

**CITY OF MARATHON, FLORIDA
RESOLUTION 2005-030**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM ALBERT VAN RIPER, AUTHORIZING THE RECORDING OF THE APPROPRIATE WARRANTY DEED IN THE PUBLIC RECORDS OF MONROE COUNTY, FINDING AND DETERMINING THE PROPERTY SHALL BE USED FOR A MUNICIPAL OR PUBLIC PURPOSE

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 THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.


Section 2. The City Council approves and accepts the dedication of land legally described in Exhibit "A", which 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. Upon approval of the City Attorney, Albert Van Riper shall record, at his sole expense, a warranty deed(s), submitted under separate cover, in the public records of Monroe County, Florida.

Section 3. 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 12th day of April, 2005.


THE CITY OF MARATHON, FLORIDA



John Bartus, Mayor

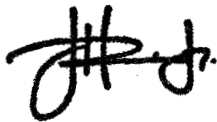
AYES: Bull, Mearns, Miller, Pinkus, Bartus
NOES: None
ABSENT: None
ABSTAIN: None

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

“EXHIBIT A”

LEGAL DESCRIPTIONS:

Lots 12, 13, 14, 15, and 16, Square 34, Crains Subdivision

Return to and prepared by:

FRANKLIN D. GREENMAN, P.A.
5800 Overseas Highway, Suite #40
Marathon, FL 33050

WARRANTY DEED

This Warranty Deed is made this 14 day of March, 2005, by and between **ALBERT R. VAN RIPER, III**, (hereinafter referred to as "Grantor"), and **CITY OF MARATHON, a political subdivision of the State of Florida**, whose address is 10045-55 Overseas Highway, Marathon, FL 33050 (hereinafter referred to as "Grantee"):

WITNESSETH: The Grantor, for and in consideration of the receipt of additional ROGO points and for other good and other valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains, sells, remise, releases, and conveys to the Grantee, all that certain land situate in Monroe County, State of Florida, to-wit:

Lots 12, 13, 14, 15, and 16, Square 34, CRAINS SUBDIVISION¹⁰⁴, according to the Plat thereof as recorded in Plat Book 1, page 51 of the Public Records of Monroe County, Florida.
Parcel #00370750/00370760/00370770

This deed was prepared without the benefit of a title examination.


TOGETHER with all the tenements, hereditament and appurtenances thereto belonging or in anyway appertaining.

To have and to hold in fee simple forever.

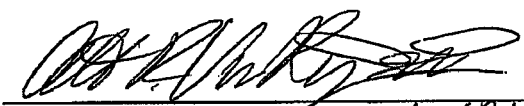
And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, has good right and lawful authority to sell and convey said land, hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to the date of transfer.

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

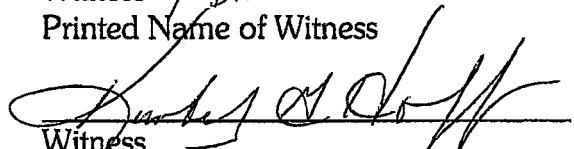
Signed, sealed and delivered in the presence of:



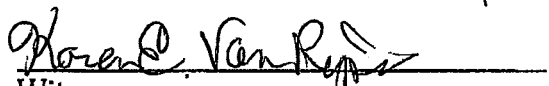
Witness DIANE SANDOW
Printed Name of Witness



Albert R. Van Riper, III Albert R. Van Riper III
Address: P.O. Box 555
Montville, NJ 07045-555



Witness
Printed Name of Witness Kimberly G. Hoff

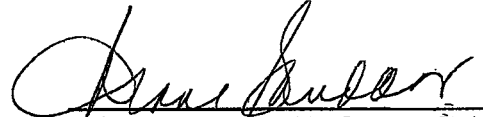


Witness Karen E. Van Riper
Printed Name of Witness

STATE OF NEW JERSEY
COUNTY OF MORRIS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared **ALBERT R. VAN RIPER, III**, who are personally known to me or who have produced N.J. DRIVER LICENSE as identification and who (did) (did not) take an oath, known to be the person described in and who executed the foregoing, and they acknowledged before me that they executed the same for the purposes set out therein.

WITNESS my hand and official seal in the County and State last aforesaid this, 14 day of MARCH, 2005.


NOTARY PUBLIC, State of Florida
Printed Notary Signature:

DIANE SANDOW
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/17/2009