VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council
Robert Oldakowski, *Mayor*
Robert L. Vernon, *Vice Mayor*
Enrique Garcia
Steve Liedman
Jorge E. Mendia
Thomas Thornton
Patricia Weinman

Director
Jud Kurlancheek, AICP

Chief Building Official
Eugenio M. Santiago, P.E.

DT: August 22, 2006

TO: Honorable Mayor and Members of the Village Council

FR: Jacqueline R. Menendez, Village Manager

RE: Waiver of Plat for Two Properties: 490 W. Matheson Drive and 1 Harbor Point

RECOMMENDATION

It is recommended that the Village Council approve a waiver of plat for properties at 490 W. Matheson Drive and 1 Harbor Point because it is consistent with the review criteria. The application involves two (2) separate properties which are adjacent to one another. The properties are located a 490 W. Matheson Drive and 1 Harbor Point.

BACKGROUND

The 490 W. Matheson Drive property presently contains 2 platted lots and unplatted land at the end of W. Matheson Drive. The property at 1 Harbor Point contains 2 platted lots. The applicants have entered into a real estate transaction involving the sale of 10,124 sq. ft. of property from 1 Harbor Point to 490 W. Matheson Drive. Should the request be approved a new home at 490 W. Matheson Drive could contain 32,695 sq. ft. and a home at 1 Harbor Point could have 20,208 sq. ft. (10,124 sq. ft. of land permits 4,758 sq. ft. of floor area).

Zone

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DT: August 22, 2006

TO: Jacqueline R. Menendez, Village Manager

FR: Jud Kurlancheek, AICP, Director
Building, Zoning, and Planning Department

RE: Waiver of Plat for Two Properties: 490 W. Matheson Drive and 1 Harbor Point

APPLICATION SUMMARY

Applicants	United Real Estate Ventures, Inc. and John H. and Mary Lou Dasburg
Request	Waiver of Plat for property at 490 W. Matheson Drive and 1 Harbor Point
Site Address	490 W. Matheson Drive and 1 Harbor Point
Master Plan Land Use	Low Density Single Family
Zoning District	Village Estate (Single Family)
File Number	P 06-01
Recommendation	Approval

EXPLANATION AND ANALYSIS

The Request: The 490 W. Matheson Drive property presently contains 2 platted lots and unplatted land at the end of W. Matheson Drive. The property at 1 Harbor Point contains 2 platted lots.The application involves two (2) separate properties which are adjacent to one another. The properties are located a 490 W. Matheson Drive and 1 Harbor Point. The applicants have entered into a real estate transaction involving the sale of 10,124 sq. ft. of property from 1 Harbor Point to 490 W. Matheson Drive. Should the request be approved a new home at 490 W. Matheson Drive could contain 32,695 sq. ft. and a home at 1 Harbor Point could have 20,208 sq. ft. (10,124 sq. ft. of land permits 4,758 sq. ft. of floor area). As a reference point, the Community Center contains approximately 38,000 sq. ft. of interior space.

Waiver of Plat Review Criteria: The Village's Zoning and Land Development Regulations do not include platting, re-platting, or waiver of plat regulations. In this situation, our Regulations direct that the Village apply the County's procedures. The applicable County regulation is below:

> Whenever land is subdivided a plat must be recorded, except that the recording of a plat will not be required if the application is consistent with one of four (4) exemptions that are provided in the County Code. The four (4) exemptions are attached to this report. The application is consistent with criteria listed below:
>
> Criteria: The land to be subdivided is to be divided into no more than six (6) parcels and because of (a) unusual conditions created by ownership or development of adjacent lands, or (b) the isolation or remoteness of the land concerned in relation to other platted or improved lands, or (c) improvements and dedications existing on the land substantially in accordance with the requirements of this chapter, it is determined by the plat division of the appropriate authority that waiving of the requirement for platting would not conflict with the purpose and intent of this chapter. In lieu of platting, the plat division of the appropriate authority may require any dedications, reservations, or improvements required in connection with platting under this chapter, including the posting of a performance and maintenance bond, as may be necessary to carry out the intent and purpose of this chapter.
>
> Analysis: The re-subdivision involves the combination of one (1) lot and a portion of another lot. As this situation involves less than the six (6) lot maximum, the application is consistent with the County's criteria.
>
> Finding: Consistent

RECOMMENDATION

Staff recommends approval of the request because the application is consistent with the review criteria. Staff is concerned that due to the size of the home which could be built, that the owner intends to include accessory uses that are not permitted.

VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council
Robert Oldakowski, *Mayor*
Jorge E. Mendia, *Vice Mayor*
Martha Fdez-León Broucek
Carol Diaz-Castro
Mortimer Fried
James L. Peters
Robert L. Vernon
Jud Kurlancheek, AICP
Director

Eugenio M. Santiago, P.E.
Chief Building Official

PLANNING AND ZONING APPLICATION

Date Filed: June 8, 2006

File # P06-01
to be completed by staff

1. REQUEST FOR:

( ) SUPERVISORY VARIANCE	( ) AMENDMENT TO ZONING ORDINANCE
( ) ADMINISTRATIVE VARIANCE	( ) SPECIAL EXCEPTION AMENDMENT TO THE COMPREHENSIVE PLAN
( ) REGULATORY VARIANCE	( ) ZONING DISTRICT CHANGE
( ) SITE PLAN APPROVAL	
( ) UNUSUAL USE	
(X) OTHER Waiver of Plat	

Explain your request:

A waiver of plat to allow a property owner to sell a portion of their property to a neighboring property owner to create two platted lots as described in Exhibits "A" and "B".

2. Street Address of Property: 1 Harbor Point, 490 W. Matheson Drive and 485 W. Matheson Drive
Legal Description: Lot(s) See Exhibits "A" and "B" Block: _____
Subdivision _____

3. Name of Applicant: United Real Estate Ventures, Inc.
Mailing Address of Applicant: 240 Crandon Blvd. Suite 203, Key Biscayne, FL 33149
Business Telephone: _____ Home Fax: _____

Name of Applicant: John H. and Mary Lou Dasburg
Mailing Address of Applicant: 1 Harbor Point Key Biscayne, Florida 33149
Business Telephone: 305-365-5151 Home Fax: _____

4. Name of Property Owner if Different from Applicant: N/A
Address of Property Owner if Different from Applicant: _____

Business Telephone: _____ Home Fax: _____

5. Contact Person: Carter N. McDowell
Address: Bilzin Sumberg Baena Price & Axelrod LLP
200 S. Biscayne Blvd. Suite 2500, Miami, Florida 33131
Phone Number: 305-350-2355 Fax: 305-350-2239

6. Name/address of anyone else who should receive notice of the hearing?
D. John Devaney 240 Crandon Blvd. Suite 203, Key Biscayne, FL 33149

7. If applicant is owner, indicate date purchased: United Real Estate Ventures, Inc. – 3/2004 and 10/2004; The Dasburgs – 7/1999 and 4/2001

8. If applicant is lessee, indicate date leased N/A Years _____

9. Is there an option to purchase the property? Yes ( ) No (X)

10. Is the request the result of a violation notice? NO If yes, attach a copy of the violation.

11. Existing use of property Residential. If residential, how many apartments N/A hotel units N/A. If commercial, how many sq. ft. N/A in your space. Single family home? Yes (X) No ( )

12. If this application pertains to an Appeal of an Administrative Decision, indicate the basis of the appeal. (If necessary attach additional explanation)
NO

13. If this is a request for a variance, the Code requires that you substantiate why this request should be granted. In order to do this properly, please indicate how your request complies with the following standards:

(a) Maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community.

N/A

(b) Is compatible with the surrounding land uses and would not be detrimental to the community.

