Sponsored by: Scott Janke

CITY OF MARATHON, FLORIDA RESOLUTION 2003-161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING LAND DEDICATION FROM AUGUST SPRENG

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, August Spreng shall record, at her sole expense, the warranty deed, submitted under separate cover, in the public records of Monroe County, Florida.
 - **Section 3.** This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 23rd day of December, 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

(City Seal)

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

GITY ATTORNEY

"EXIBIT A"

LEGAL DESCRIPTION:

LOT 11, BLOCK 18 OF BUCCANEAR BEACH ESTATES A SUBDIVISION OF GOVERNMENT LOTS 3, 4, 5, 6 AND 7 SECTION 19, GOVERNMENT LOT 14, SECTION 20, GOVERNMENT LOT 3, SECTION 29 AND GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 66 SOUTH, RANGE 29, EAST AS RECORDED IN PLAT BOOK 5, PAGE 78 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

This instrument prepared by:

John R. Herin, Esq. Weiss Serota Helfman Pastoriza & Guedes, P.A. 2665 South Bayshore Drive Suite 420 Miami, Florida 33133 Telephone: (305) 854-0800

After recording return to:

City of Marathon, Florida 11090 Overseas Highway Marathon, Florida 33050

Tax Folio Identification Number:

Doc# 1521399 06/10/2005 1:43PM Filed & Recorded in Official Records of MONROE COUNTY DANNY L. KOLHAGE

DEED DOC STAMP CL: JILL

\$0.70

Doc# 1521399 Bk# 2122 Pg# 159

2003-161

JUN 3 0 2005

City Cork

WARRANTY DEED

THIS WARRANTY DEED is made and executed this 4th day of DECENSEZ, the "Grantor"), whose mailing address is 1870 MALIBU CT DATION A LEACH FLIZUS, to the CITY OF MARATHON, a Florida municipal corporation (the "Grantee"), whose mailing address is Post Office Box 500430, Marathon, Florida 33050.

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee the real property (the "Property") located in Monroe County, Florida, and more particularly described as:

See Exhibit "A" Attached

The Grantor herein warrants and represents that the Property is not homestead property as defined by the Florida Constitution or State law, nor contiguous to the homestead property of the Grantor, who resides at 2890 havisu Ct Dayroua State FL 32128

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 accruing subsequent to the date of this Deed.
- 3. Existing applicable governmental building and zoning ordinances and other governmental regulations.

TOGETHER with all the tenements, hereditaments and appurtenances belonging or in any way appertaining to the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed as of the day and year first written above.

Witnesses:	GRANTOR
Print Name: Print Name: WOLL PETUS	Print Name: Avecsi . F. SPMENTS
Print Name Think TPETUG	Print Name:
STATE OF Horida) ss:	
COUNTY OF VOLUSIA	_)
The foregoing instrument was acknown by HUGUST F. SPRENTIS is personally known to me or [] has prodidentification.	nowledged before me this 4 day of PCM by who (check one) [4] NOTARY PUBLIC, STATE OF F OVER Print Name: 1001 QUE WARDONG OF Commission No.: DD 032-181
	Commission Expires: 6/7/05
\\WSHPG-FS1\clients\592003\Preparation\Warranty Deed to Mara	athon (married).doc MONIQUE MALDONADO MY COMMISSION # DD 032181 EXPIRES: October 7, 2005

Doc# 1521399 Bk# 2122 Pg# 161

"EXIBIT A"

LEGAL DESCRIPTION:

LOT 11, BLOCK 18 OF BUCCANEAR BEACH ESTATES A SUBDIVISION OF GOVERNMENT LOTS 3, 4, 5, 6 AND 7 SECTION 19, GOVERNMENT LOT 14, SECTION 20, GOVERNMENT LOT 3, SECTION 29 AND GOVERNMENT LOT 1, SECTION 30, TOWNSHIP 66 SOUTH, RANGE 29, EAST AS RECORDED IN PLAT BOOK 5, PAGE 78 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

MONROE COUNTY OFFICIAL RECORDS