe County Planning & Environmental Resources*)
- Proof of ownership (i.e., Warranty Deed) **Tab A**
- Current Property Record Card(s) from the Monroe County Property Appraiser **Tab B**
- Ownership Disclosure of Interest Form **Tab C**
- Location map **Tab D**
- Photograph(s) of site(s) from adjacent roadway(s) **Tab E**
- Signed and Sealed Boundary Survey(s), prepared by a Florida registered surveyor – three (3) sets (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; total acreage by habitat; and total upland area **Tab F**)
- A list of names and addresses of all real property owners within a 600 foot radius of the subject property(ies). This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 600 foot radius, each unit owner must be included **Tab G**
- 600 foot radius map from Monroe County Property Appraiser Office **Tab G**
- Copy of official Land Use District Map (obtain from the Planning & Environmental Resources Department prior to application submittal) **Tab H**
- Copy of official Tier Overlay District Map (obtain from the Planning & Environmental Resources Department prior to application submittal) **Tab I**
- Draft Revised Tier Overlay District Map showing and labeling all proposed changes **Tab J**

If applicable, the following must be submitted in order to have a complete application submittal:

- Notarized Agent Authorization Letter** (required if application is submitted on behalf of another party) **Tab K**
- Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor
- Vegetation survey in accordance with Chapter 118-2 of the Land Development Code

If deemed necessary to complete a full review of the application, within reason, the Planning & Environmental Resources Department reserves the right to request additional information.

* * * * *

The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

By signing this application, the owner of the subject property authorizes the Monroe County Planning & Environmental Resources staff to conduct all necessary site visits and inspections on the subject property.

I, the Applicant, certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: [Signature] Date: 03/17/2025

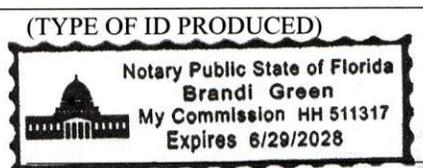
STATE OF Florida

COUNTY OF Monroe

Sworn to and subscribed before me, by means of either physical presence OR online notarization, on 17th day of March, 2025, by Jess Miles Goodall
(PRINT NAME OF PERSON MAKING STATEMENT)

Who is personally known to me OR produced _____ as identification.

[Signature]
SIGNATURE OF NOTARY PUBLIC



PRINT, TYPE OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC MY COMMISSION EXPIRES: 06/29/2028

Send complete application package to:
Monroe County Planning & Environmental Resources Department
Marathon Government Center
2798 Overseas Highway, Suite 400
Marathon, FL 33050

SMITH / HAWKS
ATTORNEYS AT LAW

Barton W. Smith, Esq.
Jess Miles Goodall, Esq.
Telephone: (305) 296-7227
E-mail: Bart@SmithHawks.com
Jess@SmithHawks.com
Brandi@SmithHawks.com

SENT VIA FEDEX
7727 3128 2470

March 17, 2025

Emily Schemper, AICP, CFM, Senior Director
Monroe County Planning and Environmental Resources
2798 Overseas Highway
Suite 400
Marathon, Florida 33050
Email: Schemper-Emily@MonroeCounty-FL.Gov

**Re: ALLEN F. CARTER REVOCABLE TRUST DATED NOVEMBER 8, 2022 -
TIER OVERLAY DISTRICT MAP AMENDMENT FOR PROPERTY LOCATED AT
46 CYPRESS AVE, KEY HAVEN, FLORIDA 33040**

Dear Emily,

Please find enclosed Allen F. Carter Revocable Trust dated November 8, 2022's ("Applicant") application for a Tier Overlay District Map ("Tier Map") Amendment (the "Amendment") pursuant to Section 130-130(e) of the Monroe County Land Development Code ("LDC") ("Application").

The Application is being filed for the property located at Vacant Land, Key Haven, Florida, with Monroe County Real Estate Number 00123110-000100 (the "Property"). This amendment Application is being filed simultaneously with a Future Land Use Map ("FLUM") Amendment Application and a Land Use District (zoning) Map ("LUD") Amendment Application.

The Amendment is only for the scarified portion of the Property, and would amend that scarified area's tier designation from tier I to tier III, which more accurately reflects its environmental characteristics, and the proposed revised tier map is shown on the specific purpose survey attached hereto as **Exhibit A**.

In addition to the application and this letter, I have also enclosed all relevant exhibits and a copy of the application package, which I request you please date stamp and return the copy using the enclosed self-addressed FedEx envelope provided.

PROPERTY BACKGROUND INFORMATION:

Location:	Vacant Land, Key Haven, Monroe County, Florida
Real Estate (RE) Number:	00123110-000100
Property Owner/Applicant:	Allen F. Carter Revocable Trust dated November 8, 2022

Agent:	SMITH/HAWKS, PL Barton W. Smith, Esq./ Jess Miles Goodall, Esq.
Total Amendment Property Area:	0.35 acres or 15,246 square feet
Tier District:	0.35 acres or 15,246 square feet
Land Use District:	Tier Map Amendment from Tier I to Tier III
Future Land Use Map (FLUM)	LUD Amendment from Native Area (NA) to Improved
Designation:	Subdivision (IS)
Flood Zone:	FLUM amendment from Residential Conservation
Existing Uses:	to Residential Medium.
Community Character of Immediate Vicinity:	AE 9; VE11

I. PROPERTY:

Vacant Land:



Property Proposed for Tier Map Amendment:



EXISTING TIER DESIGNATION:

Vacant Land: Tier I



EXISTING LAND USE ZONING DISTRICTS:

Native Area (NA) (Amendment to Improved Subdivision applied for)



EXISTING FUTURE LAND USE MAPS:

Residential Conservation (RC) (Amendment to Residential Medium applied for)



II. PROPOSED AMENDMENT & SUPPORT

The Property is currently undeveloped and has a portion of scarified land located along a dredged interior canal. The Property is currently zoned NA, with a FLUM designation of RC, and is located within Tier I within the Tier Overlay districts. The Property lies adjacent to 46 Cypress Avenue and is currently under the same ownership. The Property includes a scarified infill area adjacent to the boat basin and canal and a small storage shed is on the Property.

Pursuant to LDC Section 130-130(e), the tier overlay district map may be amended to reflect existing conditions in an area if warranted because of drafting or data errors or regrowth of hammock. However, the clearing of tropical hardwood hammock or pinelands that results in the reduction of the area of an upland native habitat patch to less than the one-acre minimum shall not constitute sufficient grounds for amending the designation of a tier III-A area to tier III.

The Applicant is seeking this Tier Map Amendment to amend the Tier designation of the scarified portion of the Property from tier I to tier III to more accurately reflect the environmental characteristics of the Property. The Amendment would bring the Property's tier designation into line with the surrounding community of developed properties.

Pursuant to the Existing Conditions Report, drafted by Terramar Environmental Services, attached hereto as **Exhibit B**, the habitat on the Property includes disturbed, developed uplands, shoreline interface along the canal and boat basin and mangrove wetlands which include areas of open water. The disturbed uplands associated with the historically filled area is estimated to be ± 0.40 acres. No upland native vegetation (e.g. hardwood hammock) is present on the property. Additionally, no wildlife was observed on the Property during the site visit conducted as part of this assessment.

The Tier system was developed to meet Goal 205 of the Comprehensive Plan, which states that "The health and integrity of Monroe County's native upland vegetation shall be protected and, where possible, enhanced." Here, the scarified portion of the Property does not contain native upland vegetation, in fact, accordingly to the Existing Conditions Report, the entire vacant parcel does not include upland native vegetation.

The Property obtained an automatic Tier I designation due to its Native Area LUD zoning designation. However, the scarified portion of the Property does not meet the criteria for its Tier I designation currently, as explained below. Importantly, the Property's current zoning designation of Native Area, as well as its FLUM designation of Residential Conservation are also subject to amendment from the simultaneously submitted applications for the Property.