N/A

14. If this is a request for any other type of application, please see staff for a listing of the evaluation criteria.

15. All supporting data and exhibits submitted with this application become a permanent part of the public records.

16. If you are a lobbyist as described in the Village Code, please contact the Village Clerk at 305 365 5506.

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the Zoning Regulations. (I)(we) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(we) understand that the application and attachments become part of the official records of the Village and are not returnable.

Signature of Applicant:_____ Date 6/7/2006

Signature of Owner:_____ Date 6/7/2006

Application Received by:_____ Date 6/8/2006

Approved by:_____ Date_____

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the Zoning Regulations. (I)(we) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(we) understand that the application and attachments become part of the official records of the Village and are not returnable.

Signature of Applicant:_____ Date_____
Signature of Owner:_____ Date_____
Application Received by:_____ Date 6-8-06
Approved by:_____ Date_____

AFFIDAVITS

Complete one or more of the following that relates to your request.

Tenant or Owner Affidavit (if tenant is applicant then owner must sign owner/power of attorney affidavit)

I, John H. Dasburg and Mary Lou Dasburg, being first duly sworn, depose and say that I am the owner of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all supplemental data attached to and made a part of the application are honest and true to the best of my knowledge and belief.

I, John H. Dasburg and Mary Lou Dasburg, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

John H. Dasburg

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant Sworn to (or affirmed) and subscribed before me this 8th day of June, 2006, by John H. Dasburg (name of person making statement).

Signature of Notary Public - State of Florida

Kyra Albarracin
Commission # DD348962
Expires: AUG. 22, 2008
WWW.AARONNOTARY.com

Kyra Albarracin
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known_____ OR Produced Identification X
Type of Identification Produced_____

********** **********

Corporation Affidavit

I, D. John Devaney, on behalf of United Real Estate Ventures, Inc., being first duly sworn, depose and say that I am the Director of the aforesaid corporation, and as such, have been authorized by the corporation to file this application and all supplemental data attached to and made a part of this application are honest and true to the best of our knowledge and beliefs that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, D. John Devaney, on behalf of United Real Estate Ventures, Inc., hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

D. John Devaney, on behalf of United Real Estate Ventures, Inc. (Corporate Seal)

STATE OF FLORIDA
COUNTY OF MIAMI-DADE
Sworn to (or affirmed) and subscribed before me this 8th day of JUNE, 2006, by D. JOHN DEVANEY (name of person making statement)/

Margaret K. Lombardo
Commission #DD183084
Expires: Mar 16, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Margaret K Lombardo
Signature of Notary Public - State of Florida
MARGARET K. LOMBARDO
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known ✓ OR Produced Identification _____
Type of Identification Produced _____

Owner/Power of Attorney Affidavit

I, John H. Dasburg, being duly sworn, depose and say that I am the owner of the described real property and that I am aware of the nature and effect the request for: Waiver of Plat relative to my property, which is hereby made by me OR I am here by authorizing _____ to be my legal representative before the Village Council.

I, John H. Dasburg, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

John H. Dasburg

Kyra Albarracin
Commission # DD348962
Expires: AUG. 22, 2008
www.AaronNotary.com

Signature of Notary Public - State of Florida

Kyra Albarracin
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known_____ OR Produced Identification X
Type of Identification Produced_____

Owner/Power of Attorney Affidavit

I, D. John Devaney, on behalf of United Real Estate Ventures, Inc., being duly sworn, depose and say that I am the owner of the described real property and that I am aware of the nature and effect the request for: Waiver of Plat relative to my property, which is hereby made by me OR I am here by authorizing _____ to be my legal representative before the Village Council.

I, D. John Devaney, on behalf of United Real Estate Ventures, Inc., hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

D. John Devaney, on behalf of United Real Estate Ventures, Inc.

Margaret K. Lombardo
Commission #DD183084
Expires: Mar 16, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Margaret K. Lombardo
Signature of Notary Public - State of Florida

MARGARET K. LOMBARDO
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known ✓ OR Produced Identification _____
Type of Identification Produced _____

DISCLOSURE OF INTEREST

United Real Estate Ventures, Inc., a Florida corporation

United Real Estate Ventures, Inc., a Florida corporation
240 Crandon Blvd., Suite 203
Key Biscayne, Florida 33149

A. Directors

John D. Devaney, Director
240 Crandon Blvd., Suite 203
Key Biscayne, Florida 33149

B. Ownership

John D. Devaney 240 Crandon Blvd., Suite 203 Key Biscayne, Florida 33149	100%

Bilzin Sumberg
ATTORNEYS AT LAW

Alexandra L. Deas, Esquire
Direct Dial: (305) 350-7241
Direct Fax: (305) 351-2176
E-Mail: adeas@bilzin.com

June 8, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

Re: Application for a Waiver of Plat

Dear Mr. Kurlancheek:

Please accept this letter and the attached application for a waiver of plat for the properties located 485 West Matheson Drive, 490 West Matheson Drive and 1 Harbor Point. This law firm represents the property owners. United Real Estate Ventures, Inc. owns the property located at 485 West Matheson Drive and John and Mary Lou Dasburg own the property located at 490 West Matheson Drive and 1 Harbor Point.

The purpose of this application is to allow the Dasburgs to sell a portion of their property to United Real Estate Ventures, Inc. The Dasburgs wish to sell a portion of their 490 West Matheson Drive property to United Real Estate Ventures to include as part of their 485 West Matheson Drive property. The waiver of plat will allow the owners to create two platted lots as described in Exhibits "A" and "B." The Dasburgs will own one of the lots and United Real Estate Ventures will own the other lot.

Based on information provided to us from the Miami-Dade County Property Appraiser's office, the 1 Harbor Point property has a 9,213 sq. ft. home on a 26,618 sq. ft. size lot with a .3461 FAR and the 490 West Matheson Drive property has a 1,768 sq. ft. guest house on a 25,786 sq. ft. property with a FAR of .0685. The 485 West Matheson Drive property consists of 10, 801 sq. ft. house on a 71,875 sq. ft. lot with a FAR of .15027.

We look forward to working with you, the Village Manager and the Village Council as we process these applications through the various hearings. As always if you have any additional questions or need any additional information we will be happy to submit that information to you.

Very truly yours,

Alexandra Deas

Alexandra L. Deas

ALD/id

WAIVER OF PLAT SURVEY OF:
U. R. E. V. PROPERTY, AND DASBURG PROPERTY

GRAPHIC SCALE

50' 0' 50' 100' 150' 200'

SCALE: 1" = 30' APRIL 26, 2007

LEGAL DESCRIPTION OF U.R.E.V. PROPERTY:

Portion of Lot 1, in Block 1, of "PREMIER ESTATES", according to the Plat thereof, as recorded in Plat Book 132, at Page 14 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commencing at the NE. corner of said Lot 1; thence run N 89°59'56" W along the North line of said Lot 1 for 95.48 feet to the point of intersection with the Westerly line of the 25 foot private roadway easement, as recorded in Deed Book 3418, at Page 233, of the Public Records of Miami-Dade County, Florida, said point also being the Point of Beginning of the hereinafter described parcel of land; thence S24°56'00"W along the westerly line of said easement for 89.04 feet; thence N 86°37'03"W for 138.76 feet to the westerly face of a 0.72 feet wide concrete wall which limits the water line of Biscayne Bay; thence N 37°07'54" E along the Westerly face of said wall and the water line of Biscayne Bay for 90.00 feet to the point of intersection with the North line of said Lot 1; thence S 89°59'56" E along the North line of said Lot 1 for 121.68 feet to the Point of Beginning.

