

CITY COUNCIL AGENDA STATEMENT



Meeting Date: February 14, 2023  
To: Honorable Mayor and City Councilmembers  
From: Brian Shea, Planning Director  
Through: George Garrett, City Manager

Agenda Item: **Resolution 2023-17, Public Right-Of-Way Abandonment**, A Request By Thomas Morris To Abandon The Public Right Of Way Located At 11134 3rd Ave, Described As Being Adjacent To Unnumbered Parcel, Lot 10, Little Venice, Marathon, Having Real Estate Number 00344200-000000. Nearest Mile Marker 53; And Providing For An Effective Date

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**Recommendation:**

Based on review of the application, Staff is recommending **Approval** of the request to abandon a portion of City right-of-way located on the Court Aka 3rd Avenue Ocean. The application is consistent with state and local law, and the applicants have submitted letters of no objection from the utility companies.

Conditions:

1. The Applicant will convey a utility easement to all utilities on, under the Court Right-of-Way described in Exhibit "B" or remove said utilities at the owner's expense.
2. Said conditions as promulgated above shall be met by the applicant within sixty (60) days of the effective date of this Resolution.

**Applicant:** Thomas Morris

**Request:** To abandon a portion of the right-of-way at 11134 3rd Ave Ocean.

**Project Location:** 11134 3rd Ave Ocean, Little Venice Subdivision, Key Vaca.

**Legal Description:** Adjacent To And Between Lots 10 And 15, Little Venice Subdivision, Key Vaca, Having Real Estate Numbers 00344200-000000 & 00344250-000000. (See Exhibit A for entire legal description)

**Figure 1  
Location Map**



**Background:**

This is a request presented by Thomas Morris for the abandonment of the City’s right-of-way located at 11134 3<sup>rd</sup> Ave Ocean, Described As Court aka 3<sup>rd</sup> Avenue Ocean, described as being adjacent to and between lots 10 and 15, Little Venice subdivision, Key Vaca, nearest mile marker 53, Monroe County, Florida. The applicant states they would like Council to abandon a portion of the Court as shown in the location graphic above and in the survey of the area to be abandoned. The applicant states they will grant any necessary utility easement to the City of Marathon and all utilities for current and future use.

Municipalities derive their power to vacate municipally owned rights-of-way from Section 166.042, Florida Statutes that provides that former Section 167.09, Florida Statutes (1972) remains effective. Former Section 167.09, Florida Statutes provides that municipalities may "...discontinue any public park, public square, street, avenue, highway or any other way..."

Section 26-3 (1) & (2) of the City Code (Ordinance 2015-08), restricts the City’s authority to abandon rights-of-way, as provided by state law, by imposing the following conditions:

**Section 26-3 General Provisions**

- (1) Approval of Abutting Property Owners

As part of the submittal process, documentation is required that there are no objections from abutting property owners. In the event that such an objection occurs, then the Petitioner may further petition to be heard by the City Council in a review which would require a super majority vote if approved.

(2) Access to Water.

No right of way, road, street, or public access way giving access to any publicly accessible waters in the City of Marathon, Florida, shall be closed, vacated or abandoned unless:

- a. the City Council determines at a public hearing that the petitioner meets all of the review criteria of this Article; and
- b. only in those instances wherein the Petitioner(s) offers to trade or give to the City comparable land or lands for a right of way, road, street or public access way to give access to the same body of water, such access to be of such condition as not to work a hardship to the users thereof, the reasonableness of the distance and comparable land being left to the discretion of the City.

**Analysis**

Section 26-7 of the Code establishes criteria the City must consider when reviewing applications for right-of-way abandonment as follows:

**Section 26-7 Review of Petition.**

- (1) Review by Technical Review Committee - each petition shall be reviewed by the City and any governmental agency or City department deemed affected by the petitioner's request. Upon receipt of receipt of a complete and sufficient petition, the City shall distribute the petition to appropriate reviewing departments and agencies. Within thirty (30) days, the City will hold a meeting of the Technical Review Committee (TRC) meeting pursuant to Chapter 101, Article 4 of the City's Land Development Regulations (LDRs). Within fifteen (15) days of the date of the TRC meeting, a report of objections, recommendations, or conditions shall be forwarded to the Petitioner for their review and action as may then be necessary. Within ninety (90) days of receipt of notification from the TRC the Petitioner shall comply with, agree and commit in writing to the conditions, or disagree in writing to the conditions. Failure to respond to Notification from the TRC shall result in a recommendation to deny the petition to the City Council.
- (2) Review Criteria - Upon review of the application, and prior to a public hearing before City Council the chairperson of the TRC shall submit to City Council a written report recommending approval, approval with conditions or denial of the proposed right-of-way abandonment. This report shall take into consideration the following criteria:
  - a. Whether the proposed abandonment will adversely affect the operations and functions of the City;

