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THE ELOQUENT ORATOR that was Jose Marti is honored in this handsome statue in Jose Marti Park in Ybor City.

- Photo by Hampton Dunn

## *Does Cuba Own Jose Marti Park?*

By JOHN SELLERS

**(Editor's Note: Four students in the International Studies Program of the University of South Florida and their Adjunct Instructor, Mark Scheinbaum, researched circumstances surrounding the erection and dedication and ownership of Jose Marti Park, which honors "the George Washington of Cuba," in Ybor City. Here is one report from that Studies Program.)**

In January 1976, a research team from the International Studies Department at the University of South Florida was formed to

verify or negate a story that the Government of Cuba owns a small park in Ybor City, the Cuban section of Tampa, Florida. A rumor to this effect had been echoing around the community for several years. Our task: replace the rumor with facts and present them to the public. Should it be found that, indeed, Cuba does own this park, our team would continue to delve into the legal and historical angles of this case. My task was to research the county records for title to the land and follow up on any leads from that point.

After several visits to the Records Library at the Hillsborough County Courthouse, I did uncover evidence that the Republic of Cuba had at one time owned the land on which the Parque Amigos de Jose Marti, or Jose Marti Park, is located. That evidence is a deed<sup>1</sup> which shows transfer of ownership to the Republic of Cuba in 1956. This in itself is not conclusive evidence that the Cuban government still owns the property.

The property is legally described as lot five of block 29 on the Map of Ybor City, Hillsborough County, Florida. Following is a brief chronology of the property's ownership.

Ruperto and Paulina Pedroso, who owned the property at the time of Marti's visits<sup>2</sup> in the early 1890s, sold it in March 1905, to Hanna C. Crenshaw. In April 1925, E. H. Robson and John C. Cardwell contracted with the Crenshaw heirs to purchase the property. The following month, May 1925, Robson and Cardwell sold the property to Anne C. Chandler. Miss Chandler assumed the mortgage let by the Crenshaw heirs. Probably because of failure to satisfy the terms of the contract or by mutual agreement between the two parties, ownership of the property reverted to the Crenshaw family. On June 8, 1951, Sallie C. Crenshaw sold the property to Manuel Quevedo Jaureguizar and his wife, Mercedes Carillo la Guardia. This brings the sequence of events up to the time when parties directly involved in our search became involved.

Manuel Quevedo and his wife were Cuban citizens residing in Havana at the time they purchased the property. Their current whereabouts are unknown. It seems likely that it was their original intention to eventually give this property to the Cuban State to be used as a memorial to Jose Marti. As documented in the conveyance, the house

which had been occupied by the Pedrosos remained standing in 1956:

On the same lot is builded a wooden-walled and roof-tiled house at which, during his stay at the above-mentioned City of Tampa, resided the Apostle Jose Marti ...<sup>3</sup>

So it was, on September 10, 1956, Manuel Quevedo and his wife transferred ownership ". . . for and in consideration of their love and affection for their Native Country . . ." to "Estado Cubano" -the Republic of Cuba.

The original document is written in Spanish and English translation was made on October 2, 1956 in Havana. The translation is part of the official record. In that translation, the intended use of the property is mentioned:

That on account of the national and inter-american renown that enjoys the personality of the man who was its resident, the deponents have considered the above-mentioned house as a true relic for the Republic and the people of Cuba, that should pass to the ownership and dominium plenum of the Cuban State for its conservation and custody as a homage of everlasting gratefulness and remembrance to our Apostle from the Cuban Republic and from the present and future generations of Cubans; and for that purpose, known to the Honourable President of the Republic, Major General Fulgencio Batista Zaldivar, to dedicate the lot and the house builded on it to do a Martian Park and Museum; therefore, they have offered the donation of the same through a writing addressed to the Minister of Public Works.<sup>4</sup>

The official acceptance of the property by the Republic of Cuba is also documented in the

translation: Mr. SANTIAGO ROSSELL PEREA,<sup>5</sup> with the character with which he appears. says - - -

IV That he accepts for the Cuban State the cession and donation made for the purposes above mentioned, giving evidence of the gratefulness of the Cuban Republic to the donors Mr. MANUEL QUEVEDO JAUREGUIZAR and Mrs. MERCEDES CARILLO LA GUARDIA for their act of generous patriotism. ---<sup>6</sup>

The house, which was to have been an integral part of the memorial, was razed before the park was dedicated in February 1960.<sup>7</sup>

On November 13, 1956, the Consul of the United States of America in Havana, John H. Marvin, certified the transaction<sup>8</sup> and in effect, legalized the document and transfer as far as the United States Government is concerned.

On December 5, 1956, the deed was recorded in Hillsborough County, Florida, finalizing the transaction. On January 31, 1957, a correction was entered on the county records because of an error in the legal description of the land.<sup>9</sup>

The only question that remains concerning ownership of the property is whether or not

there has been any transfer of ownership subsequent to 1956. If one accepts the validity and accuracy of the current Hillsborough County tax rolls which were checked and double-checked at some length in the Tax Assessor's office, then there is no doubt about present ownership of the property. On the 1976 tax roll, the owner of the property in question is listed a "Estado Cubano" and the land is classified as tax exempt.

Some employees in the Tax Assessor's office were skeptical about the Cuban ownership even though their records bore out my findings. One employee insisted that my efforts would be fruitless because he "knew" that the City of Tampa owns the property despite what the records show. His claim was that a state law allows a governmental agency such as the City of Tampa to claim ownership of property that it has been maintaining for a certain number of years. But, the fact is that there is no record of the City of Tampa having made such a claim. If there had been a claim, only court action could effect a legal transfer of the property.<sup>10</sup>

There is no doubt that the Republic of Cuba does own the property, but its future is uncertain.

"THE WORLD IS DIVIDED INTO TWO GROUPS --- THOSE WHO LOVE AND CONSTRUCT AND, THOSE WHO HATE AND DESTROY."

--- JOSE MARTI

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<sup>1</sup> Hillsborough County, Florida's records, **Deed Book 2000**, p. 196, dated December 5, 1956.

<sup>2</sup> See Barbara Hawkins' chapter on the history of the park.

<sup>3</sup> Hillsborough County, *op. cit.*, p. 193.

<sup>4</sup> **Ibid.** pp. 193-194.

<sup>5</sup> Rossell Perea, as First Undersecretary of Finance, represented the Cuban government in the transaction.

<sup>6</sup> Hillsborough County, *op. cit.*, p. 194.

<sup>7</sup> See Barbara Hawkins' discussion pp. 5-6 *supra*.

<sup>8</sup> This certification is part of the official record book at the Hillsborough County Courthouse, Tampa, Florida. **Deed Book 2000**, p. 197, dated December 5, 1956.

<sup>9</sup> Hillsborough County, Florida records, **Deed Book 2015**, pp. 411-412, dated January 31, 1957.

<sup>10</sup> David Herzog discusses this further in his chapter on International Law, pp. 11-16 *supra*.