AND

PARCEL 1:
North 1/2 of Lot 2, Block 17, "A RESUBDIVISION OF BLOCK 17 THIRD ADDITION TO TROPICAL ISLE HOMES", according to the Plat thereof, recorded in Plat Book 52, Page 27, of the Public Records of Miami-Dade County, Florida.

PARCEL 2:
Lot 1 and the South 1/2 of Lot 2, in Resubdivision of Block 17, of the THIRD ADDITION TO TROPICAL ISLE HOMES, according to the Plat thereof, as recorded in Plat Book 52, at Page 27 of the Public Records of Dade County, Florida.

AND

TRACT NO. 100-1:
A Tract or parcel of submerged land in Biscayne Bay lying in Section 6, Township 55 South, Range 42 East, Dade County, Florida, more particularly described as follows: For a point of beginning commence at the intersection of extension of the western edge of an existing concrete bulkhead, and the south right-of way line of West Matheson Drive as extended westerly to the western edge of said bulkhead, the right-of-way of said West Matheson Drive being described in Deed Book 3401, Page 53, of the Public Records of Dade County, Florida. From said point of beginning thence run west along the westerly extension of the south right-of-way line of West Matheson Drive and the North side of an existing concrete and rock wall extending in the open waters of Biscayne Bay for a distance of 125 feet, more or less, to a point; thence run North 47 degrees West 78.59 feet to a point; thence run North 47 degrees West 78.59 feet to a point; thence run North 43 degrees East 190 feet, to a point 170 feet from the existing bulkhead when measured at right angles thereto; thence run South 47 degrees East 170 feet, more or less, to the existing bulkhead; thence run South 43 degrees West along the western edge of said bulkhead 184.76 feet, more or less, to the point of beginning.

AND

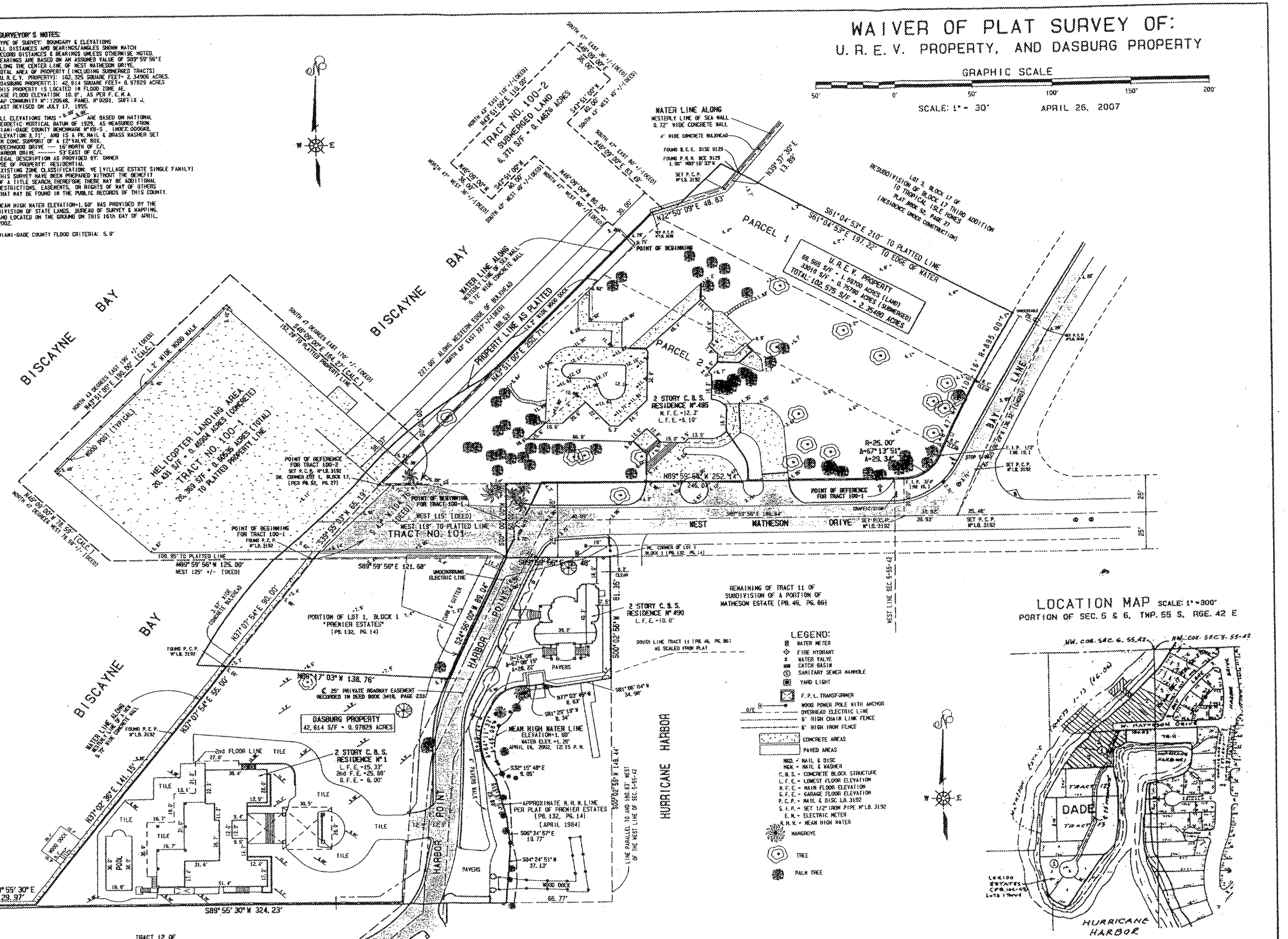
TRACT NO. 100-2
A tract or parcel of submerged land in Biscayne Bay, lying in Section 6, Township 55 South, Range 42 East, Dade County, Florida, more particularly described as follows: For a point of reference, commence at the intersection of the Western edge of an existing concrete bulkhead and the north right-of-way line of West Matheson Drive as extended westerly to the western edge of said bulkhead, the right-of-way of said West Matheson Drive being described in Deed Book 3401, Page 53 of the Public Records of Dade County, Florida; thence run North 43 degrees East along said bulkhead 227 feet to the point of beginning. From said point of beginning run North 47 degrees West 80 feet more or less, to a point; thence run South 43 degrees West 40 feet more or less, to a point; thence run North 47 degrees West 36 feet more or less, to a point; thence run North 43 degrees East 118 feet more or less, to a point; thence run South 47 degrees East 36 feet more or less, to a point; thence run South 43 degrees West 40 feet more or less, to a point; thence run South 47 degrees East 80 feet, more or less, to a point; thence run South 43 degrees West 38 feet more or less, to the point of beginning.