Staff Assessment: The abandonment of this right-of-way will not adversely affect the functions of the City.

- b. Whether the proposed abandonment will adversely affect public access to and from the water;

Staff Assessment: Public access to water is not available as the applicant owns the land between the ROW and the water.

- c. Whether the proposed abandonment will adversely affect pedestrian or vehicular traffic, or the commercial viability of business within 300 feet of the right-of-way to be abandoned;

Staff Assessment: Vehicular and pedestrian traffic will not be hindered. The granting of the public access easement would allow pedestrians to still walk to the canal edge.

- d. Whether the proposed abandonment will adversely affect a public view corridor;

Staff Assessment: No impact to a public view corridor is proposed.

- e. Whether the proposed abandonment will deprive other property owners of access to and from their property; and

Staff Assessment: The applicants own all of the properties adjacent to and abutting the right-of-way; therefore, this criterion does not apply.

- f. Whether the proposed abandonment will interfere with utility services being provided, or unreasonably affect any utility easement.

Staff Assessment: The applicant submitted non-objection letter from AT&T, Comcast, FKAA, and FKEC without objection.

Provided that the owners comply with the conditions stated above the abandonment would not interfere with the utility services being provided currently or in the future.

The City Council shall consider and may impose modifications or conditions concerning, but not limited to the following:

1. Approve the application for the abandonment of public right-of-way;
2. Approve the application for the abandonment of public right-of-way with conditions;  
or
3. Deny the application for the abandonment of public right-of-way.

Based on the above criteria, City Staff is therefore forwarding a recommendation of **approval** of this application.

### **Stakeholders**

The Planning Department held a Technical Review Committee meeting to receive input from all affected City departments. The Public Works Department requested that the applicant grant the

City a utility easement for all existing and future utilities. Currently, there are no utilities within the requested area of abandonment. The applicant has indicated they agree to provide to the City an easement for existing and future utilities. The applicant has indicated they agree to also provide to the City a public access easement.

### **Consistency With Adopted Plans And Policies**

In addition to the above discussion in the Analysis section, this application complies with the requirements of Chapter 26 of the City of Marathon City Code and with the requirements of the City of Marathon Comprehensive Plan. With the above considerations and conditions the application complies with comprehensive plan policies discouraging the abandonment of rights-of-way that provide public access to water bodies.

### **Recommendation:**

Based on review of the application, Staff is recommending **Approval** of the request to abandon a portion of City right-of-way located on Smokes Court. The application is consistent with state and local law, and the applicants have submitted letters of no objection from the utility companies.

