

Sponsored by: Janke

**CITY OF MARATHON, FLORIDA
RESOLUTION 2003-057**

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING LAND DEDICATION FROM RICHARD SERVAIS, RECIPIENT OF A RESIDENTIAL DWELLING UNIT ALLOCATION AWARD, AUTHORIZING THE RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 9.5-127(a)(5) of the City Code, a landowner may voluntarily elect to dedicate to the City a vacant, buildable lot or buildable land as part of the Residential Rate of Growth Ordinance ("ROGO") allocation process; and

WHEREAS, if a landowner proposes to dedicate land to the City as set forth above, the landowner is required to execute a statutory warranty deed conveying such land to the City that must be approved by the City Council prior to its recording in the public records of Monroe County, Florida.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARATHON, FLORIDA, AS FOLLOWS:

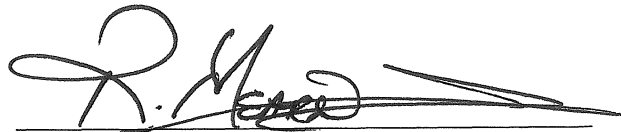
Section 1. The City Council finds and determines that the property being dedicated to the City, as identified in Exhibit "A", is within an area proposed for conservation or resource protection and shall be held or used for public purposes, specifically for conservation and resource protection use.

Section 2. Upon approval of the City attorneys, Richard Servais shall record, at his sole expense, the warranty deed, submitted under separate cover, in the public records of Monroe County, Florida.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 11th day of March, 2003.

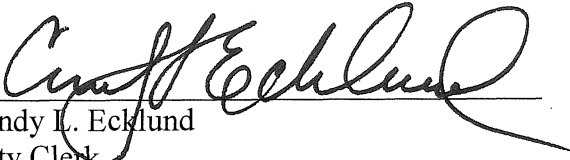
THE CITY OF MARATHON, FLORIDA



Randy Mearns, Mayor

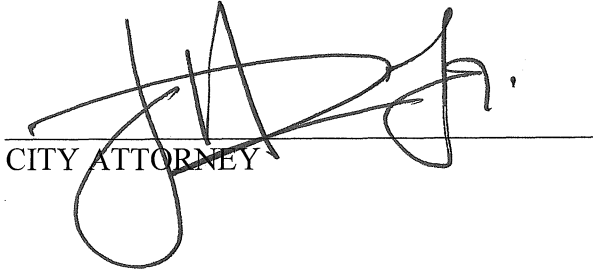
AYES: Bartus, Pinkus, Repetto, Worthington, Mearns
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Cindy L. Ecklund
City Clerk

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

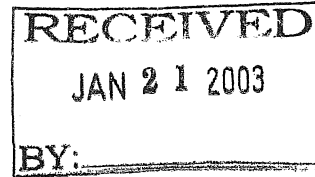


CITY ATTORNEY

Exhibit "A"

**LAW OFFICES OF
JOHN J. WOLFE, P.A.**

2955 OVERSEAS HIGHWAY
MARATHON, FL 33050
TELEPHONE: (305)743-9858
FACSIMILE: (305)743-7489



January 22, 2003

VIA HAND DELIVERY

Gail Kenson, AICP
City of Marathon
11090 Overseas Highway
Marathon, FL 33050

RE: Richard B. Servais
ROGO Lot Dedication - Lot 7, Block 7, Revised Plat, Ramrod Shores Marina
Section

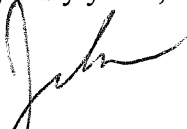
Dear Gail:

Enclosed with respect to the above-referenced ROGO lot dedication are the following:

Executed Warranty Deed
Monroe County Tax Collector Tax Record showing taxes paid on 1/6/03.
Executed Indemnification and Hold Harmless Agreement
Copy of Title Policy issued on October 9, 2002.

Sandra Lee has confirmed that the City has received an acceptable Biologist Letter and Environmental Audit report.

Very truly yours,



John J. Wolfe
wolfe@marathonlaw.com

2003-001

Doc# 1472909 10/08/2004 10:24AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

This Document Prepared by:
Law Offices of John J. Wolfe, P.A.
2955 Overseas Highway
Marathon, Florida 33050
After Recording Return to: City of Marathon
Post Office Box 500430 Marathon, FL 33050

DEED DOC STAMP CL: JILL \$0.70

Parcel ID Number: 00210811-009800

Doc# 1472909
Bk# 2049 Pg# 826

Grantee #1 TIN:
Grantee #2 TIN:

Warranty Deed

This Indenture, Made this 17th day of January, 2003 A.D., Between
RICHARD B. SERVAIS, a single man

of the County of Monroe, State of Florida, grantor, and
CITY OF MARATHON, a Florida municipal corporation

whose address is: Post Office Box 500430, Marathon, FL 33050

of the County of Monroe, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Monroe State of Florida to wit:
Lot 7, Block 7, Revised Plat of Part of Ramrod Shores Marina Section,
according to the map or plat thereof as recorded in Plat Book 6, Page
22, of the Public Records of Monroe County, Florida.
THE HEREIN DESCRIBED PROPERTY IS VACANT LAND AND NOT THE HOMESTEAD OF
THE GRANTOR.

SUBJECT TO:

1. All conditions, reservations, restrictions and easements of record provided that this instrument shall not reimpose same.
2. Real estate taxes and assessments for the year 2003, and all subsequent years.
3. Existing applicable governmental building and zoning ordinances and other governmental regulations.

and the grantor does hereby fully warrant the title to said land; and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Pamala S. Aldridge
Printed Name: Pamala S. Aldridge
Witness

Richard B. Servais (Seal)
RICHARD B. SERVAIS
P.O. Address: 4590 Overseas Highway
Marathon, FL 33050

John J. Wolfe
Printed Name: John J. Wolfe
Witness

(Seal)
P.O. Address:

STATE OF Florida
COUNTY OF Monroe

The foregoing instrument was acknowledged before me this 17th day of January, 2003 by
RICHARD B. SERVAIS

who is personally known to me.

MONROE COUNTY
OFFICIAL RECORDS

Pamala S. Aldridge
Printed Name: PAMALA S. ALDRIDGE
Notary Public
My Commission Expires:
OFFICIAL NOTARY SEAL
PAMALA S. ALDRIDGE
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC907156
MY COMMISSION EXP. FEB. 25, 2004