AND

TRACT NO. 101
A tract or parcel of land 56 feet in width located in Section 5, Township 55 South, Range 42 East, Dade County, Florida, lying 25 feet each side of and parallel to the following described center line:
For a point of reference begin at the intersection of the east line of said Section 6 and the south line of Lot 1, Block 17, of Tropical Isle Homes Subdivision, Third Addition, as shown on Plat Book 52, Page 27, of the Public Records of Dade County, Florida; thence run west along the south line of Lot 1, 246.94 feet to a point; thence run South along a line which is the western terminus of the right-of way for West Matheson Drive, as described in Deed Book 3401, Page 53 of the Public Records of Dade County, Florida, 25 feet to a point on the center line of West Matheson Drive, said point being the eastern terminus of the tract being described herein and the point of beginning.
From said point of beginning, run West 115 feet more or less to a point on the westerly edge of an existing bulkhead on the shore of Biscayne Bay, said point being the western terminus of said tract.
Lying and being in the Village of Key Biscayne, Florida, and containing
69,965 square feet = 1.5970 acres (LAND AREA TO PLATTED PROPERTY LINE)
33,610 square feet = 0.7718 acres (SUBMERGED TRACTS TO PLATTED PROPERTY LINE)

SURVEYOR'S NOTES:

1. TYPE OF SURVEY: BOUNDARY & ELEVATIONS
2. ALL DISTANCES AND BEARINGS/ANGLES SHOWN MATCH RECORD DISTANCES & BEARINGS UNLESS OTHERWISE NOTED.
3. BEARINGS ARE BASED ON AN ASSUMED VALUE OF S89°59'56"E ALONG THE CENTER LINE OF WEST MATHESON DRIVE.
4. TOTAL AREA OF PROPERTY (INCLUDING SUBMERGED TRACTS) (U.R.E.V. PROPERTY): 102,325 SQUARE FEET+- 2.34906 ACRES. (DASBURG PROPERTY): 42,614 SQUARE FEET+- 0.97829 ACRES
5. THIS PROPERTY IS LOCATED IN FLOOD ZONE AE, BASE FLOOD ELEVATION: 10.0', AS PER F.E.M.A. MAP COMMUNITY Nº:120648, PANEL Nº0201, SUFFIX J, LAST REVISED ON JULY 17, 1995.
6. ALL ELEVATIONS THUS "+ 0.00" ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, AS MEASURED FROM MIAMI-DADE COUNTY BENCHMARK Nº K8-5, INDEX:0006&8, ELEVATION: 3.71', AND IS A PK NAIL & BRASS WASHER SET IN CONC. SUPPORT OF A 12" VALVE BOX, BEECHWOOD DRIVE --- 16' NORTH OF C/L HARBOR DRIVE ------- 53' EAST OF C/L
7. LEGAL DESCRIPTION AS PROVIDED BY: OWNER
8. USE OF PROPERTY: RESIDENTIAL
9. EXISTING ZONE CLASSIFICATION: VE (VILLAGE ESTATE SINGLE FAMILY)
10. THIS SURVEY HAVE BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, THEREFORE THERE MAY BE ADDITIONAL RESTRICTIONS, EASEMENTS, OR RIGHTS OF WAY OF OTHERS THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
11. MEAN HIGH WATER ELEVATION=1.60' WAS PROVIDED BY THE DIVISION OF STATE LANDS, BUREAU OF SURVEY & MAPPING, AND LOCATED ON THE GROUND ON THIS 16th DAY OF APRIL, 2002.
12. MIAMI-DADE COUNTY FLOOD CRITERIA: 5.0'



RECORD OWNER:
UNITED REAL ESTATE VENTURE
Lots 1 and 2, Block 17, (PB. 52-27).
485 Matheson Drive, Village of Key Biscayne, Florida, 33149
Lot 1 & S.1/2 of Lot 2 (Folio NO: 24-4232-007-0010)
N. 1/2 of Lot 2 - (Folio No: 24-4232-007-0015)
AND
Portion of lot 1 Block 1, (PB. 132-14)

CONTACT PERSON INFORMATION
NAME: Sherrie Cirelli
Telephone number: (305)423-4443
Fax number: (305)423-9366
E-mail address: sherrie@unitedrev.net

DEVELOPMENT INFORMATION
DEMOLITION OF THE EXISTING RESIDENCE NO.1, ON THE WEST SIDE OF HARBOR POINT, AND CONSTRUCTION OF A NEW SINGLE FAMILY HOME.

LEGAL DESCRIPTION OF DASBURG PROPERTY:

Portions of Lots 1 and 2, in Block 1, of "PREMIER ESTATES", according to the Plat thereof, as recorded in Plat Book 132, at Page 14, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Beginning at the NE. corner of said Lot 1; thence run S00°02'56" W along the East line of said Lot 1 for 81.35 feet to the point of intersection with the actual Water Line of Hurricane Harbor; thence run S81°06'04"W along said Water Line for 34.98 feet; thence N77°03'49"W along said water line for 8.63 feet to the point of intersection with the approximate Mean High Water line, as shown on said Plat of PREMIER ESTATES; thence run the following described courses along said approximate Mean High Water line: (1) S 81°33'59" W 8.34 feet to a point on a non-tangent circular curve concave Southerly, having a radius of 24.08 feet, and from which a radial line bears S06°47'23"W; thence (2) Westerly and Southwesterly along the arc of said curve for 28.15 feet through a central angle of 67°00'09" to a point of intersection with a non-tangent circular curve having a radius of 49.23 feet, and from which a radial line bears N61°46'54"E; thence (3) Southerly along the arc of said curve for 45.08 feet to a point of tangency; thence (4) S32°15'54"E 9.05 feet; thence (5) S19°37'54"E 25.08 feet; thence (6) S06°34'57"E 19.77 feet; thence (7) S04°24'51"W for 37.13 feet to the Southeast corner of said Lot 2; thence run S89°55'30"W along the South line of said Lot 2 for 324.23 feet to the Southwest corner of said Lot 2; thence N89°55'30"E for 26.97 feet; thence N38°54'21"E for 2.50 feet; thence N 89°55'30" E for 29.97 feet to the intersection with a 0.72 feet wide concrete wall being the support of a 3.83' wide concrete bulkhead and also marking the limits of the water line of Biscayne Bay; thence run the next two described courses along the water line of Biscayne Bay (1) N 37°02'36" E 144.15 feet to the point of intersection with the South line of Lot 1 of said Plat of PREMIER ESTATES; thence (2) N37°07'54"E 95.00 feet; thence S89°17'02"E for 138.76 feet; thence N 24°56'00" W along the Westerly line of the 25 foot private roadway easement, as recorded in Deed Book 3418, at Page 233, of the Public Records of Miami-Dade Westerly line and the North line of said Lot 1; thence S89°59'56"E along the North line of said Lot 1 for 95.48 feet to the Point of Beginning.

Lying and being in the Village of Key Biscayne, Florida, and containing 42,614 square feet, or 0.97829 acres.

RECORD OWNER:
John D. Dasburg and wife Mary Lou
Lots 1 and 2, Block 1, PREMIER ESTATES
1 West Matheson Drive, Key Biscayne, Fl.
Lot 1: (Folio NO: 24-5206-004-0010)
AND
490 Harbor Point, Key Biscayne, Fl.
Lot 2: (Folio NO: 24-5206-004-0020)

CONTACT PERSON INFORMATION
Name: Clayton Tootle
Telephone number: (305) 710-9663
Fax number: (305) 361-9954
E-mail address:

DEVELOPMENT INFORMATION
DEMOLITION OF THE EXISTING RESIDENCE AND CONSTRUCTION OF A NEW SINGLE FAMILY HOME.

LEGEND:

- WATER METER
- FIRE HYDRANT
- WATER VALVE
- CATCH BASIN
- SANITARY SEWER MANHOLE
- YARD LIGHT
- F.P.L. TRANSFORMER
- WOOD POWER POLE WITH ANCHOR
- OVERHEAD ELECTRIC LINE
- 6' HIGH CHAIN LINK FENCE
- 6' HIGH IRON FENCE
- CONCRETE AREAS
- PAVED AREAS

NAIL - NAIL & DISC
NSW - NAIL & WASHER
C.B.S. - CONCRETE BLOCK STRUCTURE
L.F.E. - LOWEST FLOOR ELEVATION
M.F.E. - MAIN FLOOR ELEVATION
G.F.E. - GARAGE FLOOR ELEVATION
P.C.P. - NAIL & DISC L.B. 3192
S.I.P. - SET 1/2" IRON PIPE Nº L.B. 3192
E.M. - ELECTRIC METER
M.H.W. - MEAN HIGH WATER

- MANGROVE
- TREE
- PALM TREE

LOCATION MAP SCALE: 1"=300'
PORTION OF SEC. 5 & 6, TWP. 55 S, RGE. 42 E

J. F. LOPEZ & ASSOCIATES, INC.
CONSULTING LAND SURVEYORS AND PLANNERS
CERTIFICATE Nº L.B. 3192, STATE OF FLORIDA
7500 NW. 155th STREET, SUITE 104,
MIAMI LAKES, FLORIDA, 33016.
Ph:(305) 828-2725 Fax:(305) 828-3569

I HEREBY CERTIFY: THAT A SURVEY OF THE PROPERTY AS DESCRIBED IN THE FOREGOING CAPTION HAS BEEN MADE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 61-G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGEMENT.