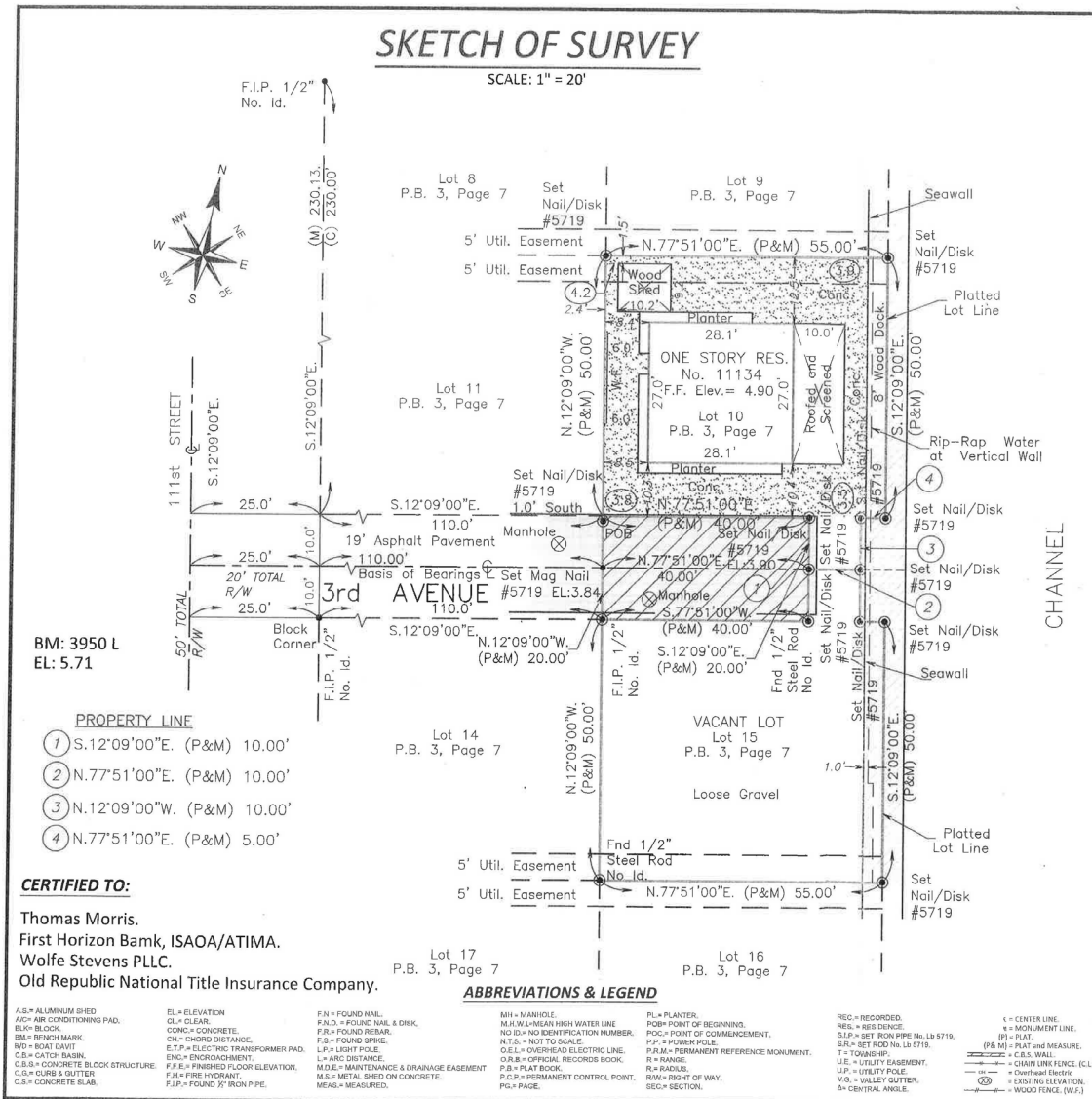
### **Conditions:**

1. The Applicant will convey a utility easement to all utilities on, under the Court Right-of-Way described in Exhibit "B" or remove said utilities at the owner's expense.
2. Said conditions as promulgated above shall be met by the applicant within sixty (60) days of the effective date of this Resolution.

EXHIBIT A

SKETCH OF SURVEY

SCALE: 1" = 20'



BM: 3950 L  
EL: 5.71

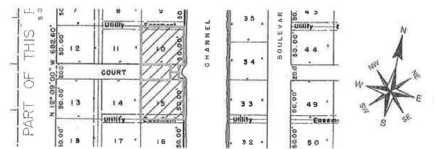
- PROPERTY LINE**
- ① S.12°09'00"E. (P&M) 10.00'
  - ② N.77°51'00"E. (P&M) 10.00'
  - ③ N.12°09'00"W. (P&M) 10.00'
  - ④ N.77°51'00"E. (P&M) 5.00'

**CERTIFIED TO:**  
Thomas Morris,  
First Horizon Bank, ISAOA/ATIMA,  
Wolfe Stevens PLLC,  
Old Republic National Title Insurance Company.