Objective 205.1 of the Comprehensive Plan attempts to meet Goal 205 by requiring maintenance of the Tier Overlay Districts and sets forth the criteria for the separate designations. These criteria are also set forth in Section 130-130 of the LDC:

- (b) **Tier boundaries.** Tier boundaries shall follow property lines wherever possible, except where a parcel line or distinct geographical feature, such as a canal or roadway, may be more appropriate.
- (c) **Tier boundary criteria, excluding Big Pine Key and No Name Key.** The tier boundaries are designated using aerial photography, data from the Florida Keys Carrying Capacity Study, the endangered species maps, property and permitting information and field evaluation. The following criteria, at a minimum, are used to evaluate upland habitats and designate boundaries between different tier overlays:
 - (1) Tier I boundaries shall be delineated to include one or more of the following criteria and shall be designated tier I:
 - a. Vacant lands which can be restored to connect upland native habitat patches and reduce further fragmentation of upland native habitat.
 - b. Lands required to provide an undeveloped buffer, up to 500 feet in depth, if indicated as appropriate by special species studies, between natural areas and development to reduce secondary impacts. Canals or roadways, depending on width, may form a boundary that removes the need for the buffer or reduces its depth.
 - c. Lands designated for acquisition by public agencies for conservation and natural resource protection.
 - d. Known locations of threatened and endangered species, as defined in [section 101-1](#), identified on the threatened and endangered plant and animal maps or the Florida Keys Carrying Capacity Study maps, or identified in on-site surveys.
 - e. Conservation, native area, sparsely settled, and offshore island land use districts.
 - f. Areas with minimal existing development and infrastructure.
 - (2) Lands located outside of Big Pine Key and No Name Key that are not designated tier I shall be designated tier III.

Here, the scarified portion of the Property does not meet the criteria for a Tier I designation. While the Tier boundary follows the parcel line, the clear scarification is a distinct geographical feature that more properly suits a Tier boundary, as contemplated in subpart (b) above. This is shown by the criteria listed in the LDC. As to Section 130-130(c)(1)(a): even if the scarified portion were able to be restored, doing so would not connect upland native habitat or reduce fragmentation of the

same because the scarified portion abuts a canal and the adjacent, developed lot. Section 130-130(c)(1)(b) through Section 130-130(c)(1)(d) are inapplicable, and Section 130-130(c)(1)(e) will be inapplicable upon the amendment of the LUD zoning district to Improved Subdivision. Section 130-130(c)(1)(f) is also inapplicable from the scarification being due to prior development, complemented by the abutting, man-made canal system with the additional dredged cut-out separating the scarified portion from the adjacent, developed lot supporting a single-family home.

In addition to the portion of land currently being scarified infill, it is easy to identify that the portion has been scarified infill from as early as 1994 by reviewing historical aerials:

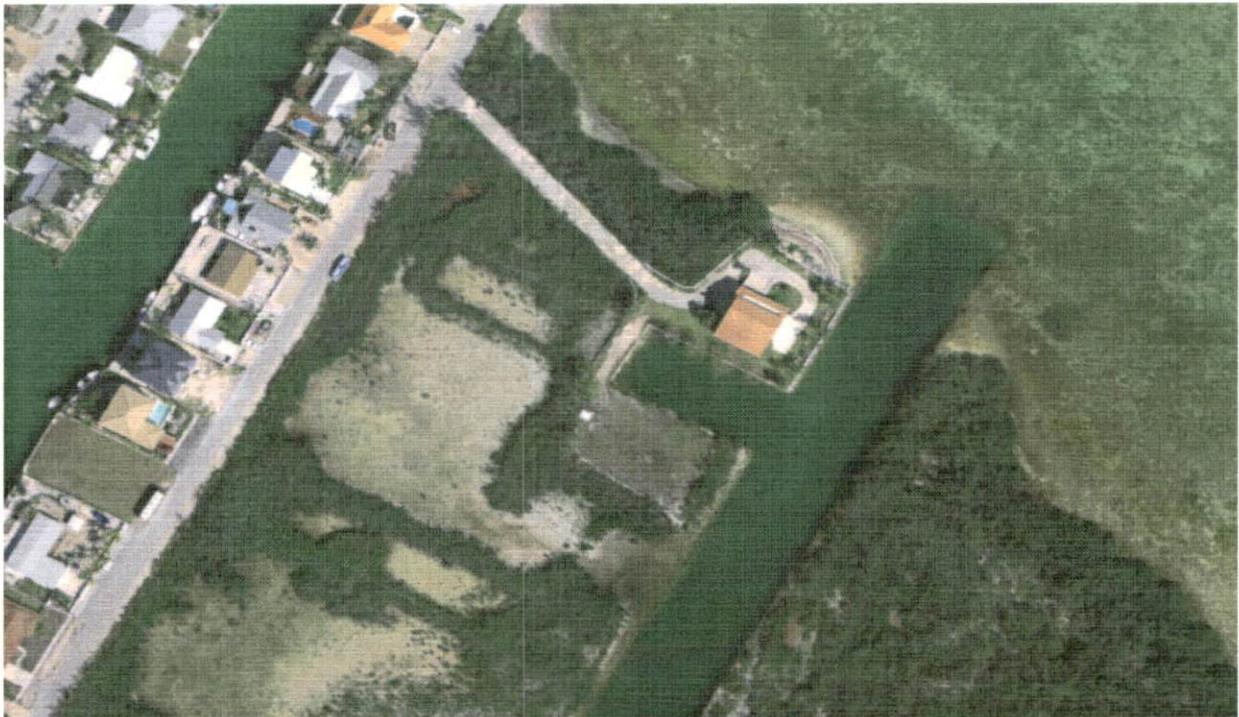
Historical Aerial from 1994:



Historical Aerial from 2003:



Historical Aerial from 2006:



Aerial from 2009:



Aerial from 2022:



Emily Schemper, AICP, CFM, Senior Director
RE: TIER OVERLAY DISTRICT MAP AMENDMENT - 46 CYPRESS AVE
March 17, 2025
Page 10 of 10

It is unequivocally evident from the above aerials that the portion of disturbed scarified land that is subject to this amendment request has been disturbed, had no native vegetation (or vegetation at all) present, and has remained the same configuration from some time prior to 1994 to the present day. Upon the adoption of the tier maps, whose purpose is the preservation of upland native vegetation (of which there are none present on the Property), the scarified portion of developable land was entirely overlooked based entirely on its zoning designation, when it should have correctly been designated as Tier III.

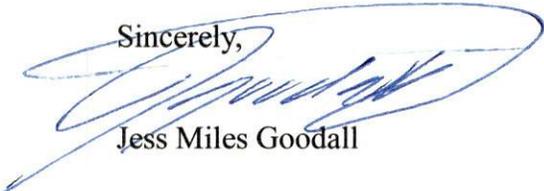
Simply put, the Property retained its Tier I designation based on its outdated LUD designation, and if it were to be evaluated on the criteria for Tier designations as the Property exists today, it would not qualify to be Tier I, but Tier III, which is much more appropriate. There is no upland native vegetation to be protected by a Tier I designation, which is that designation's entire purpose, the scarified portion in question has remained the same or substantially similar since prior to the adoption of the tier maps, and the nature and characteristics of the scarified portion does not fit the requirements of a Tier I designation.

Taken as a whole, and addressing the intent of the Comprehensive Plan and LDC, the scarified portion of the Property should not be designated as Tier I; and when the criteria for Tier designations are considered as well, this Amendment should be granted. This Amendment would also make the Property more consistent with the community character of the surrounding Key Haven properties and development.

Conclusion

Based on the foregoing, Applicant requests Monroe County adopt the Amendment. Thank you for your consideration and assistance, and please feel free to contact me with any questions.

Sincerely,



Jess Miles Goodall

Enclosures

BWS/JMG/bg

Cc (Electronically): Ilze Aguila, (Aguila-Ilze@MonroeCounty-FL.Gov)

ORIGINAL IN
FLUM APPLICATION

AGENT AUTHORIZATION FORM

Date of Authorization: 2 / 10 / 2025
Month Day Year

I hereby authorize SMITH HAWKS, PL / Barton W. Smith, Esq. Jess Miles Goodall, Esq. be listed as authorized agent
(Print Name of Agent)

representing ALLEN F. CARTER REVOCABLE TRUST DATED NOVEMBER 8, 2022 for the application submission
(Print Name of Property Owner(s) the Applicant(s))

of ANY/ALL MONROE COUNTY PLANNING DEPARTMENT APPLICATIONS
(List the Name and Type of applications for the authorization)

for the Property described as: (if in metes and bounds, attach legal description on separate sheet)

See Attached Leagl Description.			Key Haven
Lot	Block	Subdivision	Key (Island)
00123110-000100 and 00123110-000101			8660332 and 8749830
Real Estate (RE) / Parcel ID Number			Alternate Key Number
Vacant Land, and 46 Cypress Ave., Key West, Florida 33040			5
Street Address (Street, City, State & Zip Code)			Approximate Mile Marker

Authorized Agent Contact Information:

138 Simonton Street, Key West, FL 33040			
Mailing Address (Street, City, State and Zip Code)			
(305) 296-7227			Bart@SmithHawks.com; Jess@SmithHawks.com; Brandi@SmithHawks.com
Work Phone	Home Phone	Cell Phone	Email Address

This authorization becomes effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned. This authorization acts as a durable power of attorney only for the purposes stated. The undersigned understands the risks and liabilities involved in the granting of this agency and accepts full responsibility for any and all of the actions of the agent named herein related to the processing of the services requested, application(s) and/or the acquisition of approvals/permits for the aforementioned applicant. The applicant(s) hereby indemnifies and holds harmless Monroe County, its officers, agents and employees for any damage to applicant caused by its agent or arising from this agency authorization.

