

RESOLUTION NO. 09-175

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A REPLAT OF ROCKLAND INDUSTRIAL PARK, WHICH AREA INCLUDES THE PROPERTY KNOWN AS THE TRANSFER STATION; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the City is the owner in fee simple of real property within the platted area known as Rockland Industrial Park; and

WHEREAS, technical adjustments must be made to the location of the easement for access and utilities located within the plat; and

WHEREAS, the adjustment to the location of the said easement necessitates that the area be formally replatted.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Rockland Industrial Park Replat is approved.

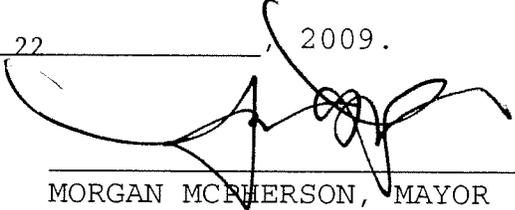
Section 2: That the Mayor is authorized to execute the original of the attached Rockland Industrial Park Replat.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 21<sup>st</sup> day of July, 2009.

Authenticated by the presiding officer and Clerk of the Commission on July 22, 2009.

Filed with the Clerk July 22, 2009.



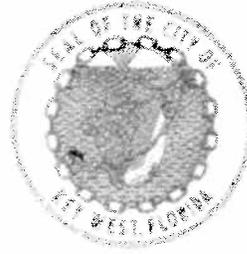
\_\_\_\_\_  
MORGAN MCPHERSON, MAYOR

ATTEST:



\_\_\_\_\_  
CHERYL SMITH, CITY CLERK

## Executive Summary



**To:** James K. Scholl, City Manager  
**From:** Larry R. Erskine, Chief Assistant City Attorney  
**Date:** July 8, 2009  
**Subject:** Resolution – Approval of Rockland Industrial Park Replat

### **Action Statement:**

This is a request for the City Manager and Commission to approve the attached Rockland Industrial Park Replat and authorize the Mayor to execute same.

### **Background:**

In 2006, the City purchased a four acre parcel of land on Rockland Key to be utilized as a transfer station. The parcel had previously been part of a larger tract. The City's purchase was contingent upon the larger tract being platted into several parcels. The land was formally platted prior to the closing of the City's transaction.

After the plat was approved, the owner of the original tract determined that the easement for access and utilities must be shifted 10 feet west and south for technical reasons. This shift necessitates replatting the parcels. In that the City now owns a portion of the land comprising the platted area, the City must consent to the replat to be presented to the County for approval. This is accomplished by the Mayor's execution of the replat document, a copy of which is attached. Upon final approval, the replat document is recorded in the public records of the County.

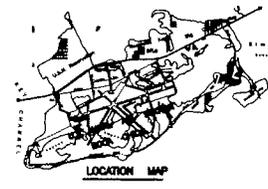
### **Recommendation:**

That the replat be approved and the Mayor be authorized to sign the replat document.

# ROCKLAND INDUSTRIAL PARK REPLAT

Plat Book 7, Page 76  
 A PORTION OF GOVERNMENT LOT 7,  
 SECTION 21, TOWNSHIP 67 SOUTH, RANGE 26 EAST  
 ROCKLAND KEY, FLORIDA

ISLAND SURVEYING INC.  
 Engineers & Surveyors  
 3152 Northside Drive  
 Key West, Florida  
 July 2009