**ABBREVIATIONS & LEGEND**

|   |  |  |  |   |   |   |
|---|--|--|--|---|---|---|
| A.S. = ALUMINUM SHED<br>A.C. = AIR CONDITIONING PAD<br>B.L. = BLOCK<br>B.M. = BENCH MARK<br>I.D. = IRON DISK<br>C.B. = CATCH BASIN<br>C.B.S. = CONCRETE BLOCK STRUCTURE<br>C.G. = CURB & GUTTER<br>C.S. = CONCRETE SLAB | EL = ELEVATION<br>CL = CLEAR<br>CON. = CONCRETE<br>CH = CHORD DISTANCE<br>E.T.P. = ELECTRIC TRANSFORMER PAD<br>ENG. = ENGRAGEMENT<br>F.F.E. = FINISHED FLOOR ELEVATION<br>F.H. = FIRE HYDRANT<br>F.I.P. = FOUND 1/2" IRON PIPE | F.N. = FOUND NAIL<br>F.N.D. = FOUND NAIL & DISK<br>F.R. = FOUND REBAR<br>F.S. = FOUND SPIKE<br>L.P. = LIGHT POLE<br>L.A.R.C. = ARC DISTANCE<br>M.D.E. = MAINTENANCE & DRAINAGE EASEMENT<br>M.S. = METAL SIED ON CONCRETE<br>MEAS. = MEASURED | M.H. = MANHOLE<br>M.H.W.M. = MEAN HIGH WATER LINE<br>NO. ID. = NO IDENTIFICATION NUMBER<br>N.T.S. = NOT TO SCALE<br>O.E.L. = OVERHEAD ELECTRIC LINE<br>O.R.B. = OFFICIAL RECORDS BOOK<br>P.B. = PLAT BOOK<br>P.C.P. = PERMANENT CONTROL POINT<br>P.G. = PAGE | PL = PLANTER<br>P.O.B. = POINT OF BEGINNING<br>P.O.C. = POINT OF COMMENCEMENT<br>P.P. = POWER POLE<br>P.R.M. = PERMANENT REFERENCE MONUMENT<br>R = RANGE<br>R = RADIUS<br>R.W. = RIGHT OF WAY<br>SEC. = SECTION | REC. = RECORDED<br>RES. = RESIDENCE<br>S.I.P. = SET IRON PIPE NO. 1/2"<br>S.R. = SET ROD NO. 1/2"<br>T = TOWNSHIP<br>U.E. = UTILITY EASEMENT<br>U.P. = UTILITY POLE<br>V.O. = VALLEY CUTTER<br>W.F. = WOOD FENCE (W.F.) | CL = CENTER LINE<br>M.L. = MOMENT LINE<br>PL = PLAT<br>P.M. = PLAT AND MEASURE<br>C.S. WALL<br>OVERHEAD ELECTRIC<br>EXISTING ELEVATION<br>WOOD FENCE (W.F.) |
|---|--|--|--|---|---|---|

**LOCATION MAP**  
SCALE: N.T.S.



**LEGAL DESCRIPTION:**

A parcel of land being in Government Lot 1, Section 6, Township 66 South, Range 33, East, Key Vaca, Monroe County, Florida and described as follows: Beginning at the Southwest corner of Lot 10, LITTLE VENICE NO. 1, According to the Plat thereof, as recorded in Plat Book 3, at Page 7, of the Public Records of Monroe County, Florida; thence bear N. 77° 51' 00" E. along the Southerly boundary of said Lot 10 for a distance of 40 feet to a point; thence bear S. 12° 09' 00" E. for a distance of 20 feet to a point; thence bear N. 12° 09' 00" W. for a distance of 20 feet back to the Point of Beginning.

**NOTES:**

- Lands shown hereon were not researched by the surveyor for easement, legal overlaps, or any other instruments of record.
- No utilities located.
- Fence ownership not determined by this survey.
- There may be additional restrictions/Easements that are not shown on this survey that may be found in the public records of this county.
- Surveyor makes no claims to subsurface features other than evidence of same as shown hereon.
- This drawing is the property of LINCOLN ITURREY, P.A. and shall not be used in whole or part without the written permission of LINCOLN ITURREY, P.A.
- Liability limited to survey fee charged.
- Legal description provided by client.
- Elevations when shown Refer to N.G.V.D. 1929.
- Riparian rights not determined by this survey.
- All Measurements and Distances are in U.S. Standard Feet.
- Examination of the abstract of title will have to be made to determine recorded instruments, if any, affecting the property.
- Location and Identification of utilities on and/or adjacent to the property were not secured, as such information was not requested.
- Ownership is subject to opinion of title.
- This survey is performed for: THOMAS MORRIS, for the singular purpose of obtaining MORTGAGE and TITLE INSURANCE, and does not extend to any unnamed party.