Note: Agents must provide a notarized authorization from ALL current property owners.

Signature of Property Owner: [Signature] Date: 2.10.2025
Allen F. Carter, as Trustee of
ALLEN F. CARTER REVOCABLE TRUST DATED NOVEMBER 8, 2022

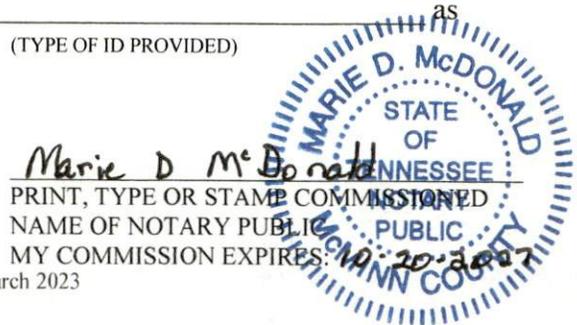
STATE OF Tennessee COUNTY OF McMinn

Sworn to and subscribed before me, by means of either physical presence OR online notarization,

on 10 day of February, 2025, by Allen F. Carter, as Trustee of ALLEN F. CARTER REVOCABLE TRUST DATED NOVEMBER 8, 2022
(PRINT NAME OF PERSON MAKING STATEMENT)

Who is personally known to me OR produced _____ as
identification. (TYPE OF ID PROVIDED)

Marie D McDonald
SIGNATURE OF NOTARY PUBLIC



Prepared by and return to:

Gregory S. Oropeza
Attorney
Oropeza Stones & Cardenas, PLLC
221 Simonton Street
Key West, FL 33040
(305) 294-0252
File Number: 24-679
Consideration: \$4,728,312.00

Parcel Identification No.: See Exhibit A

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 12th day of November, 2024 between Arthur Wayne Lujan, Individually and as Trustee of the Arthur Wayne Lujan Living Trust dated December 19, 1996 and Lauren L. Lujan f/k/a Lauren L. Anderson f/k/a Lauren L. Moore, whose post office address is 98 Driftwood Dr, Key West, FL 33040, of the County of Monroe, State of Florida, grantor*, and Allen F. Carter, Trustee of the Allen F. Carter Revocable Trust dated November 8, 2022 whose post office address is PO Box 809, Athens, TN 37371, of the County of McMinn, State of Tennessee, grantee*,

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:

PARCEL 1:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 1, SECTION 26, TOWNSHIP 67 SOUTH, RANGE 25 EAST, RACCOON KEY, MONROE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEASTERLY CORNER OF KEY HAVEN-SEVENTH ADDITION AS RECORDED IN PLAT BOOK 5 AT PAGE 53 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND RUNNING THENCE N 60°30'50" W FOR A DISTANCE OF 100.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 29°29'10"E ALONG THE NORTHWESTERLY LINE OF A CANAL FOR A DISTANCE OF 487.50 FEET; THENCE N 60°30'50" W FOR A DISTANCE OF 460.00 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CYPRESS AVENUE; THENCE S 29°29'20" W ALONG THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF CYPRESS AVENUE FOR A DISTANCE OF 487.50 FEET; THENCE S 60°30'50" E ALONG THE NORTHEASTERLY PORTION OF SAID KEY HAVEN-SEVENTH ADDITION FOR A DISTANCE OF 460.00 FEET BACK TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 1, SECTION 26, TOWNSHIP 67 SOUTH, RANGE 25 EAST, RACCOON KEY, MONROE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEASTERLY CORNER OF KEY HAVEN-SEVENTH ADDITION AS RECORDED IN PLAT BOOK 5 AT PAGE 53 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND RUNNING THENCE NORTH 60° 30' 50" WEST FOR A DISTANCE OF 100.0 FEET TO A POINT; THENCE NORTH 29° 29' 10" EAST FOR A DISTANCE 487.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 60° 30' 50" WEST FOR A DISTANCE OF 460.0 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY BOUNDARY LINE OF CYPRESS AVENUE AS SHOWN ON KEY HAVEN-EIGHTH ADDITION AS RECORDED IN PLAT BOOK 5 AT PAGE 61 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE NORTH 29° 29' 10" EAST ALONG THE SAID LINE OF CYPRESS AVENUE FOR A DISTANCE OF 162.50 FEET TO A POINT; THENCE SOUTH 60° 30' 50" EAST FOR A DISTANCE OF 460.0 FEET TO A POINT ON THE NORTHWESTERLY LINE OF A CANAL AS SHOWN ON KEY HAVEN-SIXTH ADDITION AS RECORDED IN PLAT BOOK 5 AT PAGE 18 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE SOUTH 29° 29' 10" WEST ALONG THE SAID CANAL FOR A DISTANCE OF 162.50 FEET BACK TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 1, SECTION 26, TOWNSHIP 67 SOUTH, RANGE 25 EAST, RACCOON KEY, MONROE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEASTERLY CORNER OF KEY HAVEN-SEVENTH ADDITION AS RECORDED IN PLAT BOOK 5 AT PAGE 53 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND RUNNING THENCE NORTH 60° 30' 50" WEST FOR A DISTANCE OF 100.0 FEET TO A POINT; THENCE NORTH 29° 29' 10" EAST FOR A DISTANCE OF 650.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 60° 30' 50" WEST FOR A DISTANCE OF 460.0 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY BOUNDARY LINE OF CYPRESS AVENUE AS SHOWN ON KEY HAVEN-EIGHTH ADDITION AS RECORDED IN PLAT BOOK 5 AT PAGE 61 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE NORTH 29° 29' 10" EAST ALONG THE SAID LINE OF CYPRESS AVENUE FOR A DISTANCE OF 240.0 FEET, MORE OR LESS, TO A POINT ON THE MEAN HIGH WATER LINE IN THE NORTHEASTERLY SHORELINE OF RACCOON KEY; THENCE SOUTHEASTERLY ALONG THE MEANDERS OF THE SAID SHORELINE FOR A DISTANCE OF 470.0 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 29° 29' 10" EAST OF THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHWESTERLY LINE OF A SAID CANAL IN THE SAID KEY HAVEN-SIXTH ADDITION; THENCE SOUTH 29° 29' 10" WEST ALONG THE SAID CANAL FOR A DISTANCE OF 207.5 FEET, MORE OR LESS, BACK TO THE POINT OF BEGINNING.

PARCEL 4:

LOTS 21, 23, 25, 27, BLOCK 2; LOTS 18, 20, 22, 24, 26, 28, 30, BLOCK 3; LOTS 13, 15, 17, 19, 21, 23, BLOCK 6; LOTS 2, 4, 6, 8, 10, 12, 15, 17, 19, 21, 23, 25, 27, BLOCK 7; LOTS 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, BLOCK 8; LOTS 2, 4, 6, 8, 10, 12, 14, 16 AND 18, BLOCK 9, ALL OF KEY HAVEN-SIXTH ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 18, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

PARCEL 5:

LOTS 22, 24, 26, 28, 29, BLOCK 2; LOTS 17, 19, 21, 23, 25, 27, 29, BLOCK 3; LOTS 12, 14, 16, 18, 20, 22, BLOCK 6; LOTS 1, 3, 5, 7, 9, 11, 13, 16, 18, 20, 22, 24, 26, BLOCK 7; LOTS 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, BLOCK 8; LOTS 1, 5, 7, 9, 11, 13, 15, 17 AND 19, BLOCK 9, ALL OF KEY HAVEN-SIXTH ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 18, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

PARCEL 6:

LOT 3 BLOCK 9 AND LOT 14, BLOCK 7, ALL OF KEY HAVEN-SIXTH ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 18, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

Subject to taxes for 2024 and subsequent years; covenants, conditions, restrictions, easements, reservations, and limitations of record, if any.