NOTE:
THIS IS NOT A VALID SURVEY WITHOUT THE UNDERSIGNED SURVEYOR'S SIGNATURE AND EMBOSSED RAISED SEAL.

BY: JOSE F. LOPEZ, P.S.M.
Professional Surveyor & Mapper
Nº 3086, State of Florida

CERTIFIED TO:
United Real Estate Venture,
Mr. John D. Dasburg
and Mrs. Mary Lou Dasburg

LAST FIELD WORK: MARCH 1, 2006	ORDER Nº 060202	DRAWN BY: JFL	FIELD BOOK: H5-6	CAD FILE: 060202R	WAIVER OF PLAT INCLUDING BOTH PROPERTIES
DATE OF FIELD WORK: MARCH 1, 2006	ORDER Nº 060202	DRAWN BY: JFL	FIELD BOOK: H5-6	CAD FILE: 060202	TOPOGRAPHIC SURVEY FOR U.R.E.V. PROPERTY
DATE OF FIELD WORK: OCTOBER 20, 2005	ORDER Nº 051028	DRAWN BY: JFL	FIELD BOOK: H4-11	CAD FILE: 051028	TOPOGRAPHIC SURVEY FOR DASBURG PROPERTY

RESOLUTION NO. 2006-

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING "THE WAIVER OF PLAT SURVEY OF U.R.E.V. PROPERTY AND DASBURG PROPERTY"; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, owners of the properties known as the U.R.E.V. property and the Dasburg property as legally described in Exhibit "A", wish to resubdivide their respective properties; and

WHEREAS, the Village Council finds that the proposed resubdivision complies with the applicable Village regulations.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals Adopted.** That each of the recitals stated above is hereby adopted and confirmed.

Section 2. **Waiver of Plat Approved.** The Village Council hereby approves that certain waiver of plat attached hereto as Exhibit "B".

Section 3. **Effective Date.** This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2006.

_____
MAYOR ROBERT OLDAKOWSKI

ATTEST:

_____
CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
VILLAGE ATTORNEY

103.001/Resolutions/waiver of plat Dasburg property

EXHIBIT "A"

LEGAL DESCRIPTION OF U.R.E.V. PROPERTY:

Portion of Lot 1, in Block 1, of "PREMIER ESTATES", according to the Plat thereof, as recorded in Plat Book 132, at Page 14 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commencing at the NE. corner of said Lot 1; thence run N 89°59'55" W along the North line of said Lot 1 for 65.48 feet to the point of intersection with the Westerly line of the 25 foot private roadway easement, as recorded in Deed Book 3418, at Page 233, of the Public Records of Miami-Dade County, Florida, said point also being the Point of Beginning of the hereinafter described parcel of land; thence S24°56'00"W along the Westerly line of said easement for 89.04 feet; thence N 86°17'03"W for 138.76 feet to the westerly face of a 0.72 feet wide concrete wall which limits the water line of Biscayne Bay; thence N 37°07'54" E along the Westerly face of said wall and the water line of Biscayne Bay for 30.00 feet to the point of intersection with the North line of said Lot 1; thence S 89°59'55" E along the North line of said Lot 1 for 121.58 feet to the Point of Beginning.

AND

PARCEL 1:
North 1/2 of Lot 2, Block 17, "A RESUBDIVISION OF BLOCK 17 THIRD ADDITION TO TROPICAL ISLE HOMES", according to the Plat thereof, recorded in Plat Book 52, Page 27, of the Public Records of Miami-Dade County, Florida.

PARCEL 2:
Lot 1 and the South 1/2 of Lot 2, in Resubdivision of Block 17, of the THIRD ADDITION TO TROPICAL ISLE HOMES, according to the Plat thereof, as recorded in Plat Book 52, at Page 27 of the Public Records of Dade County, Florida.

AND

TRACT NO. 100-1:
A Tract or parcel of submerged land in Biscayne Bay lying in Section 6, Township 55 South, Range 42 East, Dade County, Florida, more particulary described as follows: For a point of beginning commence at the intersection of extension of the western edge of an existing concrete bulkhead, and the south right-of way line of West Matheson Drive as extended westerly to the western edge of said bulkhead, the Right-of-way of said West Matheson Drive being described in Deed Book 3401, Page 53, of the Public Records of Dade County, Florida.
From said point of beginning thence run west along the Westerly extension of the south right-of-way line of West Matheson Drive and the North side of an existing concrete and rock wall extending in the open waters of Biscayne Bay for a distance of 125 feet, more or less, to a point; thence run North 47 degrees West 78.59 feet to a point; thence run North 47 degrees West 78.59 feet to a point; thence run North 43 degrees East 190 feet, to a point 170 feet from the existing bulkhead when measured at right angles thereto; thence run South 47 degrees East 170 feet, more or less, to the existing bulkhead; thence run South 43 degrees West along the western edge of said bulkhead 104.78 feet, more or less, to the point of beginning.

AND

TRACT NO. 100-2
A tract of parcel of submerged land in Biscayne Bay, lying in Section 6, Township 55 South, Range 42 East, Dade County, Florida, more particularly described as follows: For a point of reference, commence at the intersection of the Western edge of an existing concrete bulkhead and the north right-of-way line of West Matheson Drive as extended westerly to the western edge of said bulkead, the right-of-way of said West Matheson Drive being described in Deed Book 3401, Page 53 of the Public Records of Dade County, Florida; thence run North 43 degrees East along said bulkhead 227 feet to the point of beginning. From said point of beginning run North 47 degrees West 80 feet more or less, to a point; thence run South 43 degrees West 40 feet more or less, to a point; thence run North 47 degrees West 35 feet more or less, to a point; thence run North 43 degrees East 110 feet more or less, to a point; thence run South 47 degree East 36 feet more or less, to a point; thence run South 43 degrees West 40 feet more or less, to a point; thence run South 47 degrees East 80 feet, more or less, to a point; thence run South 43 degrees West 30 feet more or less, to the point of beginning.

AND

TRACT NO. 101
A tract or parcel of land 50 feet in width located in Section 6, Township 55 South, Range 42 East, Dade County, Florida, lying 25 feet each side of and parallel to the following described center line:
For a point of reference begin at the intersection of the east line of said Section 6 and the south line of Lot 1, Block 17, of Tropical Isle Homes Subdivision, Third Addition, as shown on Plat Book 52, Page 27, of the Public Records of Dade County, Florida; thence run west along the south line of Lot 1, 246.04 feet to a point; thence run South along a line which is the western terminus of the right-of way for West Matheson Drive, as described in Deed Book 3401, Page 53 of the Public Records of Dade County, Florida, 25 feet to a point on the center line of West Matheson Drive, said point being the eastern terminus of the tract being described herein and the point of beginning.
From said point of beginning, run West 115 feet more or less to a point on the western edge of an existing bulkhead on the shore of Biscayne Bay, said point being the western terminus of said tract.