**WE HEREBY CERTIFY:**

That the attached Boundary survey of the above described property is true and correct to the best of our knowledge and meets standards of practice set forth by the FLORIDA BOARD OF LAND SURVEYORS. Pursuant to Chapter 5 J-17 Florida Administrative Code.

*Lincoln Iturrey*  
**LINCOLN ITURREY, P.S.M. No. 5719**

This survey not valid without the original signature and seal of the appropriate registered Land Surveyor and Mapper.

|  |                 |        |                |      |                     |
|--|-----------------|--------|----------------|------|---------------------|
| PREPARED BY: <b>LINCOLN ITURREY, P.A.</b>                                  |                 |        |                |      |                     |
| Professional Land Surveyors and Mappers L.B. 8190                          |                 |        |                |      |                     |
| Mailing Address: P.O. BOX 755, LONG KEY, FLORIDA, 33001.                   |                 |        |                |      |                     |
| Office Address: 65821 OVERSEAS HIGHWAY, No. 255, LONG KEY, FLORIDA, 33001. |                 |        |                |      |                     |
| PHONE: (305) 664-2727 / (305) 975-3141 (CEL.) Email = liturrey@gmail.com   |                 |        |                |      |                     |
| DATE: 10-02-2020   | SCALE: 1" = 20' |        |                |      |                     |
| FB: 135  | PG: 65          |        |                |      |                     |
| PREPARED FOR: THOMAS MORRIS.   |                 |        |                |      |                     |
| ADDRESS: 11134 3rd AVENUE, MARATHON, FLORIDA, 33050.                       |                 |        |                |      |                     |
| COMMUNITY No.  | PANEL No.       | SUFFIX | DATE OF FIRM   | ZONE | BASE ELEVATION      |
| 120681   | 1381            | K      | 02-18-2005     | AE   | 7/8                 |
| CLOSURE AT LEAST 1:7500  |                 |        | DRAWN BY: J.M. |      | DRAWING No. 20-9082 |

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2023-17**

**A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING SUBJECT TO CONDITIONS, A REQUEST BY THOMAS MORRIS TO ABANDON THE PUBLIC RIGHT OF WAY LOCATED AT 11134 3RD AVE, DESCRIBED AS BEING ADJACENT TO UNNUMBERED PARCEL, LOT 10, LITTLE VENICE, MARATHON, HAVING REAL ESTATE NUMBER 00344200-000000. NEAREST MILE MARKER 53; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, there presently exists a certain public right-of-way within the City of Marathon, Florida, Located At 11134 3rd Ave, described as being adjacent to and between lots 10 and 15, Little Venice subdivision, Key Vaca, nearest mile marker 53, Monroe County, Florida and as particularly described in the attached survey (Exhibit “A); and

**WHEREAS**, Thomas Morris has requested that the City of Marathon, Florida (the “City”), in accordance with Section 26-1 of the City Code, abandon the Right-of-Way; and

**WHEREAS**, the City Council finds that the Right-of-Way is not needed and may be abandoned without adversely affecting the public interest; and

**WHEREAS**, the Right-of-Way lies wholly within the corporate boundaries of the City and within the City’s ownership and authority to abandon; and

**WHEREAS**, a public hearing to vacate the Right-of-Way was held on February 14, 2023 the City has determined that no federal, state or county rights-of-way are involved or affected, and that granting the request for abandonment of the Right-of-Way subject to conditions will not be detrimental to the public health, safety and welfare; and

**WHEREAS**, the City has determined the Applicant’s request meets all of the requirements of Section 26-1 of the City Code for the abandonment of the Right-of-Way.

**WHEREAS**, THE City Council has made the following findings of fact pursuant to Section 26-9 of the Code of the City of Marathon:

- a) The abandonment of this right-of-way will not adversely affect the operations and functions of the City because with a grant of utility easement to continue maintenance of its sewer facilities.
- b) Public access to water is possible through this Right-Of-Way and therefore there an access agreement must be recorded to ensure public access to the water.
- c) There will no adverse effect on surrounding traffic circulation or patterns.