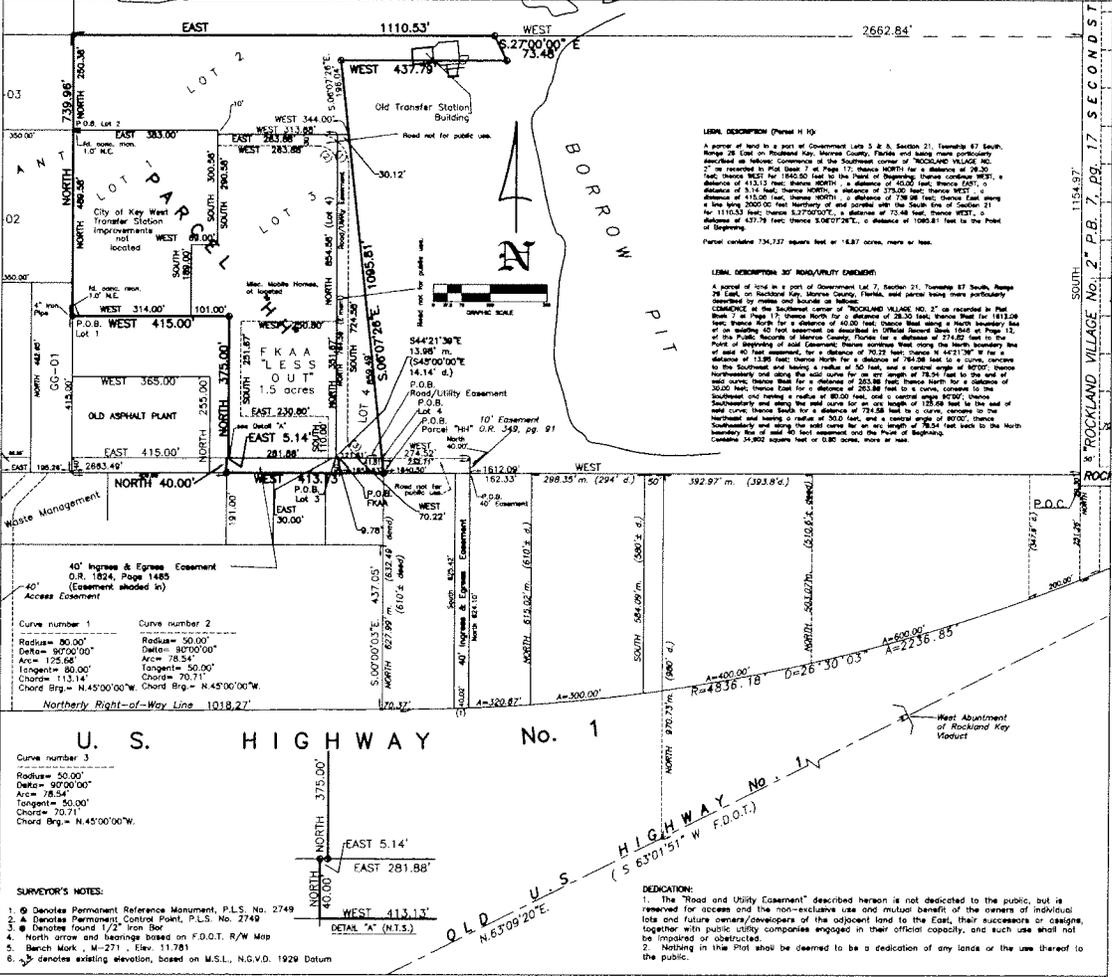
- Abbreviations:**
- Sty. = Story
  - R/W = Right-of-Way
  - F. = Found
  - P. = Post
  - M. = Measured
  - M.H.W. = Mean High Water
  - O.R. = Official Records
  - Sec. = Section
  - Tr. = Township
  - Rng. = Range
  - M.S. = Met to Scale
  - C. = Centerline
  - Elev. = Elevation
  - B.M. = Bench Mark
  - P.C. = Point of Curvature
  - P.L. = Point of Tangency
  - P.O.C. = Point of Commencement
  - P.O.B. = Point of Beginning
  - P.B. = Plat Book
  - pp. = page
  - Exc. = Electric
  - Tel. = Telephone
  - Exc. = Encroachment
  - O.L. = On Line
  - C.L.F. = Chain Link Fence
  - A/C = Air Conditioner
  - o/h = Overhead
  - u/h = Underground
  - F.L. = Finish Floor Elevation
  - L.D. = Low Beam
  - Ir. = Irregular
  - conc. = concrete
  - I.P. = Iron Pipe
  - I.B. = Iron Bar
  - R. = Rebar
  - C.B.C. = Concrete Block Structure
  - Cov'd = Covered
  - P.I. = Point of Intersection
  - W. = Wood
  - N. = Nails
  - A = Arc (Length)
  - D = Delta (Central angle)
  - w.m. = Water Meter
  - Bel. = Balcony
  - M. = Manhole
  - Hyd. = Fire Hydrant
  - F.W. = Fire Well

**LEGAL DESCRIPTION: PMA PARCEL**

A parcel of land in a part of Government Lots 5 & 6, Section 21, Township 67 South, Range 26 East on Rockland Key, Monroe County, Florida, and being more particularly described as follows: Commence at the Southwest corner of "ROCKLAND VILLAGE NO. 2" as recorded in Plat Book 7 of Page 17; thence North a distance of 29.30 feet; thence West for a distance of 110.00 feet; thence North for a distance of 110.00 feet; thence West for a distance of 250.80 feet; thence North for a distance of 250.80 feet; thence South for a distance of 351.87 feet; thence S 45°00'00" E for a distance of 14.14 feet back to the Point of Beginning. Parcel contains 1.50 acre more or less.

