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**CITY OF MARATHON, FLORIDA  
RESOLUTION 2005-037**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM SANDRA A ROCHELEAU, 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, Sandra Rocheleau shall record, at her 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.

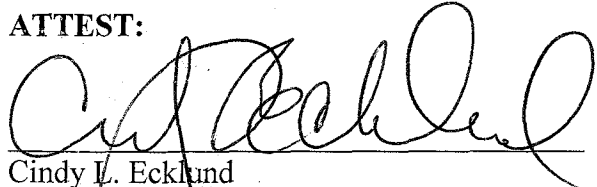
**Section 4.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 12<sup>th</sup> 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 15 and 16, Square 5, Crains Subdivision

Lot 12 Block 56, Crains Subdivision

**Prepared by:**

John J. Wolfe  
John J. Wolfe, P.A.  
2955 Overseas Highway  
Marathon, FL 33050

**After recording return to:**

City of Marathon  
11090 Overseas Highway  
Marathon, FL 33050

**Parcel Identification No.: 00357880-000000**

\_\_\_\_\_  
[Space Above This Line For Recording Data]

## **Warranty Deed**

(STATUTORY FORM - SECTION 689.02, F.S.)

**This Indenture made this \_\_\_\_\_ day of \_\_\_\_\_, 2005** between

**SANDRA A. ROCHELEAU, Trustee of the Sandra A. Rocheleau Trust dated April 5, 1999**  
whose post office address is **1870 Woodbine Court, Marco Island, FL 34145**  
of the County of Collier, State of Florida, Grantor\*, and

**CITY OF MARATHON, a Florida municipal corporation**  
whose post office address is **Post Office Box 500430, Marathon, Florida 33050**  
of the County of Monroe, State of Florida, Grantee\*,

**Witnesseth** that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida**, to-wit:

**Lots 15 and 16, Square 5, CRAINS SUBDIVISION of Grassy Key, according to the Plat thereof as recorded in Plat Book 1, Page 51, of the Public Records of Monroe County, Florida.**

**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 1870 Woodbine Court, Marco Island, FL 34145.**

**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.**


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

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

Signed, sealed and delivered in our presence:

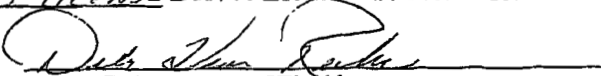
  
Witness Name: Katye M. Parker

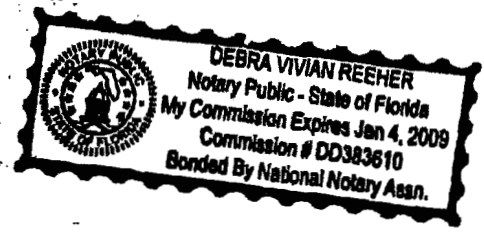
  
SANDRA A. ROCHELEAU, Trustee of the  
Sandra A. Rocheleau Trust dated April 5,  
1999

Witness Name: \_\_\_\_\_

**STATE OF FLORIDA  
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me this 30 day of MARCH, 2005 by SANDRA A. ROCHELEAU, Trustee of the Sandra A. Rocheleau Trust dated April 5, 1999 who is personally known to me or who has produced a FL. DRIVERS LICENSE Driver License as identification.

  
Notary Public, State of Florida  
Printed Name: Debra Vivian Reher  
My Commission Expires: 1-4-2009



**Prepared by:**  
John J. Wolfe  
John J. Wolfe, P.A.  
2955 Overseas Highway  
Marathon, FL 33050

**After recording return to:**  
City of Marathon  
11090 Overseas Highway  
Marathon, FL 33050

Parcel Identification No.: 00374350-000000

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## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

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**SANDRA A. ROCHELEAU, Trustee of the Sandra A. Rocheleau Trust dated April 5, 1999**  
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of the County of Collier, State of Florida, Grantor\*, and

**CITY OF MARATHON, a Florida municipal corporation**  
whose post office address is **Post Office Box 500430, Marathon, Florida 33050**  
of the County of Monroe, State of Florida, Grantee\*,

**Witnesseth** that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida**, to-wit:

**Lot 12, Block 56, CRAINS SUBDIVISION of Grassy Key, according to the Plat thereof as recorded in Plat Book 1, Page 51, of the Public Records of Monroe County, Florida.**

**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 1870 Woodbine Court, Marco Island, FL 34145.**

### SUBJECT TO:

- 1. All conditions, reservations, restrictions and easements of record provided that this instrument shall not reimpose same.**
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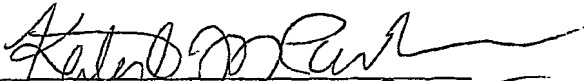
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and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

Signed, sealed and delivered in our presence:


  
Witness Name: Katy M. Purice

  
**SANDRA A. ROCHELEAU**, Trustee of the  
**Sandra A. Rocheleau Trust dated April 5, 1999**

Witness Name: \_\_\_\_\_

**STATE OF FLORIDA  
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me this 30 day of MARCH, 2005 by **SANDRA A. ROCHELEAU**, Trustee of the Sandra A. Rocheleau Trust dated April 5, 1999 who is personally known to me or who has produced a FL DRIVERS LICENSE Driver License as identification.

  
Notary Public, State of Florida  
Printed Name: Debra Vivian Reher  
My Commission Expires: 1-4-2009