- d) The abandonment will not adversely affect a public view corridor.
- e) The applicants own all of the properties adjacent to and abutting the right-of-way; therefore, this criterion does not apply.
- f) The proposed abandonment will not interfere with utility services being provided, or unreasonably affect any utility easement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and they and all conditions required of Applicants are hereby incorporated as if fully stated herein.

**Section 2.** Pursuant to the request by the Applicant to vacate the Right-of-Way, the City releases, vacates, abandons, discontinues, renounces and disclaims all rights of the City and the public in and to the Right-of-Way, as legally described on Exhibit “A”, subject to the following conditions:

- (1) The Applicant will convey a utility easement to all utilities on, under the Court Right-of Way described in Exhibit “B” or remove said utilities at the owner’s expense.
- (2) Said conditions as promulgated above shall be met by the applicant within sixty (60) days of the effective date of this Resolution.

**Section 3.** The City Clerk shall forward a certified copy this Resolution to the Applicant, who shall be responsible for all costs incurred in recording this instrument in the public records of Monroe County, Florida. The Applicant shall provide the City evidence of the recording of this Resolution and the Easement within sixty (60) days of the effective date of this Resolution.

**Section 4.** The City reserves all rights to itself for the placement, operation and maintenance of all necessary City roads, structures and utilities including, but not limited to, stormwater and wastewater improvements and appurtenant facilities above and below that portion of the Right-of-Way not vacated by this Resolution.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 14<sup>TH</sup> DAY OF FEBRUARY 2023.**

**THE CITY OF MARATHON, FLORIDA**

---

**Luis Gonzalez, Mayor**



AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE  
CITY OF MARATHON, FLORIDA ONLY:**

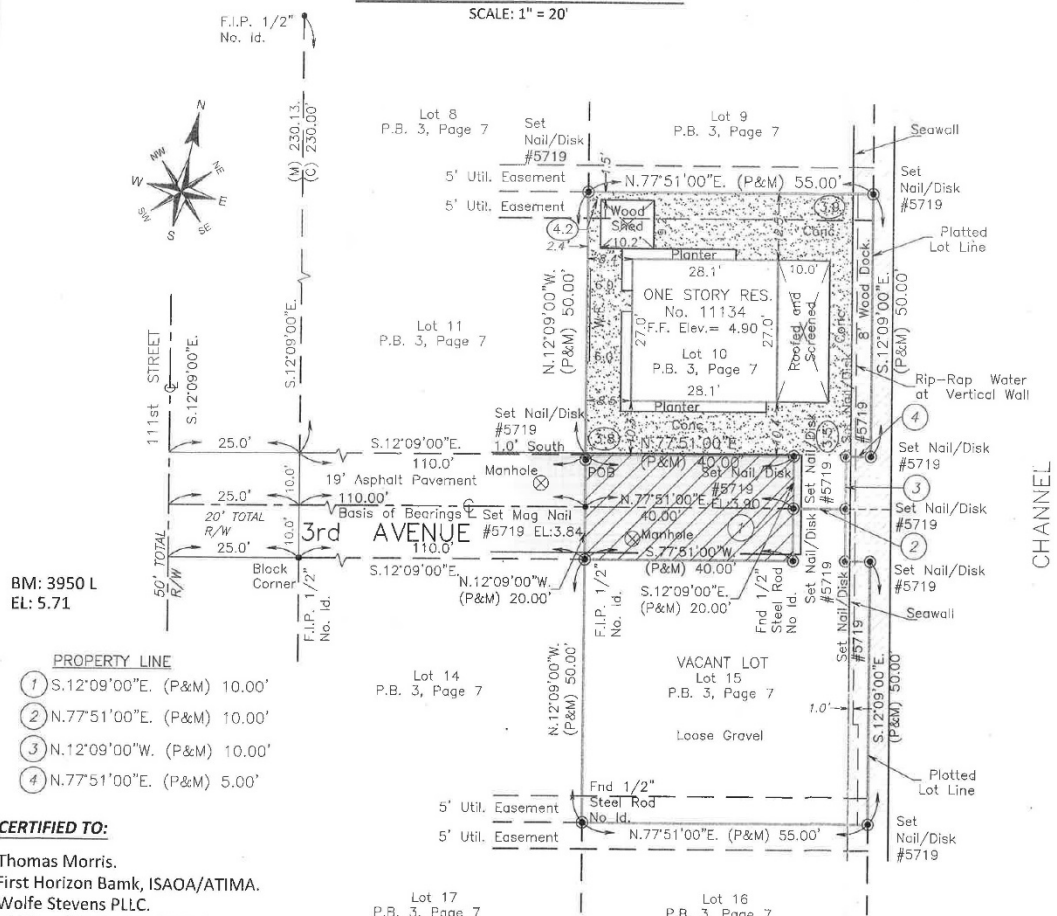
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Steven T. Williams, City Attorney

