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CITY OF MARATHON, FLORIDA
RESOLUTION 2005-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM BARTON AND CAIRN BOUCHER, 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.

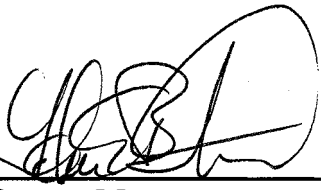
Section 2. The City Council approves and accepts the dedication of land legally described in Exhibit "A", which is within an area proposed for conservation or resource protection and shall be held or used for public purposes, specifically for conservation and resource protection use. Upon approval of the City Attorney, Barton and Cairn Boucher shall record, at their 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 10th day of May, 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 10 and 11, Block 52, Crains Subdivision

Lot 10, Block 17, Coco Plum Beach Subdivision

Lot 16, Block 1, Eden Pines Colony Subdivision

Lot 13, Block 15, Eden Pines Colony Subdivision