Lying and being in the Village of Key Biscayne, Florida, and containing
69,565 square feet = 1.5970 acres (LAND AREA TO PLATTED PROPERTY LINE)
33,010 square feet = 0.7578 acres (SUBMERGED TRACTS TO PLATTED SHORELINE LINE)

LEGAL DESCRIPTION OF DASBURG PROPERTY:

Portions of Lots 1 and 2, in Block 1, of "PREMIER ESTATES", according to the Plat thereof, as recorded in Plat Book 132, at Page 14, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Beginning at the NE. corner of said Lot 1, thence run S00°02'58" W along the East line of said Lot 1 for 81.35 feet to the point of intersection with the actual Water Line of Hurricane Harbor; thence run S81°06'04"W along said Water Line for 34.96 feet; thence N77°03'45"W along said water line for 8.83 feet to the point of intersection with the approximate Mean High Water line, as shown on said Plat of PREMIER ESTATES; thence run the following described courses along said approximate Mean High Water line (1) S 81°33'59" W 8.34 feet to a point on a non-tangent circular curve concave Southerly, having a radius of 24.08 feet, and from which a radial line bears S06°47'23"W, thence (2) Westerly and Southwesterly along the arc of said curve for 28.18 feet through a central angle of 67°00'08" to a point of intersection with a non-tangent circular curve having a radius of 40.23 feet, and from which a radial line bears N61°46'54"E; thence (3) Southerly along the arc of said curve for 45.08 feet to a point of tangency; thence (4) S32°15'54"E 9.05 feet; thence (5) S15°37'54"E 25.89 feet; thence (6) S06°34'57"E 19.77 feet; thence (7) S04°24'51"W for 37.13 feet to the Southeast corner of said Lot 2; thence run S89°55'30"W along the South line of said Lot 2 for 324.23 feet to the Southwest corner of said Lot 2; thence N89°55'30"E for 29.97 feet; thence N36°54'21"E for 2.50 feet; thence N 89°55'30" E for 29.97 feet to the intersection with a 0.72 feet wide concrete wall being the support of a 3.67' wide concrete bulkhead and also marking the limits of the water line of Biscayne Bay; thence run the next two described courses along the water line of Biscayne Bay (1) N 37°02'35" E 144.15 feet to the point of intersection with the South line of Lot 1 of said Plat of PREMIER ESTATES; thence (2) N37°07'54"E 55.00 feet; thence S86°17'03"E for 138.76 feet; thence N 24°56'00" W along the Westerly line of the 25 foot private roadway easement, as recorded in Deed Book 3418, at Page 233, of the Public Records of Miami-Dade Westerly line and the North line of said Lot 1; thence S89°59'55"E along the North line of said Lot 1 for 65.48 feet to the Point of Beginning.

Lying and being in the Village of Key Biscayne, Florida, and containing
42,814 square feet, or 0.97829 acres.

Exhibit "B"

WAIVER OF PLAT SURVEY OF:
U. R. E. V. PROPERTY, AND DASBURG PROPERTY

GRAPHIC SCALE

50' 0' 50' 100' 150' 200'

SCALE: 1" = 30' APRIL 26, 2007

LEGAL DESCRIPTION OF U.R.E.V. PROPERTY:

Portion of Lot 1, in Block 1, of "PREMIER ESTATES", according to the Plat thereof, as recorded in Plat Book 132, at Page 14 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commencing at the NE corner of said Lot 1, thence run N 89°59'56" E along the North line of said Lot 1 for 95.46 feet to the point of intersection with the Westerly line of the 25 feet private roadway easement, as recorded in Deed Book 3418, at Page 233, of the Public Records of Miami-Dade County, Florida, said point also being the Point of Beginning of the hereinafter described parcel of land; thence S24°58'00"W along the Westerly line of said easement for 89.94 feet; thence N 86°17'23"W for 138.76 feet to the westerly face of a 0.72 feet wide concrete wall which limits the water line of Biscayne Bay; thence N 37°07'54" E along the Westerly face of said wall and the water line of Biscayne Bay for 90.00 feet to the point of intersection with the North line of said Lot 1; thence S 89°59'56" E along the North line of said Lot 1 for 121.68 feet to the Point of Beginning.

AND

PARCEL 1:
North 1/2 of Lot 2, Block 17, "A RESUBDIVISION OF BLOCK 17 THIRD ADDITION TO TROPICAL ISLE HOMES", according to the Plat thereof, recorded in Plat Book 52, Page 27, of the Public Records of Miami-Dade County, Florida.

PARCEL 2:
Lot 1 and the South 1/2 of Lot 2, in Resubdivision of Block 17, of the THIRD ADDITION TO TROPICAL ISLE HOMES, according to the Plat thereof, as recorded in Plat Book 52, at Page 27 of the Public Records of Dade County, Florida.

AND

TRACT NO. 100-1
A tract or parcel of submerged land in Biscayne Bay lying in Section 6, Township 55 South, Range 42 East, Dade County, Florida, more particularly described as follows: For a point of beginning commence at the intersection of extension of the western edge of an existing concrete bulkhead, and the south right-of way line of West Matheson Drive as extended westerly to the western edge of said bulkhead, the right-of-way of said West Matheson Drive being described in Deed Book 3401, Page 53, of the Public Records of Dade County, Florida.
AND

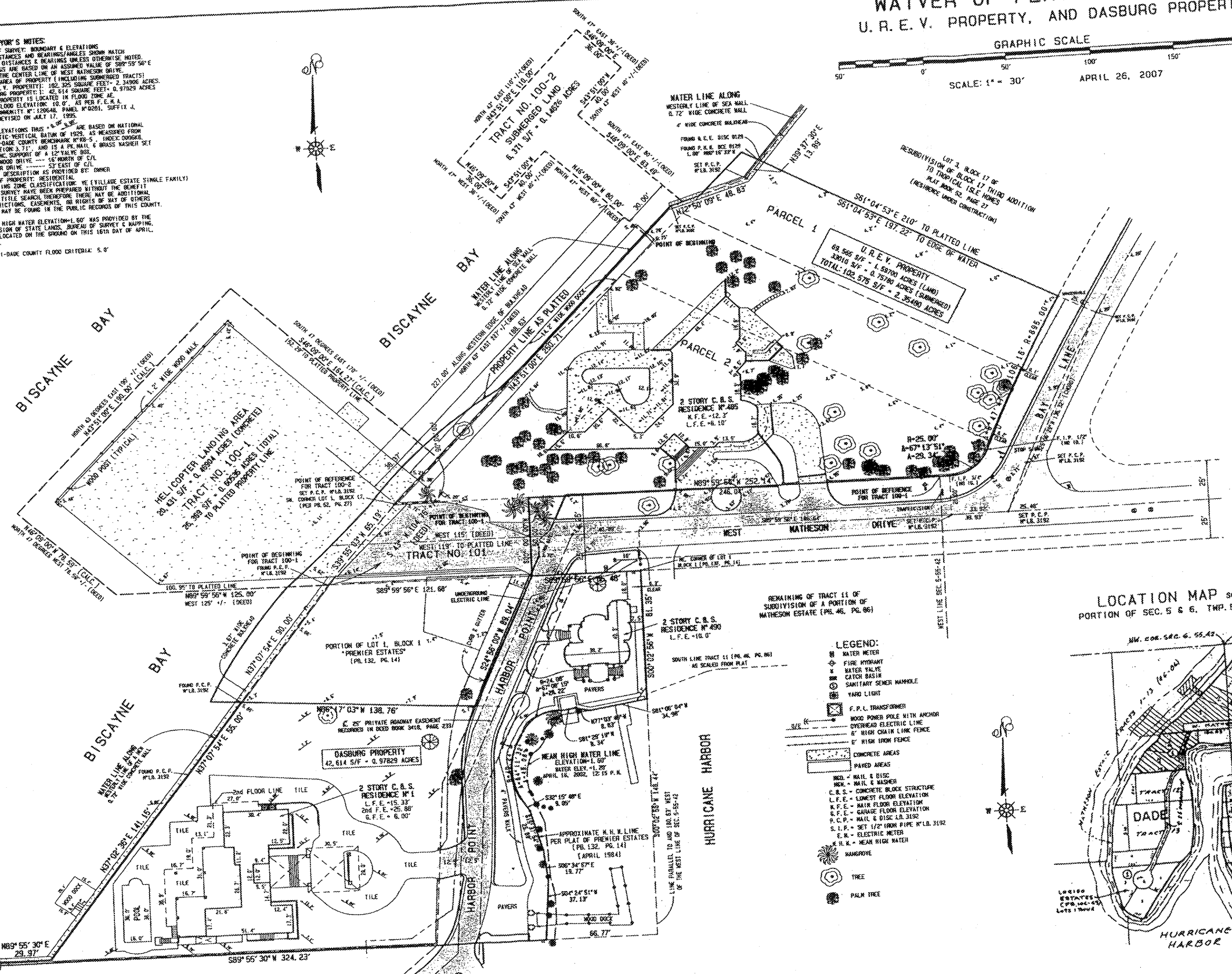
TRACT NO. 100-2
A tract or parcel of submerged land in Biscayne Bay, lying in Section 6, Township 55 South, Range 42 East, Dade County, Florida, more particularly described as follows: For a point of reference, commence at the intersection of the Western edge of an existing concrete bulkhead and the north right-of-way line of West Matheson Drive as extended westerly to the western edge of said bulkhead, the right-of-way of said West Matheson Drive being described in Deed Book 3401, Page 53 of the Public Records of Dade County, Florida, thence run North 43 degrees East along said bulkhead 227 feet to the point of beginning. From said point of beginning run North 47 degrees West 80 feet more or less, to a point; thence run South 43 degrees West 40 feet more or less, to a point; thence run North 47 degrees East 110 feet more or less, to a point; thence run South 43 degrees West 30 feet more or less, to a point; thence run South 47 degrees East 80 feet, more or less, to a point; thence run South 43 degrees West 30 feet more or less, to the point of beginning.