**Exhibit A**  
**Copy – Original to be Provided by Applicant to**  
**Clerk of Court for Recordation**

**SKETCH OF SURVEY**

SCALE: 1" = 20'



BM: 3950 L  
 EL: 5.71

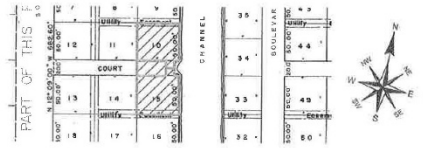
- PROPERTY LINE**
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  - ② N.77°51'00\"E. (P&M) 10.00'
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  - ④ N.77°51'00\"E. (P&M) 5.00'

**CERTIFIED TO:**  
 Thomas Morris.  
 First Horizon Bank, ISAOA/ATIMA.  
 Wolfe Stevens PLLC.  
 Old Republic National Title Insurance Company.

**ABBREVIATIONS & LEGEND**

|                                 |                 |                                 |  |                                     |                                    |                           |
|---------------------------------|-----------------|---------------------------------|--|-------------------------------------|------------------------------------|---------------------------|
| A.B. = ALUMINUM BUSH            | EL = ELEVATION  | F.I.P. = FOUND 1/2\" IRON PIPE  | MANHOLE                                | PLANTER                             | REC. = RECORDED                    | CL = CENTER LINE          |
| AC = AIR CONDITIONING PAD       | CL = CLEAR      | M.F.P. = FOUND 1/2\" METAL PIPE | M.W. = MEAN HIGH WATER                 | POB = POINT OF BEGINNING            | RES. = RESURFACED                  | ± = MONUMENT LINE         |
| BLF = BLOCK                     | CM = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | M.W.W. = MEAN HIGH WATER WAKE          | POC = POINT OF COMMENCEMENT         | S.I.P. = SET IRON PIPE NO. 10 5719 | (P) = PLAT                |
| BM = BENCH MARK                 | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | NO. 10 = NO IDENTIFICATION NUMBER      | P.O.C. = POINT OF COMMENCEMENT      | S.P. = SET IRON PIPE NO. 10 5719   | P&M = PLAT AND MEASURE    |
| BO = BOAT BAIT                  | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | P.S. = PLYWOOD SHEET                   | P.P. = POWER POLE                   | S.P. = SET IRON PIPE NO. 10 5719   | ± = MONUMENT LINE         |
| CB = CATCH BASIN                | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | L.P. = LIGHT POLE                      | P.P. = PERMANENT REFERENCE MONUMENT | T. = TOWNSHIP                      | (P) = PLAT                |
| C.B. = CONCRETE BLOCK STRUCTURE | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | L = LINE DISTANCE                      | P.P. = PERMANENT REFERENCE MONUMENT | U.E. = UTILITY EASEMENT            | P&M = PLAT AND MEASURE    |
| C.S. = CURB & GUTTER            | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | M.D. = MAINTENANCE & DRAINAGE BASEMENT | P.P. = PERMANENT REFERENCE MONUMENT | U.P. = UTILITY POLE                | ± = MONUMENT LINE (CL.F.) |
| C.S. = CONCRETE SLAB            | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | M.D. = MAINTENANCE & DRAINAGE BASEMENT | P.P. = PERMANENT REFERENCE MONUMENT | VAL. = VALLEY GUTTER               | ± = MONUMENT LINE (CL.F.) |
|                                 | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | M.S. = METAL SHED ON CONCRETE          | P.P. = PERMANENT REFERENCE MONUMENT | W.F. = WOOD FENCE (W.F.)           | ± = MONUMENT LINE (CL.F.) |
|                                 | CO = CONC. CURB | M.S. = METAL SHED ON CONCRETE   | M.S. = METAL SHED ON CONCRETE          | P.P. = PERMANENT REFERENCE MONUMENT |                                    | ± = MONUMENT LINE (CL.F.) |