THE PROPERTY CONVEYED HEREIN IS NEITHER THE DOMICILE OF THE SETTLOR, THE TRUSTEE, NOR THE BENEFICIARY(IES) OF THE GRANTOR TRUST, NOR THE SPOUSE OF ANY OF THEM, NOR ANY OF HIS OR HER IMMEDIATE HOUSEHOLD AS DEFINED BY THE LAWS OF THE STATE OF FLORIDA. THE SETTLOR AND THE TRUSTEE OF THE TRUST RESIDE AT THE ADDRESS SHOWN ABOVE.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

Arthur Wayne Lujan Living Trust dated December 19, 1996

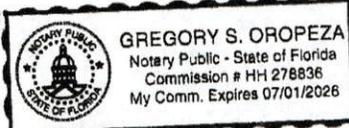
Deon
Witness
Printed Name: Gregory Oropeza
Address: 221 SIMONTS ST
Key West FL 33040

[Signature]
Arthur Wayne Lujan, Individually and as Trustee

[Signature]
Witness
Printed Name: CATHERINE MOKALONIC
Address: 221 SIMONTS ST, KEY WEST,
FL 33040

State of FL
County of Monroe

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 29th day of October, 2024 by Arthur Wayne Lujan, Individually and as Trustee of the Arthur Wayne Lujan Living Trust dated December 19, 1996, who are personally known or have produced a driver's license as identification.

[Notary Seal] 

[Signature]
Notary Public
Printed Name: _____
My Commission Expires: _____

EXHIBIT A

46 Cypress 00123110-000101
vacant lot 1 00123110-000100
vacant lot 2 00123110-000000

Block 2
Lot 21 136870-000000
Lot 22 136880-000000
Lot 23 136890-000000
Lot 24 136900-000000
Lot 25 136910-000000
Lot 26 136920-000000
Lot 27 136930-000000
Lot 28 136940-000000
Lot 29 136950-000000

Block 3
Lot 30 00137120-000000
Lot 29 00137110-000000
Lot 28 00137100-000000
Lot 27 00137090-000000
Lot 26 00137080-000000
Lot 25 00137070-000000
Lot 24 00137060-000000
Lot 23 00137050-000000
Lot 22 00137040-000000
Lot 21 00137030-000000
Lot 20 00137020-000000
Lot 19 00137010-000000
Lot 18 00137000-000000
Lot 17 00136990-000000

Block 6
Lot 23 00137240-000000
Lot 22 00137230-000000
Lot 21 00137220-000000
Lot 20 00137210-000000
Lot 19 00137200-000000
Lot 18 00137190-000000
Lot 17 00137180-000000
Lot 16 00137170-000000
Lot 15 00137160-000000
Lot 14 00137150-000000
Lot 13 00137140-000000
Lot 12 00137130-000000

Block 7
Lot 1 00137250-000000
Lot 2 00137260-000000
Lot 3 00137270-000000
Lot 4 00137280-000000
Lot 5 00137290-000000
Lot 6 00137300-000000
Lot 7 00137310-000000
Lot 8 00137320-000000
Lot 9 00137330-000000
Lot 10 00137340-000000
Lot 11 00137350-000000
Lot 12 00137360-000000
Lot 13 00137370-000000

Block 7

Lot 27	00137510-000000
Lot 26	00137500-000000
Lot 25	00137490-000000
Lot 24	00137480-000000
Lot 23	00137470-000000
Lot 22	00137460-000000
Lot 21	00137450-000000
Lot 20	00137440-000000
Lot 19	00137430-000000
Lot 18	00137420-000000
Lot 17	00137410-000000
Lot 16	00137400-000000
Lot 15	00137390-000000
Lot 14	00137380-000000

Block 8

Lot 1	00137520-000000
Lot 2	00137530-000000
Lot 3	00137540-000000
Lot 4	00137550-000000
Lot 5	00137560-000000
Lot 6	00137570-000000
Lot 7	00137580-000000
Lot 8	00137590-000000
Lot 9	00137600-000000
Lot 10	00137610-000000
Lot 11	00137620-000000
Lot 12	00137630-000000
Lot 13	00137640-000000
Lot 14	00137650-000000
Lot 15	00137660-000000

Block 8

Lot 30	00137810-000000
Lot 29	00137800-000000
Lot 28	00137790-000000
Lot 27	00137780-000000
Lot 26	00137770-000000
Lot 25	00137760-000000
Lot 24	00137750-000000
Lot 23	00137740-000000
Lot 22	00137730-000000
Lot 21	00137720-000000
Lot 20	00137710-000000
Lot 19	00137700-000000
Lot 18	00137690-000000
Lot 17	00137680-000000
Lot 16	00137670-000000

Block 9

Lot 1	00137820-000000
Lot 2	00137830-000000
Lot 3	00137840-000000
Lot 4	00137850-000000
Lot 5	00137860-000000
Lot 6	00137870-000000
Lot 7	00137880-000000
Lot 8	00137890-000000
Lot 9	00137900-000000
Lot 10	00137910-000000
Lot 11	00137920-000000
Lot 12	00137930-000000
Lot 13	00137940-000000
Lot 14	00137950-000000
Lot 15	00137960-000000
Lot 16	00137970-000000
Lot 17	00137980-000000
Lot 18	00137990-000000
Lot 19	00138000-000000

Monroe County, FL

PROPERTY RECORD CARD

Disclaimer

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

Summary

Parcel ID 00123110-000101
 Account# 8749830
 Property ID 8749830
 Millage Group 100A
 Location 46 CYPRESS Ave, KEY HAVEN
 Address
 Legal 26 67 25 LITTLE RACCOON KEY PT GOVT LOT 1 (1.63 AC)
 Description OR1077-283 OR1187-1088 OR1877-1316 OR2980-0877
 OR2980-0880 OR3299-2112
 (Note: Not to be used on legal documents.)
 Neighborhood 127
 Property Class SINGLE FAMILY RESID (0100)
 Subdivision
 Sec/Twp/Rng 26/67/25
 Affordable No
 Housing



Owner

[CARTER ALLEN F REVOCABLE TRUST 11/8/2022](#)
 PO Box 809
 Athens TN 37371

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
+ Market Improvement Value	\$862,834	\$832,192	\$827,341	\$748,050
+ Market Misc Value	\$145,475	\$145,531	\$145,588	\$145,531
+ Market Land Value	\$2,909,805	\$2,531,316	\$1,874,871	\$1,339,625
= Just Market Value	\$3,918,114	\$3,509,039	\$2,847,800	\$2,233,206
= Total Assessed Value	\$2,972,398	\$2,702,180	\$2,456,527	\$2,233,206
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$3,918,114	\$3,509,039	\$2,847,800	\$2,233,206

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$2,909,805	\$862,834	\$145,475	\$3,918,114	\$2,972,398	\$0	\$3,918,114	\$0
2023	\$2,531,316	\$832,192	\$145,531	\$3,509,039	\$2,702,180	\$0	\$3,509,039	\$0
2022	\$1,874,871	\$827,341	\$145,588	\$2,847,800	\$2,456,527	\$0	\$2,847,800	\$0
2021	\$1,339,625	\$748,050	\$145,531	\$2,233,206	\$2,233,206	\$0	\$2,233,206	\$0
2020	\$1,133,274	\$758,440	\$148,268	\$2,039,982	\$2,039,982	\$0	\$2,039,982	\$0
2019	\$1,133,274	\$768,830	\$151,022	\$2,053,126	\$2,053,126	\$0	\$2,053,126	\$0
2018	\$1,122,941	\$675,323	\$150,794	\$1,949,058	\$1,949,058	\$0	\$1,949,058	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RES CANAL/WATERFRONT (01CW)	17,265.00	Square Foot	0	0
RESIDENTIAL DRY (010D)	4,950.00	Square Foot	0	0
ENVIRONMENTALLY SENS (000X)	0.96	Acreage	0	0
ENVIRONMENTALLY SENS (000X)	0.16	Acreage	0	0

Buildings

Building ID	33814	Exterior Walls	C.B.S.
Style	3 STORY ON GRADE	Year Built	1987
Building Type	S.F.R. - R1 / R1	EffectiveYearBuilt	2000
Building Name		Foundation	CONC PILINGS
Gross Sq Ft	7773	Roof Type	IRR/CUSTOM
Finished Sq Ft	3892	Roof Coverage	CONC/CLAY TILE
Stories	3 Floor	Flooring Type	CERM/CLAY TILE
Condition	AVERAGE	Heating Type	FCD/AIR DUCTED with 0% NONE
Perimeter	468	Bedrooms	3
Functional Obs	0	Full Bathrooms	3
Economic Obs	0	Half Bathrooms	0
Depreciation %	32	Grade	750
Interior Walls	DRYWALL	Number of Fire Pl	2

