

**CITY OF MARATHON, FLORIDA
RESOLUTION 2004-034**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, APPROVING PAYMENT FOR PROPERTY
TAXES ON PROPERTY LEASED TO MARATHON YACHT CLUB;
APPROPRIATING FUNDS FROM THE CITY'S BUDGET TO PAY THE
TAXES**

WHEREAS, the City assumed from Monroe County ("the County") ownership of the property on which Marathon Yacht Club ("MYC") is located; and

WHEREAS, this property was subject to certain leases between the County and MYC, the terms of which the City had to assume upon transfer of ownership; and

WHEREAS, the lease terms were developed between the County and MYC based on the fact that the County, with sovereign immunity as a subdivision of the State, paid no property taxes; and

WHEREAS, the City was not granted such an exemption by the Monroe County Property Appraiser under Florida law on property leased for this type of use, and property taxes are now payable by the City to the Monroe County Tax Collector; and

WHEREAS, efforts to reach an equitable adjustment of the lease terms with MYC for this change in surrounding circumstances have not been successful, and other alternatives will be explored in the near future; and

WHEREAS, tax year 2003-04 taxes were due March 31, 2004 in the amount of \$12,751.50, and now until April 23, 2004, the amount due is \$13,137.17, a copy of the Tax Bill is attached as Exhibit A.

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


Section 1. The City Council authorizes the payment of property taxes to Monroe County in the amount of \$13,137.17 for the Yacht Club parcel.

Section 2. The City Council authorizes the expenditure from account 001-1001-511-375, City Council – Contingency, in the amount of \$13,137.17 to pay the taxes for the parcel Real Estate/Folio No. 00102310-000200.

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 27th day of April, 2004.

THE CITY OF MARATHON, FLORIDA



Jeffrey M. Pinkus, Mayor

AYES: Bartus, Bull, Mearns, Miller, Pinkus
NOES: None
ABSENT: None
ABSTAIN: None

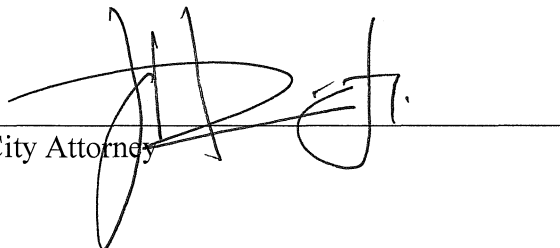
ATTEST:



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:**



City Attorney