AND

TRACT NO. 101
A tract or parcel of land 50 feet in width located in Section 6, Township 55 South, Range 42 East, Dade County, Florida, lying 25 feet back side of and parallel to the following described center line:
For a point of reference begin at the intersection of the east line of said Section 5 and the south line of Lot 1, Block 17, of Tropical Isle Homes Subdivision, Third Addition, as shown on PLAT Book 52, Page 27, of the Public Records of Dade County, Florida; thence run west along the south line of Lot 1, 266.04 feet to a point, thence run South along a line which is the western terminus of the right-of way for West Matheson Drive, as described in Deed Book 3401, Page 53 of the Public Records of Dade County, Florida, 25 feet to a point on the center line of West Matheson Drive, said point being the eastern terminus of the tract being described herein and the point of beginning.
From said point of beginning, run West 115 feet more or less to a point on the western edge of an existing bulkhead on the shore of Biscayne Bay, said point being the western terminus of said tract.
Lying and being in the Village of Key Biscayne, Florida, and containing 69,565 square feet - 1.5970 acres (LAND AREA TO PLATTED PROPERTY LINE)
33,016 square feet - 0.7576 acres (SUBMERGED TRACTS TO PLATTED PROPERTY LINE)

SURVEYOR'S NOTES:

1. TYPE OF SURVEY: BOUNDARY & ELEVATIONS
2. ALL DISTANCES AND BEARINGS/ANGLES SHOWN MATCH RECORD DISTANCES & BEARINGS UNLESS OTHERWISE NOTED.
3. BEARINGS ARE BASED ON AN ASSUMED VALUE OF S89°59'56"E ALONG THE CENTER LINE OF WEST MATHESON DRIVE.
4. TOTAL AREA OF PROPERTY (INCLUDING SUBMERGED TRACTS) (U.R.E.V. PROPERTY): 102,325 SQUARE FEET+- 2.34906 ACRES. (DASBURG PROPERTY): 42,614 SQUARE FEET+- 0.97829 ACRES
5. THIS PROPERTY IS LOCATED IN FLOOD ZONE AE.
   BASE FLOOD ELEVATION: 10.0' AS PER F.E.R.M.
   MAP COMMUNITY #: 120648, PANEL #0261, SUFFIX J.
   LAST REVISED ON JULY 17, 1995.
6. ALL ELEVATIONS THUS +-X.XX' ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, AS MEASURED FROM MIAMI-DADE COUNTY BENCHMARK #T80-5, (NGVD: D00868, ELEVATION 3.71'. AND IS A PK NAIL & BRASS WASHER SET IN CONC. SUPPORT OF A 12" VALVE BOX.
   BEECHWOOD DRIVE ------ 65'NORTH OF C/L
   HARBOR DRIVE ------ 53'EAST OF C/L
7. LEGAL DESCRIPTION AS PROVIDED BY: OWNER
8. USE OF PROPERTY: RESIDENTIAL
9. EXISTING ZONE CLASSIFICATION: VS (VILLAGE ESTATE SINGLE FAMILY)
10. THIS SURVEY HAVE BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, THEREFORE THERE MAY BE ADDITIONAL RESTRICTIONS, EASEMENTS, OR RIGHTS OF WAY OF OTHERS THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
11. MEAN HIGH WATER ELEVATION=1.60' WAS PROVIDED BY THE DIVISION OF STATE LANDS, BUREAU OF SURVEY & MAPPING, AND LOCATED ON THE GROUND ON THIS 16th DAY OF APRIL, 2002.
12. MIAMI-DADE COUNTY FLOOD CRITERIA: 5.0'



RECORD OWNER:
UNITED REAL ESTATE VENTURE
Lots 1 and 2, Block 17, (PB. 52-27),
485 Matheson Drive, Village of Key Biscayne, Florida, 33149
Lot 1 & S.1/2 of Lot 2 (Folio NO: 24-4232-007-0010)
N.1/2 of Lot 2 - (Folio No: 24-4232-007-0015)
AND
Portion of Lot 1 Block 1, (PB. 132-14)

CONTACT PERSON INFORMATION
NAME: Sherrie Cranill
Telephone number: (305)423-4443
Fax number: (305)423-9366
E-mail address: sherrie@unitedrev.net

DEVELOPMENT INFORMATION
DEMOLITION OF THE EXISTING RESIDENCE NO. 1, ON THE WEST SIDE OF HARBOR POINT, AND CONSTRUCTION OF A NEW SINGLE FAMILY HOME.