Code	Description	Sketch Area	Finished Area	Perimeter
CPX	CARPORT LATTIC	802	0	0
EUF	ELEV UNFIN FD	1,100	0	0
OPX	EXC OPEN PORCH	1,413	0	0
FLA	FLOOR LIV AREA	3,892	3,892	0
GBF	GAR FIN BLOCK	550	0	0
OUU	OP PR UNFIN UL	16	0	0
TOTAL		7,773	3,892	0

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
RW2	1986	1987	3 x 121	1	363 SF	1
RW2	1986	1987	8 x 54	1	432 SF	4
RW2	1986	1987	8 x 55	1	440 SF	4
CONC PATIO	1986	1987	251 x 18	1	4518 SF	5
CONC PATIO	1986	1987	22 x 22	1	484 SF	2
CONC PATIO	1986	1987	288 x 18	1	5184 SF	2
RW2	1986	1987	6 x 114	1	684 SF	1
RW2	1986	1987	8 x 92	1	736 SF	4
RW2	1986	1987	8 x 114	1	912 SF	4
SEAWALL	1986	1987	4 x 228	1	912 SF	4
RW2	1986	1987	8 x 121	1	968 SF	4
UTILITY BLDG	1999	2004	12 x 12	1	144 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
11/12/2024	\$4,728,400	Warranty Deed	2480474	3299	2112	37 - Unqualified	Improved		
8/8/2019	\$100	Quit Claim Deed	2232963	2980	0880	30 - Unqualified	Improved		
8/8/2019	\$100	Quit Claim Deed	2232962	2980	0877	30 - Unqualified	Improved		

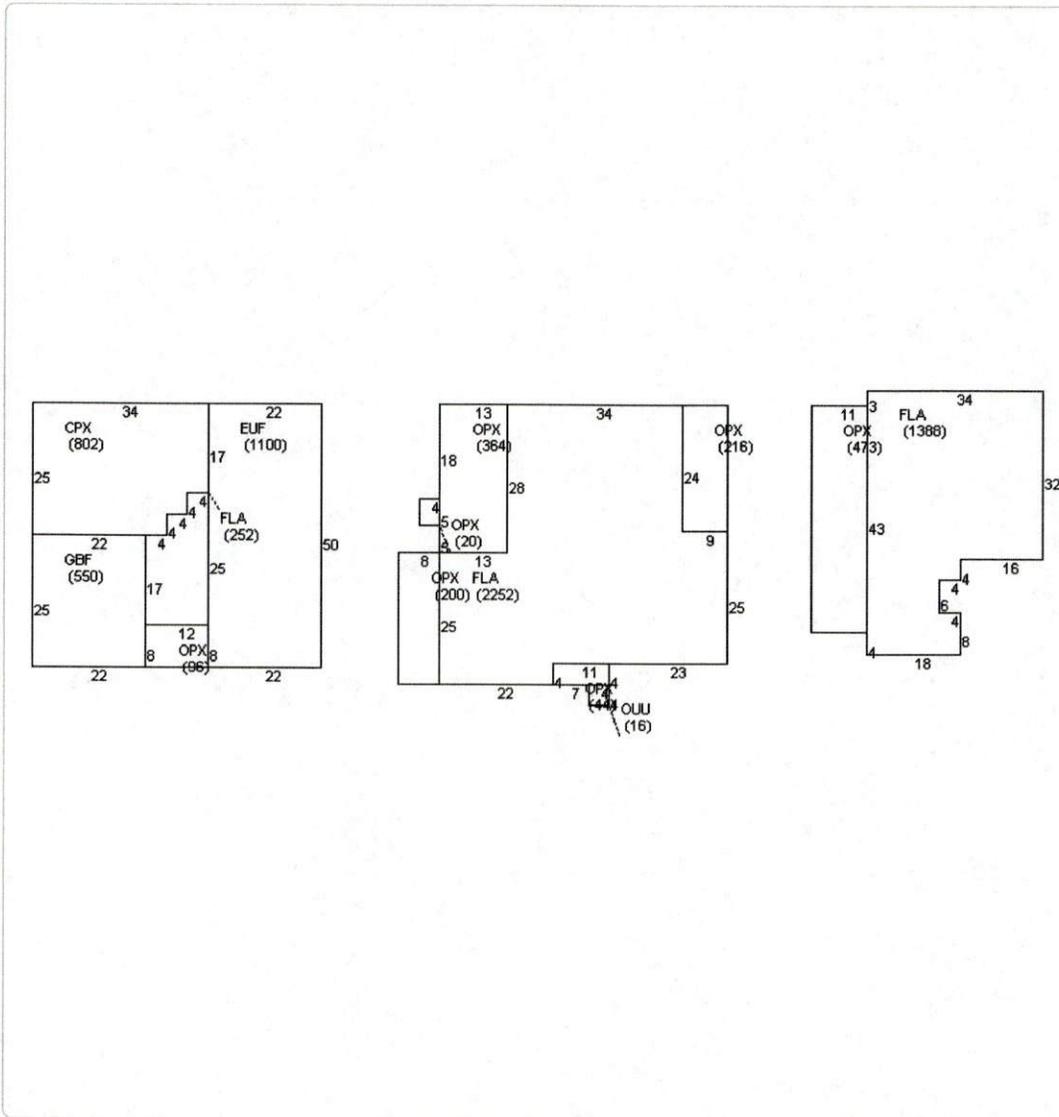
Permits

Number	Date Issued	Status	Amount	Permit Type	Notes
18104133	07/10/2018	Completed	\$2,450	Residential	REPLACE 200 AMP METER COMBO
05106522	12/14/2005	Completed	\$15,000	Residential	INSTALL A SQUARE D 200 AMP METER/MAINM, REPLACE 18 HUBBELL TIER LIGHTS ON "PERMAPOSTS", 2 PHOTOCHELLS, 4 DOUBLE FLOODS, 10 GFI RECEPTACLES, 1 RANGE RECEPTACLE AND 2 60 AMP

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)



Photos



Map



TRIM Notice

[2024 TRIM Notice \(PDF\)](#)

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Monroe County, FL

PROPERTY RECORD CARD

Disclaimer

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

Summary

Parcel ID 00123110-000100
 Account# 8660332
 Property ID 8660332
 Millage Group 100A
 Location VACANT LAN CYPRESS
 Address Ave, KEY HAVEN
 Legal 26 67 25 LITTLE
 Description RACCOON KEY PT GOV
 LT 1 (1.72AC) OR906-610
 OR985-1802 OR1353-815
 OR1552-1657 OR1877-
 1316 OR1987-2485
 OR2980-0877 OR2980-
 0880 OR3299-2112
 (Note: Not to be used on
 legal documents.)
 Neighborhood 127
 Property Class VACANT RES (0000)
 Subdivision
 Sec/Twp/Rng 26/67/25
 Affordable No
 Housing



Owner

[CARTER ALLEN F REVOCABLE TRUST 11/8/2022](#)
 PO Box 809
 Athens TN 37371

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$1,613,729	\$1,543,134	\$1,143,094	\$817,011
= Just Market Value	\$1,613,729	\$1,543,134	\$1,143,094	\$817,011
= Total Assessed Value	\$1,087,441	\$988,583	\$898,712	\$817,011
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,613,729	\$1,543,134	\$1,143,094	\$817,011

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$1,613,729	\$0	\$0	\$1,613,729	\$1,087,441	\$0	\$1,613,729	\$0
2023	\$1,543,134	\$0	\$0	\$1,543,134	\$988,583	\$0	\$1,543,134	\$0
2022	\$1,143,094	\$0	\$0	\$1,143,094	\$898,712	\$0	\$1,143,094	\$0
2021	\$817,011	\$0	\$0	\$817,011	\$817,011	\$0	\$817,011	\$0
2020	\$763,224	\$0	\$0	\$763,224	\$763,224	\$0	\$763,224	\$0
2019	\$763,224	\$0	\$0	\$763,224	\$322,000	\$0	\$763,224	\$0
2018	\$763,224	\$0	\$0	\$763,224	\$292,727	\$0	\$763,224	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL CANAL UNPERMITTED (01CM)	21,344.00	Square Foot	0	0
ENVIRONMENTALLY SENS (000X)	1.12	Acreage	0	0
ENVIRONMENTALLY SENS (000X)	0.11	Acreage	0	0