**LOCATION MAP**  
 SCALE: N.T.S.



**LEGAL DESCRIPTION:**

A parcel of land being in Government Lot 1, Section 5, Township 66 South, Range 33, East, Key Vaca, Monroe County, Florida and described as follows: Beginning at the Southwest corner of Lot 10, LITTLE VENICE NO. 1, According to the Plat thereof, as recorded in Plat Book 3, at Page 7, of the Public Records of Monroe County, Florida; thence bear N. 77° 51' 00\" E. along the Southerly boundary of said Lot 10 for a distance of 40 feet to a point; thence bear S. 12° 09' 00\" E. for a distance of 20 feet to a point; thence bear S. 77° 51' 00\" W. for a distance of 40 feet; thence bear N. 12° 09' 00\" W. for a distance of 20 feet back to the Point of Beginning.

**NOTES:**

- Lands shown hereon were not researched by the surveyor for easement, legal overlaps, or any other instruments of record.
- No utilities located.
- Fence ownership not determined by this survey.
- There may be additional restrictions/Easements that are not shown on this survey that may be found in the public records of this county.
- Surveyor makes no claims to subsurface features other than evidence of same as shown hereon.
- This drawing is the property of LINCOLN ITURREY, P.A. and shall not be used in whole or part without the written permission of LINCOLN ITURREY, P.A.
- Liability limited to survey fee charged.
- Legal description provided by client.
- Elevations when shown Refer to N.G.V.D. 1929.
- Riparian rights not determined by this survey.
- All Measurements and Distances are in U.S. Standard Feet.
- Examination of the abstract of title will have to be made to determine recorded instruments, if any, affecting the property.
- Location and identification of utilities on and/or adjacent to the property were not secured, as such information was not requested.
- Ownership is subject to opinion of title.
- This survey is performed for: THOMAS MORRIS, for the singular purpose of obtaining MORTGAGE and TITLE INSURANCE, and does not extend to any unnamed party.

**WE HEREBY CERTIFY:**

That the attached Boundary survey of the above described property is true and correct to the best of our knowledge and meets standards of practice set forth by the FLORIDA BOARD OF LAND SURVEYORS. Pursuant to Chapter 5 J-17 Florida Administrative Code.

*Lincoln Iturrey*  
**LINCOLN ITURREY, P.S.M. No. 5719**

This survey not valid without the original signature and seal of the appropriate registered Land Surveyor and Mapper.

|                         |  |                |              |                     |                |
|-------------------------|--|----------------|--------------|---------------------|----------------|
| PREPARED BY:            | <b>LINCOLN ITURREY, P.A.</b><br>Professional Land Surveyors and Mappers L.B. 8190<br>Mailing Address: P.O. BOX 755, LONG KEY, FLORIDA, 33001.<br>Office Address: 65821 OVERSEAS HIGHWAY, No. 255, LONG KEY, FLORIDA, 33001.<br>PHONE: (305) 664-2727 / (305)975-3141 (CEL.) Email = liturrey@gmail.com |                |              |                     |                |
| DATE: 10-02-2020        | SCALE: 1" = 20'  | FB: 135        | PG: 65       |                     |                |
| PREPARED FOR:           | THOMAS MORRIS.<br>ADDRESS: 11134 3rd AVENUE, MARATHON, FLORIDA, 33050.   |                |              |                     |                |
| COMMUNITY No.           | PANEL No.  | SUFFIX         | DATE OF FIRM | ZONE                | BASE ELEVATION |
| 120681                  | 1381   | K              | 02-18-2005   | AE                  | 7/8            |
| CLOSURE AT LEAST 1:7500 |  | DRAWN BY: J.M. |              | DRAWING No. 20-9082 |                |

Exhibit B  
Copy – Original to be Provided by Applicant to  
Clerk of Court for Recordation