LEGAL DESCRIPTION OF DASBURG PROPERTY:

Portions of Lots 1 and 2, in Block 1, of "PREMIER ESTATES", according to the Plat thereof, as recorded in Plat Book 132, at Page 14, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Beginning at the NE corner of said Lot 1, thence run S00°02'56" W along the East line of said Lot 1 for 81.35 feet to the point of intersection with the actual Water Line of Hurricane Harbor; thence run S81°06'04"W along said Water Line for 8.83 feet to the point of intersection with the approximate Mean High Water line, said point being the point of beginning of the following described courses on said Plat of PREMIER ESTATES; thence run the following described courses along said approximate Mean High Water line (1) S 81°13'59" W 8.34 feet to a point on a non-tangent circular curve concave Southerly, having a radius of 24.00 feet, and from which a radial line bears S06°47'59"W; thence (2) Westerly and Southwesterly along the arc of said curve for 28.16 feet through a central angle of 67°20'09" to a point of intersection with a non-tangent circular curve having a radius of 40.23 feet, and from which a radial line bears N61°46'54"E; thence (3) Southerly along the arc of said curve for 45.98 feet to a point of tangency; thence (4) S32°19'59"E 9.05 feet; thence (5) S15°37'54"E 25.89 feet; thence (6) S06°34'57"E 19.77 feet; thence (7) S04°24'51"W for 37.13 feet to the Southeast corner of said Lot 2; thence run S89°55'30"W along the South line of said Lot 2 for 324.23 feet to the Southwest corner of said Lot 2; thence N89°55'30" E for 29.97 feet; thence N36°54'21"E for 2.50 feet; thence N 89°55'30" E for 28.87 feet to the intersection with a 0.72 feet wide concrete wall being the support of a 3.67' wide concrete bulkhead and also marking the limits of the water line of Biscayne Bay; thence run the next two described courses along the water line of Biscayne Bay (1) N 37°02'36" E 144.15 feet to the point of intersection with the South line of Lot 1 of said Plat of PREMIER ESTATES; thence (2) N37°07'54"E 55.00 feet; thence S86°17'23"E for 138.76 feet, thence N 24°58'00" W along the Westerly line of the 25 feet private roadway easement, as recorded in Deed Book 3418, at Page 233, of the Public Records of Miami-Dade Westerly line and the North line of said Lot 1; thence S89°59'56"E along the North line of said Lot 1 for 65.48 feet to the Point of Beginning.

Lying and being in the Village of Key Biscayne, Florida, and containing 42,614 square feet, or 0.97829 acres.

RECORD OWNER:
John D. Dasburg and wife, Mary Lou
Lots 1 and 2, Block 1, PREMIER ESTATES
1 West Matheson Drive, Key Biscayne, Fl.
Lot 1: (Folio NO: 24-5206-004-0010)
AND
490 Harbor Point, Key Biscayne, Fl.
Lot 2: (Folio NO: 24-5206-004-0020)

CONTACT PERSON INFORMATION
Name: Clayton Foster
Telephone number: (305) 710-9663
Fax number: (305) 361-9954
E-mail address:

DEVELOPMENT INFORMATION
DEMOLITION OF THE EXISTING RESIDENCE AND CONSTRUCTION OF A NEW SINGLE FAMILY HOME.

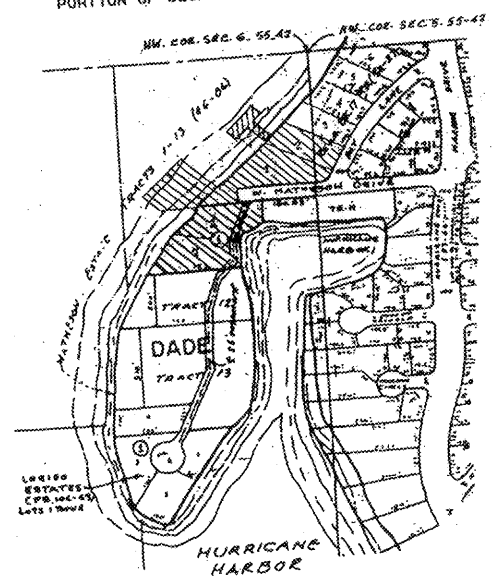
J. F. LOPEZ & ASSOCIATES, INC.
CONSULTING LAND SURVEYORS AND PLANNERS
CERTIFICATE N°LB. 3192, STATE OF FLORIDA
7900 NW. 155th STREET, SUITE 104,
MIAMI LAKES, FLORIDA, 33016.
Ph: (305) 828-2725 Fax: (305) 828-3589

I HEREBY CERTIFY: THAT A SURVEY OF THE PROPERTY AS DESCRIBED IN THE FOREGOING CAPTION HAS BEEN MADE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 61-G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGEMENT.

NOTE:
THIS IS NOT A VALID SURVEY WITHOUT THE UNDERSIGNED SURVEYOR'S SIGNATURE AND EMBOSSED RAISED SEAL.

BY: JOSE F. LOPEZ, P.S.M.
Professional Surveyor & Mapper
N°3086, State of Florida

LOCATION MAP SCALE: 1"=300'
PORTION OF SEC. 5 & 6, TWP. 55 S, RGE. 42 E



LEGEND:

- WATER METER
- FIRE HYDRANT
- WATER VALVE
- CATCH BASIN
- SANITARY SEWER MANHOLE
- YARD LIGHT
- F.P.L. TRANSFORMER
- W/P WOOD POWER POLE WITH ANCHOR
- OVERHEAD ELECTRIC LINE
- 6' HIGH CHAIN LINE FENCE
- 6' HIGH IRON FENCE
- CONCRETE AREAS
- PAVED AREAS
- REC. = NAIL & DISC
- NCK. = NAIL & WASHER
- C.B.S. = CONCRETE BLOCK STRUCTURE
- L.F.E. = LOWEST FLOOR ELEVATION
- M.F.E. = MAIN FLOOR ELEVATION
- G.F.E. = GARAGE FLOOR ELEVATION
- P.C.P. = NAIL & DISC L.B. 3192
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- E.M. = ELECTRIC METER
- M.H.W. = MEAN HIGH WATER
- MANGROVE
- TREE
- PALM TREE

CERTIFIED TO:
United Real Estate Venture,
Mr. John D. Dasburg
and Mrs. Mary Lou Dasburg

LAST FIELD WORK: MARCH 1, 2006	ORDER N° 060202	DRAWN BY: JFL	FIELD BOOK: HS-6	CAD FILE: 060202R	WAIVER OF PLAT INCLUDING BOTH PROPERTIES
DATE OF FIELD WORK: MARCH 1, 2006	ORDER N° 060202	DRAWN BY: JFL	FIELD BOOK: HS-6	CAD FILE: 060202	TOPOGRAPHIC SURVEY FOR U.R.E.V. PROPERTY
DATE OF FIELD WORK: OCTOBER 20, 2005	ORDER N° 051028	DRAWN BY: JFL	FIELD BOOK: H4-11	CAD FILE: 051028	TOPOGRAPHIC SURVEY FOR DASBURG PROPERTY

FINLAY B. MATHESON
3890 SHIPPING AVENUE
MIAMI, FLORIDA 33146

TELEPHONE 305/443-4256
TELECOPIER 305/441-0842

August 31, 2006

The Honorable Robert Oldakowski
Mayor
Village of Key Biscayne
605 Ocean Drive
Apt. #8M
Key Biscayne, Fl. 33149

Fax: (305) 361-1197

Re: Public Hearing No. P06-01 United Real Estate Ventures, Inc. / Waiver of Plat

Dear Bob:

I had planned to attend the August 29th Public Hearing that unfortunately was cancelled due to the threat of Hurricane Ernesto. I will be out of town for the hearing on September 5th. Both John Devaney and John Dasburg are good neighbors and I do not have a problem with the Waiver of Plat that is being proposed. I think it is fine if Mr. Devaney wishes to build a 30,000 plus square foot home on his newly re-platted lot. He has good taste and I am sure that it will be beautifully done.

However, I do have great concern about the old Nixon helipad. I do not mind if it is used as a boat dock or dance floor, however the landing of aircrafts is out of the question! I know it is against the Key Biscayne zoning regulations to use it as a helicopter landing pad, but that doesn't mean it isn't being used. I would like to see language in the Waiver of Plat restricting the use of this helipad.

As you know the helipad was built for President Nixon and was only used two or three times a year when he came to visit. It is completely out of character with the Village to allow helicopters to land on private property. After all if I wanted to live next to a heliport I would have moved to Opa-Locka.

Again, I am sorry that I cannot attend the meeting, but I very much appreciate your attention to this matter.

Very truly yours,

Finlay

Finlay B. Matheson

cc: Steve Helfman, Village Attorney

FBM/dh