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
11/12/2024	\$4,728,400	Warranty Deed	2480474	3299	2112	37 - Unqualified	Vacant		
8/8/2019	\$100	Quit Claim Deed	2232963	2980	0880	30 - Unqualified	Improved		
8/8/2019	\$100	Quit Claim Deed	2232962	2980	0877	30 - Unqualified	Improved		
12/1/1982	\$2,000	Warranty Deed		906	610	U - Unqualified	Vacant		

Permits

Number	Date Issued	Status	Amount	Permit Type	Notes
A-14670	01/01/1986	Completed	\$220,000		SFR
A-14671	01/01/1986	Completed	\$24,650		RETAINING WALL

View Tax Info

[View Taxes for this Parcel](#)

Photos



Map



TRIM Notice

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

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Prepared by:
SMITH HAWKS PL
Jess Miles Goodall, Esq.
138 Simonton Street
Key West, Florida 33040
Parcel ID. Numbers.: 00123110-000101; and 00123110-000100

[Space Above This Line For Recording Data]

AFFIDAVIT AS TO AUTHORITY UNDER TRUST

I, Allen Carter, the undersigned, first being duly sworn, deposes and states the following:

1. I am the designated Sole Trustee of the Allen F. Carter Revocable Trust dated November 8, 2022 (hereafter the "Trust") and have personal knowledge of the facts set forth in this Affidavit.
2. The Trust corpus includes real property located in Monroe County, Florida (hereafter the "Real Estate"), more particularly described as:

PARCEL 3:

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 1, SECTION 26, TOWNSHIP 67 SOUTH, RANGE 2S EAST, RACCOON KEY, MONROE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEASTERLY CORNER OF KEY HAVEN-SEVENTH ADDITION AS RECORDED IN PLAT BOOK S AT PAGE S3 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND RUNNING THENCE NORTH 60° 30' SO" WEST FOR A DISTANCE OF 100.0 FEET TO A POINT; THENCE NORTH 29° 29' 10" EAST FOR A DISTANCE OF 650.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 60° 30' SO" WEST FOR A DISTANCE OF 460.0 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY BOUNDARY LINE OF CYPRESS AVENUE AS SHOWN ON KEY HAVEN-EIGHTH ADDITION AS RECORDED IN PLAT BOOK S AT PAGE 61 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE NORTH 29° 29' 10" EAST ALONG THE SAID LINE OF CYPRESS AVENUE FOR A DISTANCE OF 240.0 FEET, MORE OR LESS, TO A POINT ON THE MEAN HIGH WATER LINE IN THE NORTHEASTERLY SHORELINE OF RACCOON KEY; THENCE SOUTHEASTERLY ALONG THE MEANDERS OF THE SAID SHORELINE FOR A DISTANCE OF 470.0 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 29° 29' 10" EAST OF THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHWESTERLY LINE OF A SAID CANAL IN THE SAID KEY HAVEN-SIXTH ADDITION; THENCE SOUTH 29° 29' 10" WEST ALONG THE SAID CANAL FOR A DISTANCE OF 207.5 FEET, MORE OR LESS, BACK TO THE POINT OF BEGINNING.

And

PARCEL 4:

LOTS 21, 23, 25, 27, BLOCK 2; LOTS 18, 20, 22, 24, 26, 28, 30, BLOCK 3; LOTS 13, 15, 17, 19, 21, 23, BLOCK 6; LOTS 2, 4, 6, 8, 10, 12, 14, 16, 17, 19, 21, 23, 25, 27, BLOCK 7; LOTS 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, BLOCK 8; LOTS 2, 4, 6, 8, 10, 12, 14, 16 AND 18, BLOCK 9, ALL OF KEY HAVEN-SIXTH ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 18, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

Approximate Mile Marker 5.

Parcel Identification Numbers: 00123110-000101; and 00123110-000100

- 3. The Real Estate was transferred to the Trust by Warranty Deed; which was recorded on November 13, 2024, in the Official Records Book 3299 Pages 2112-2117, of the Public Records of Monroe County, Florida.
- 4. Consistent with the foregoing, I swear under penalty of perjury that under the Trust, said Trust's terms, and all amendments (if any) thereto, I am duly authorized to execute, in relation to the aforesaid Real Estate, all Monroe County Building Department, Monroe County Planning and Environmental Resources Department permit applications, forms, and other similar Monroe County development approval documents and instruments.

IN WITNESS WHEREOF, I have executed this Affidavit under penalty of perjury this 10TH day of FEBRUARY, 2025.

FURTHER AFFIANT SAYETH NAUGHT.

WITNESS TO ALL:

BY: Melissa Bryson
 Print Name (Witness 1): Melissa Bryson
 Address (Witness 1) 1013 Valley Drive
Athens TN 37303

BY: Ryan Armstrong
 Print Name (Witness 2): Ryan Armstrong
 Address (Witness 2) 913 PINECAST DR
ATHENS, TN 37303

ALLEN F. CARTER REVOCABLE TRUST
DATED NOVEMBER 8, 2022

BY: Allen Carter
 ALLEN F. CARTER, *Trustee*

STATE OF Tennessee
COUNTY OF McMinn

The foregoing Affidavit s to Authority Under Trust was acknowledged before me by means of physical presence OR online notarization, this 10th day of February, 2025 by **Allen F. Carter** who is personally known to me OR has produced _____ as identification.



Marie D McDonald
 Signature of Notary Public, State of Tennessee

Marie D. McDonald
 Name of Notary [Typed, Printed, or Stamped]



Monroe County, FL



Overview



Legend

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

Parcel ID	00123110-000101	Alternate ID	8749830	Owner Address	CARTER ALLEN F REVOCABLE TRUST 11/8/2022
Sec/Twp/Rng	26/67/25	Class	SINGLE FAMILY RESID		PO Box 809
Property Address	46 CYPRESS Ave				Athens, TN 37371
	KEY HAVEN				
District	100A				
Brief Tax	26 67 25 LITTLE RACCOON KEY PT GOVT LOT 1 (1.63 AC) OR1077-283 OR1187-1088 OR1877-1316 OR2980-0877 OR2980-				
Description	0880 OR3299-2112				
	<i>(Note: Not to be used on legal documents)</i>				

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Monroe County, FL



Overview



Legend

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

Parcel ID 00123110-000100 Alternate ID 8660332 Owner Address CARTER ALLEN F REVOCABLE TRUST 11/8/2022
 Sec/Twp/Rng 26/67/25 Class VACANT RES PO Box 809
 Property Address VACANT LAN CYPRESS Ave Athens, TN 37371
 KEY HAVEN

District 100A
 Brief Tax 26 67 25 LITTLE RACCOON KEY PT GOV LT 1 (1.72AC) OR906-610 OR985-1802 OR1353-815 OR1552-1657 OR1877-1316
 Description OR1987-2485 OR2980-0877 OR2980-0880 OR3299-2112

(Note: Not to be used on legal documents)

Date created: 1/6/2025
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46 Cypress

Write a description for your map.

Legend



Google Earth

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5.15 ft



46 Cypress

Write a description for your map.

