



## COUNCIL AGENDA STATEMENT

Meeting Date: August 27, 2024  
To: Honorable Mayor and Council Members  
From: Brian Shea, Planning Director  
Through: George Garrett, City Manager

Agenda Item: **Resolution 2024-74**, Retroactively Approving And Accepting Deeds In Lieu Of Foreclosure For Two Parcels; Having Real Estate Numbers 00339310-000000 & 00348300-000000; Designating Their Use As Public Purpose; And Providing An Effective Date.

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### BACKGROUND & JUSTIFICATION

Two parcels have been previously deeded in lieu of foreclosure to the City of Marathon to satisfy code fines and fees. These parcels will be utilized as open space, stormwater management, parks, and could potentially be used for the construction of affordable housing. All of these uses are for the public good of the City and its residents.

### CONSISTENCY CHECKLIST:

Yes                      No

1. Comprehensive Plan

  X                              

### FISCAL NOTE:

Approval of this resolution will allow the City to pursue property tax exemptions for these parcels.

### RECOMMENDATION:

Approval of Resolution

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2024-74**

**A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, RETROACTIVELY APPROVING AND ACCEPTING DEEDS IN LIEU OF FORECLOSURE FOR TWO PARCELS; HAVING REAL ESTATE NUMBERS 00339310-000000 & 00348300-000000; DESIGNATING THEIR USE AS PUBLIC PURPOSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on the 12<sup>th</sup> day of September, 2016 Gregg H. Silkman deeded parcel 00348300-000000 in lieu of paying the accumulated code fines for the parcel; and

WHEREAS, on the 21<sup>st</sup> day of October, 2020 Select Portfolio Servicing, Inc deeded parcel 00339310-000000 in lieu of paying the accumulated code fines for the parcel.

**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 are incorporated herein.

**Section 2.** The parcels have already been deeded over to the City, the recorded versions attached as Exhibits A and B respectively.

**Section 3.** The City Council finds and determines that the properties are proposed for open space preservation, parks, stormwater management, and may be used for affordable housing. All of which are used for public purposes and shall remain in effect unless approved through further resolution of the City Council. The City Clerk is directed to forward a copy of this resolution to the Monroe County Property Appraiser and Tax Collector.

**Section 4.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 27TH DAY OF AUGUST, 2024.**

**THE CITY OF MARATHON, FLORIDA**

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**Robyn Still, 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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Steve Williams, City Attorney

**Prepared by and when recorded return to:**

Ashley W. Ivanov, Esq.  
SPANO & WOODY, P.A.  
10101 Bloomingdale Ave. Suite 201  
Riverview, FL 33578

Doc# 2092304  
Bk# 2816 Pg# 1185

**Property Appraiser's Parcel Identification**

**No. 00348300-000000**

(Space above this line reserved for recording office use only)

**DEED-IN-LIEU**

**THIS DEED-IN-LIEU**, Executed this 12<sup>th</sup> day of September, 2016, by, **Gregg H. Silkman**, whose address is 8831 Turnstone Haven Place, Tampa, Florida 33619, first party, to **The City of Marathon, Florida**, whose address is 9805 Overseas Highway, Marathon, Florida 33050, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successor and assigns corporations, wherever the context so admits or requires.)

**WITNESSETH**, that the said first party, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by the said second party and in consideration of the City of Marathon recording a Release of Lien extinguishing all liens, fees and fines on the subject property, described below, to be recorded in the official public records and in lieu of pursuing foreclosure, does hereby assign, sell, remise, release, and quit-claim unto the said second party forever, all the right, title, interest, claim, and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to-wit:

**PHYSICAL ADDRESS, and more fully described as:**

Lot 14, Block 3, LIDA SUBDIVISION, FIRST ADDITION, according to the Plat thereof as recorded in Plat Book 870, Page 1138 of the Public Records of Monroe County, Florida.

Parcel Identification Number: 00348300-000000

SUBJECT to easements and restrictions of record.

**TO HAVE AND TO HOLD** the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

**IN WITNESS WHEREOF**, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

*Gregg H. Silkman*  
GREGG H. SILKMAN

Ashley Ivanov  
WITNESS PRINTED NAME

*Ashley Ivanov*  
WITNESS SIGNATURE

Amie Spano  
WITNESS PRINTED NAME

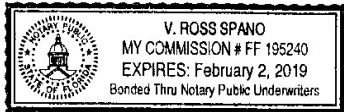
*Amie Spano*  
WITNESS SIGNATURE

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

**I HEREBY CERTIFY**, that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared GREGG H. SILKMAN, to be known to be the person described in and who executed the foregoing Deed-In-Lieu and that he acknowledged before me that he executed the same of his own will and deed, and with full authority I relied upon the following form of identification of the above named person: PERSONALLY KNOWN.

WITNESS my hand and official seal on SEPT. 12, 2016, in Hillsborough County, FLORIDA.



*[Signature]*  
Notary Signature

This instrument prepared by:  
Cody J. Ward, on behalf of the City of Marathon  
9805 Overseas Highway, Marathon, FL 33050  
Telephone: (305) 289-4108

After recording return to:  
City of Marathon, Florida  
9805 Overseas Highway  
Marathon, FL 33050

Parcel Identification No. 00339310-000000

#### QUITCLAIM DEED

THIS QUITCLAIM DEED, made this 21<sup>st</sup> day of October, 2020 by SELECT PORTFOLIO SERVICING, INC, a corporation (hereinafter called "Grantor"), whose post office address is 3217 S. Decker Lake dr., Salt Lake City, UT 84119, to the CITY OF MARATHON, a Florida municipal corporation (hereinafter called "Grantee"), whose post office address is 9805 Overseas Highway, Marathon, FL 33050 (wherever used herein, the terms "Grantor" and "Grantee" include the respective parties to this instrument and their respective legal representatives, successors and assigns).

#### WITNESSETH:

THAT Grantor, for and in consideration of the sum of \$0.00 (Zero Dollars and Zero Cents), to [him][her][it] in hand paid by Grantee and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto Grantee forever, all right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in Monroe County, Florida. To wit:

LOT 8, BLOCK 2, FIRST ADDITION TO SEA CREST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 19, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. LESS THE NORTHERLY 40 FEET OF SAID LOT 8, BLOCK 2, FIRST ADDITION TO SEA CREST, AS RECORDED IN PLAT BOOK 3, PAGE 19, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. Property Address: 892 69<sup>TH</sup> STREET OCEAN MARATHON, FL 33050

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereto belonging or in anywise appertaining and all the estate, right, title, interest, lien, equity and claim whatsoever, if any, of Grantor, either in law or in equity, to the use and benefit of Grantee forever.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered  
in the presence of:

SELECT PORTFOLIO SERVICING, INC.  
a corporation

Jennifer Foster  
Witness to sign above  
Print Name: Jennifer Foster

By Cameron L. Ward  
Name: Cameron L. Ward  
Title: Vice President, Senior Counsel

Tammy Belt  
Witness to sign above  
Print Name: Tammy Belt

STATE OF Utah  
COUNTY OF Salt Lake

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 21 day of October, 2020 by CAMERON L. WARD, the V.P. SENIOR COUNSEL of SELECT PORTFOLIO SERVICING, INC., a corporation, on behalf of said corporation.

NOTARY PUBLIC  
Carmen Berumen  
Sign: Carmen Berumen  
Print: Carmen Berumen  
(Affix Notarial Stamp or Seal)