**NOTICE TO LOT PURCHASERS AND ALL OTHER CONCERNED INDIVIDUALS**

Purchaser of a platted lot shown hereon confers no right to build any structure on such lot nor to use the lot for any particular purpose, nor to develop the lot. The development or use of such lot is subject to and restricted by the codes, ordinances and policies of the adopted comprehensive plan and development regulations implementing the plan. Therefore, no building permits shall be issued by the County unless the proposed development complies with the comprehensive plan and land development regulations.



**LEGAL DESCRIPTION Lot 1**

A parcel of land in a part of Government Lot 7, Section 21, Township 67 South, Range 26 East, on Rockland Key, Monroe County, Florida, and being more particularly described as follows: Commence at the Southwest corner of "ROCKLAND VILLAGE NO. 2" as recorded in Plat Book 7 of Page 17; thence North a distance of 29.30 feet; thence West for a distance of 110.00 feet; thence North for a distance of 110.00 feet; thence West for a distance of 250.80 feet; thence North for a distance of 250.80 feet; thence South for a distance of 351.87 feet; thence S 45°00'00" E for a distance of 14.14 feet back to the Point of Beginning. Parcel contains 1.50 acre more or less.

**LEGAL DESCRIPTION Lot 2**

A parcel of land in a part of Government Lot 7, Section 21, Township 67 South, Range 26 East, on Rockland Key, Monroe County, Florida, and being more particularly described as follows: Commence at the Southwest corner of "ROCKLAND VILLAGE NO. 2" as recorded in Plat Book 7 of Page 17; thence North a distance of 29.30 feet; thence West for a distance of 110.00 feet; thence North for a distance of 110.00 feet; thence West for a distance of 250.80 feet; thence North for a distance of 250.80 feet; thence South for a distance of 351.87 feet; thence S 45°00'00" E for a distance of 14.14 feet back to the Point of Beginning. Parcel contains 1.50 acre more or less.

**LEGAL DESCRIPTION Lot 3**

A parcel of land in a part of Government Lot 7, Section 21, Township 67 South, Range 26 East, on Rockland Key, Monroe County, Florida, and being more particularly described as follows: Commence at the Southwest corner of "ROCKLAND VILLAGE NO. 2" as recorded in Plat Book 7 of Page 17; thence North a distance of 29.30 feet; thence West for a distance of 110.00 feet; thence North for a distance of 110.00 feet; thence West for a distance of 250.80 feet; thence North for a distance of 250.80 feet; thence South for a distance of 351.87 feet; thence S 45°00'00" E for a distance of 14.14 feet back to the Point of Beginning. Parcel contains 1.50 acre more or less.

**LEGAL DESCRIPTION Lot 4**

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**TITLE CERTIFICATION**

STATE OF FLORIDA  
 COUNTY OF MONROE  
 Attorney's Title Insurance Fund, Inc. a title insurance corporation, duly licensed in the State of Florida, does hereby certify the following: We have examined the title to the herein described property. We find the title to Lot 1 is vested in the City of Key West, Florida, a municipal corporation, and title to Lot 2, Lot 3 and Lot 4 is vested in Rockland Operations, LLC, a Florida limited liability company. The current taxes have been paid; the property is not encumbered by any mortgage and there are no encumbrances of record that affect the subdivision of the property.

**ATTORNEY'S TITLE INSURANCE FUND, INC.**

By: Susan M. Cordone, Title Examiner Date: \_\_\_\_\_

**APPROVAL OF COUNTY SURVEYOR**

I, Robert Edward Treese, P.L.S. No. 5637, State of Florida, do hereby certify that I have reviewed the re-plat shown hereon and it is in conformity with Florida Statutes.

**NOTICE:** This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be substituted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of the county.

Plat reviewed & approved by: J. Lynn O'Dynn, Surveyor, P.L.S. No. 9296, State of Florida. Date: \_\_\_\_\_

**ACKNOWLEDGMENT:**

I HEREBY CERTIFY: That the attached plat entitled: "ROCKLAND INDUSTRIAL PARK REPLAT" is true and correct representation of the facts as recently surveyed and plotted under my responsible supervision and that the survey data shown on said plat complies with the applicable requirements of Chapter 177, Laws of the State of Florida, A.D. 1971, that the permanent reference monuments were set in accordance with Section 177.091 (7) of said Chapter 177, and further that the permanent control points shown on the plat were set on or after the date this plat is recorded in accordance with Section 177.091 (8) of said Chapter 177.

**FREDERICK W. HILDEBRANDT, P.E., P.L.S.**  
 Professional Land Surveyor & Mapper No. 2749  
 Professional Engineer No. 36810  
 State of Florida  
 Date: \_\_\_\_\_