Legend



Google Earth

© 2025 Google



5.27 ft

46 Cypress

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Legend



Google Earth

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5.08 ft



46 Cypress

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Legend



Google Earth

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5.49 ft



	ParcelId	OwnerName	OwnerAddress1	OwnerAddress2	OwnerCityStZip
1	00139000-000000	BLANCO EDUARDO GONZALEZ	5 W Cypress Ter		Key West, FL 33040
2	00138960-000000	BLESSING FAMILY IRREVOCABLE TRUST 10/17/2017	11045 Fort King Rd		Dade City, FL 33525
3	00139150-000000	BOTWAY CLIFFORD REV TRUST	PO Box 1578		Key West, FL 33041
4	00138930-000000	BRASOVAN III LOUIS	5709 Crafton Dr		Lakeland, FL 33809
5	00138950-000000	BRICKLEY-MEISTRELL FAMILY REV TR 3/3/1999	C/O BRICKLEY JOHN KEVIN	800 Santa Barbara St Ste #302	Santa Barbara, CA 93101
6	00138850-000000	CALABRO DANIEL JOHN	C/O HAMPTONS BOOKKEEPING SERVICES	PO Box 675	East Hampton, NY 11937
7	00139060-000000	CONDELLA STEVE JOSEPH	PO Box 2658		Key West, FL 33045
8	00138900-000000	CRETEAU KW TRUST 11/15/2024	C/O JOHN R CRETEAU TRUSTEE	39 Patton St	Rochester, NH 03867
9	00139140-000000	CURRY CHARLES DAVID REVOCABLE TRUST 6/24/2014	4119 Massard Rd		Fort Smith, AR 72903
10	00139080-000000	DEAN JAMES ROBERT REVOCABLE TRUST 4/23/2009	14 W Cypress Ter		Key West, FL 33040
11	00139190-000000	DEMENT C W	7 Cypress Ter		Key West, FL 33040
12	00138990-000000	DOAN VINH DANG	91-1009 Kaiapele		Ewa Beach, HI 96706
13	00139180-000000	ERNST FAMILY TRUST 7/3/2014	C/O KRUMMEL MARILYN PAPP	5 Cypress Ter	Key West, FL 33040
14	00138910-000000	GONZALEZ CLARA E TRUST 4/28/2014	39 Cypress Ave		Key West, FL 33040
15	00139010-000000	GOSSELIN HEIDI L	93 Alpine Rd		Portland, ME 04103
16	00139040-000000	GRABUS ANDREW PAUL	13 W Cypress Ter		Key West, FL 33040
17	00138970-000000	GROBAREK JOSEPH V AND LORRAINE D JT REV TR 11/23/15	2 Cypress Ter		Key West, FL 33040
18	00138880-000000	HLS PROPERTY MANAGEMENT - 33 CYPRESS AVENUE LLC	957 E Pine Ave		Eastpoint, FL 32328
19	00139030-000000	J2 DEVELOPMENT LLC	119 Hollywood Blvd NW	Ste 206	Fort Walton Beach, FL 32548
20	00138920-000000	JOHNSON ALAN J	4 Allamanda Ter		Key West, FL 33040
21	00139261-000000	KEY HAVEN ESTATES LTD	C/O SOUTHERNMOST INSURANCE	1010 Kennedy Dr Ste 300	Key West, FL 33040
22	00139050-000000	LINDNER JR GEORGE W	15 W Cypress Ter		Key West, FL 33040
23	00138870-000000	MASIELLO JULIUS C LIVING TRUST 8/28/2015	31 Cypress Ave		Key West, FL 33040
24	00139090-000000	MEGALOPS PARTNERS LLC	4750 Bakers Ferry Rd SW		Atlanta, GA 30336
25	00139110-000000	OROPEZA PAMELA	8 W Cypress Ter		Key West, FL 33040
26	00139120-000000	RICE MICHAEL DAVID	6 W Cypress Ter		Key West, FL 33040
27	00139220-000000	RUFF GINA	8 Cypress Ter		Key West, FL 33040
28	00138980-000000	RUIZ MARIA CHRISTINA LIVING TRUST 05/17/2017	1 W Cypress Ter		Key West, FL 33040
29	00139020-000000	SOMMERS ERIKA	3884 S Turkeyfoot Rd		New Franklin, OH 44319
30	00139100-000000	SPOTTSWOOD ELENA	532 Caroline St		Key West, FL 33040
31	00123190-000000	STATE OF FLA DEPT OF TRANSPORTATION	1000 NW 111th Ave		Miami, FL 33172
32	00139260-000000	TOPPINO BETTY LUJAN	46 Cypress Ave		Key West, FL 33040
33	00138830-000000	VAZQUEZ CAROLINE	23 Cypress Ave		Key West, FL 33040
34	00139240-000000	WILLIAMS MARILYN Y	10 Cypress Ter		Key West, FL 33040
35	00138890-000000	WORTHINGTON EVALENA	35 Cypress Ave		Key West, FL 33040
36	00139130-000000	YOUSCHAK MELANIE E	4 W Cypress Ter		Key West, FL 33040

BLANCO EDUARDO GONZALEZ
5 W Cypress Ter
Key West, FL 33040

BLESSING FAMILY IRREVOCABLE TRUS
11045 Fort King Rd
Dade City, FL 33525

BOTWAY CLIFFORD REV TRUST
PO Box 1578
Key West, FL 33041

BRASOVAN III LOUIS
5709 Crafton Dr
Lakeland, FL 33809

BRICKLEY-MEISTRELL FAMILY REV TR :
C/O BRICKLEY JOHN KEVIN
800 Santa Barbara St Ste #302
Santa Barbara, CA 93101

CALABRO DANIEL JOHN
C/O HAMPTONS BOOKKEEPING SERVIC
PO Box 675
East Hampton, NY 11937

CARTER ALLEN F REVOCABLE TRUST
PO Box 809
Athens, TN 37371

CONDELLA STEVE JOSEPH
PO Box 2658
Key West, FL 33045

CRETEAU KW TRUST 11/15/2024
C/O JOHN R CRETEAU TRUSTEE
39 Patton St
Rochester, NH 03867

CURRY CHARLES DAVID REVOCABLE T
4119 Massard Rd
Fort Smith, AR 72903

DEAN JAMES ROBERT REVOCABLE TR
14 W Cypress Ter
Key West, FL 33040

DEMENT C W
7 Cypress Ter
Key West, FL 33040

DOAN VINH DANG
91-1009 Kaiapele
Ewa Beach, HI 96706

ERNST FAMILY TRUST 7/3/2014
C/O KRUMMEL MARILYN POPY
5 Cypress Ter
Key West, FL 33040

GONZALEZ CLARA E TRUST 4/28/2014
39 Cypress Ave
Key West, FL 33040

GOSSELIN HEIDI L
93 Alpine Rd
Portland, ME 04103

GRABUS ANDREW PAUL
13 W Cypress Ter
Key West, FL 33040

GROBAREK JOSEPH V AND LORRAINE
2 Cypress Ter
Key West, FL 33040

HLS PROPERTY MANAGEMENT - 33 CY
957 E Pine Ave
Eastpoint, FL 32328

J2 DEVELOPMENT LLC
119 Hollywood Blvd NW
Ste 206
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Key West, FL 33040

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35 Cypress Ave
Key West, FL 33040

YOUSCHAK MELANIE E
4 W Cypress Ter
Key West, FL 33040



(2 of 2)

Land Use Districts - Zoning

Land Development Code	Chapter 130	More info
Land Use District (LUD)	NA	
LUD Description	Native Area	

[Zoom to](#) ...



(1 of 2) ▶ □ ✕

Current Parcels: LUJAN ARTHUR WAYNE
LIVING TRUST 12/19/1996

RE Number: 00123110-000100

Owner Name: LUJAN ARTHUR WAYNE
LIVING TRUST 12/19/1996

AK Number: 8660332

Physical Location: VACANT LAN CYPRESS
Ave, KEY HAVEN

Mailing Address: 98 Driftwood Dr

City: Key West

State: FL

Zip Code: 33040

Year Built:

[Zoom to](#) ...

Existing Conditions Report

Monroe County Planning and Environmental Resources Department

Subject Property: Vacant Land on Cypress Avenue, Key Haven
Subdivision, Monroe County, RE# 00123110-
000100

Property Owner: Wayne Arthur Lujan Living Trust
98 Driftwood Dr
Key West FL 33040

Date of Report: December 2, 2024

Date of Site Visits: November 24, 2024

Prepared by:



Terramar Environmental Services, Inc.
1241 Crane Boulevard
Sugarloaf Key, Florida 33042
(305) 393-4200 terramar.env@gmail.com

W.A.L.

Background

The subject property is a vacant residential property located on Cypress Avenue, Key Haven Subdivision, Monroe County, RE# 00123110-000100 (Attachment 1 – MCPA Property Record Card). The property is accessed from the adjacent residential property at 46 Cypress Avenue via a common driveway and is adjacent to a boat basin and canal. The property is \pm 1.7 acres based on the MCPA GIS parcel database.

Site Assessment

The property was evaluated on November 24, 2024. The property was accessed from Cypress Avenue and the adjacent access drive and was traversed on foot. Habitat mapping was conducted by making notes over current high-resolution aerial photographs. A list of plant species present and wildlife observations was made throughout the assessment.

Site Conditions

The property is undeveloped but lies adjacent to 46 Cypress Avenue and is currently under the same ownership. The property includes a filled area adjacent to the boat basin and canal and a small storage shed is on the property. Habitats on the property include disturbed uplands and mangrove wetlands (Attachment 2 – Parcel and Habitat Maps).

Site Plan

Currently there is no proposed development or site plan for the property, and no impacts to vegetation are proposed. This assessment was completed to provide the property owner with a current assessment of the type and extent of habitats present on the property.

Habitats

The habitat on the property includes disturbed, developed uplands, shoreline interface along the canal and boat basin and mangrove wetlands which include areas of open water (Attachment 3 – Site Photos). The disturbed uplands associated with the historically filled area is estimated to be \pm 0.40 acres. Mangrove wetlands, shorelines and the boat basin comprise the remainder of the property. No upland native vegetation (e.g. hardwood hammock) is present on the property.

The shoreline interface of the property includes a disturbed, eroding shoreline along the boat basin and a vegetated shoreline along the residential canal.

The mangrove community that includes a large portion of the property is a semi-impounded tidal mangrove community with mainly Red Mangrove (*Rhizophora mangle*) and Black Mangrove (*Avicennia germinans*) present, and areas of open water.

Wildlife Utilization / Animal Species List

No wildlife was observed on the property during the site visit conducted as part of this assessment. Based on the presence of the large mangrove community present, wading birds in particular are likely to use these habitats on occasion. However, the overall isolated and disturbed nature of the property being located in the densely populated Key Haven subdivision, a diverse wildlife fauna is generally not to be expected at this location.

FWS/FEMA Biological Opinion & Species Assessment Guide Analysis

The subject property is mapped by the United States Fish and Wildlife Service (USFWS) as suitable, potential habitat for the Eastern Indigo Snake; no other listed species are mapped for this property (Attachment 3 – USFWS Species Maps).

Eastern indigo snake - The Florida Keys are on the extreme southern end of the indigo snake's range. The indigo snake population in the Florida Keys is very small, if even present. Verified observations of the indigo snake are rare and scattered, normally occurring in more remote natural areas in the Lower Keys (e.g. Big Torch Key, Knockemdown Keys).

Although the proposed project site is mapped as suitable, potential habitat for the Eastern indigo snake based on the presence of vegetative cover, the actual occurrence of this species on the property is extremely unlikely due to the fragmented nature of the surrounding area and its ecological isolation from any large natural areas.

Using the current Eastern Indigo Snake Assessment Guide, the proposed project keys out as: **A – B - C - G - NLAA** with the caveat that the owner receives a copy of the USFWS indigo snake protection measures and agrees to implement the measures and post the information sign on-site throughout construction.

Plant Species List

A list of the native plant species observed on the property in general and specifically within the proposed development area is provided in Table 1. Invasive exotic plants listed as Category 1 & 2 by the Florida Exotic Pest Plant Council (FLEPPC) are present on the property, mainly along the shoreline of the property (Table 2).

Table 1. Native plant species observed on the property.		
Latin Name	Trade Name	Status
<i>Conocarpus erectus</i>	Buttonwood	Native
<i>Rhizophora mangle</i>	Red Mangrove	Native
<i>Avicennia germinans</i>	Black Mangrove	Native

Table 2. Non-native Plants and plants listed as Category 1 and 2 by the Florida Exotic Pest Plant Council (FLEPPC).		
Exotic Plants	Trade Name	Status
<i>Schinus terebinthifolius</i>	Brazilian pepper	FLEPPC Category 1
<i>Casuarina spp.</i>	Australian pine	FLEPPC Category 1

Vegetation Impacts

Monroe County requires that the removal of any listed threatened, endangered, commercially exploited, and regionally important native plant species and all native trees with a diameter at breast height (DBH) of greater than four inches shall require payment to the county environmental land management and restoration fund in an amount sufficient to replace each removed plant or tree on a 2:1 basis.

As mentioned above, there is no proposed site plan for the property at this time and no impacts to vegetation are proposed. This assessment was completed to provide the property owner with a current assessment of the type and extent of habitats present on the property.



Photo 1. Subject property viewed along Cypress Avenue.



Photo 2. Subject property showing the boat basin with eroding shoreline and the adjacent disturbed upland area.



Photo 3. Subject property showing the disturbed upland area located adjacent to the canal and boat basin.



Photo 4. Subject property showing the transition from the disturbed uplands to the adjacent mangrove wetlands along the western boundary of the disturbed area.



Photo 5. Subject property showing the transition from the disturbed uplands to the adjacent mangrove wetlands along the northern boundary of the disturbed area.



Photo 6. Subject property showing the mangrove wetlands between Cypress Avenue and the disturbed area.

Monroe County, FL

****PROPERTY RECORD CARD****

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 00123110-000100
 Account# 8660332
 Property ID 8660332
 Millage Group 100A
 Location Address VACANT LAN CYPRESS AVE, KEY HAVEN
 Legal Description 26.6725 LITTLE RACCOON KEY PT GOV LT 1 (1.72AC) OR906-610/11 OR985-1802E OR1353-815/19FJ OR1552-1657/58 OR1877-1316/19 OR1987-2485/87 OR2980-0877 OR2980-0880
(Note: Not to be used on legal documents)
 Neighborhood 127
 Property Class VACANT RES (0000)
 Subdivision
 Sec/Twp/Rng 26/67/25
 Affordable Housing No



Owner

[LUJAN ARTHUR WAYNE LIVING TRUST 12/19/1996](#)
 98 Driftwood Dr
 Key West FL 33040

[LUJAN LAUREN I](#)
 98 Driftwood Dr
 Key West FL 33040

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$1,613,729	\$1,543,134	\$1,143,094	\$817,011
= Just Market Value	\$1,613,729	\$1,543,134	\$1,143,094	\$817,011
= Total Assessed Value	\$1,087,441	\$988,583	\$898,712	\$817,011
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,613,729	\$1,543,134	\$1,143,094	\$817,011

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2023	\$1,543,134	\$0	\$0	\$1,543,134	\$988,583	\$0	\$1,543,134	\$0
2022	\$1,143,094	\$0	\$0	\$1,143,094	\$898,712	\$0	\$1,143,094	\$0
2021	\$817,011	\$0	\$0	\$817,011	\$817,011	\$0	\$817,011	\$0
2020	\$763,224	\$0	\$0	\$763,224	\$763,224	\$0	\$763,224	\$0
2019	\$763,224	\$0	\$0	\$763,224	\$322,000	\$0	\$763,224	\$0
2018	\$763,224	\$0	\$0	\$763,224	\$292,727	\$0	\$763,224	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL CANAL UNPERMITTED (01CM)	21,344.00	Square Foot	0	0
ENVIRONMENTALLY SENS (000X)	1.12	Acreage	0	0
ENVIRONMENTALLY SENS (000X)	0.11	Acreage	0	0

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
8/8/2019	\$100	Quit Claim Deed	2232963	2980	0880	30 - Unqualified	Improved		
8/8/2019	\$100	Quit Claim Deed	2232962	2980	0877	30 - Unqualified	Improved		
12/1/1982	\$2,000	Warranty Deed		906	610	U - Unqualified	Vacant		

Permits

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
A-14670	1/1/1986	12/1/1987	\$220,000		SFR
A-14671	1/1/1986	12/1/1987	\$24,650		RETAINING WALL

View Tax Info

[View Taxes for this Parcel](#)



(1 of 2)
Current Parcels: LUJAN ARTHUR WAYNE LIVING TRUST 12/19/1996

RE Number: 00123110-000100
Owner Name: LUJAN ARTHUR WAYNE LIVING TRUST 12/19/1996
AK Number: 8660332
Physical Location: VACANT LAN CYPRESS Ave, KEY HAVEN
Mailing Address: 98 Driftwood Dr
City: Key West
State: FL
Zip Code: 33040
Year Built:
[Zoom to](#)

Monrc

100ft

-81.734 24.585 Degrees

Planning & Environmental Web Map



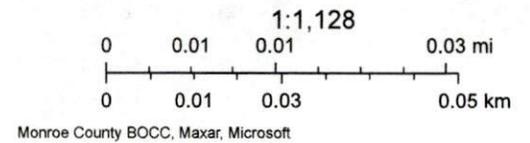
10/17/2024, 10:31:01 AM

Land Cover - Habitat 2023 Update

- 1 - Developed Land
- 2 - Undeveloped Land

- 7 - Scrub Mangrove
- 11 - Mangrove

- 13 - Water
- Current Parcels



Habitat Map

46 Cypress Drive, Key Haven

RE # 00123110-000100



CYPRESS

Legend

Habitats

Type

-  Developed, Uplands
-  Disturbed, Shoreline
-  Mangrove
-  Water, Basin



Species Focus Area Maps
GIS Layers from USFWS Vero Beach

Terramar Environmental Services, Inc.
1241 Crane Boulevard
Sugarloaf Key, FL 33042

Subject Property

Legend

- County_Parcels
- Eastern_Indigo_Snake_Focus_Area

0 195 390 780 Feet



