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**CITY OF MARATHON, FLORIDA
RESOLUTION 2005-039**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM WILLIAM DANIELS, 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.

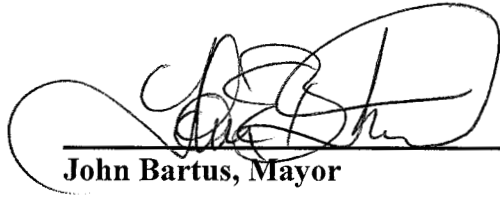
Section 2. The City Council approves and accepts the dedication of land legally described in Exhibit "A", which is within an area proposed for conservation or resource protection and shall be held or used for public purposes, specifically for conservation and resource protection use. Upon approval of the City Attorney, William Daniels 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 1, Square 47, Crains Subdivision

Lot 26 and 27, Block 4, Sunset Bay Subdivision

This Document Prepared By and Return to:
Thomas D. Wright, Esquire
Law Offices of Thomas D. Wright, Chartered
P.O. Box 500309
Marathon, FL 33050-0309
Telephone: 305-743-8118

Parcel ID Number: 00372700-000000

Warranty Deed

This Indenture, Made this _____ day of _____, A.D., Between
WPBD, Inc., a corporation existing under the laws of the State of
Florida
of the County of Monroe, State of Florida, grantors, and
City of Marathon

whose address is:

of the County of Monroe, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of
-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Monroe State of Florida to wit:

Lot 1, Square 47, CRAIN'S SUBDIVISION OF GRASSY KEY, Plat Book 1,
Page 51, as recorded in Monroe County, Florida.

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

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence: WPBD, Inc., a corporation existing under
the laws of the State of Florida

Signature of Witness _____ By: William S. Daniels, President (Seal)
Printed Name: _____ P.O. Address: 11290 Overseas Highway, Marathon, FL 33050

Signature of Witness _____
Printed Name: _____

STATE OF Florida
COUNTY OF Monroe

The foregoing instrument was acknowledged before me this _____ day of _____, by
William S. Daniels, President of WPBD, Inc., a Florida corporation
on behalf of the corporation
who is personally known to me or who has produced his Florida driver's license as identification.

Printed Name: _____
Notary Public
My Commission Expires: _____

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.: 00361110-000000

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Warranty Deed

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

This Indenture made this _____ day of _____, 2004 between

WPBD, INC., a Florida corporation

whose post office address is **611 101st Street, Ocean, Marathon, Florida 33050**
of the **County of Monroe, 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 27, Block 4, SUNSET BAY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 5, Page 46, 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 1152 76th Street, Marathon, Florida 33050.

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:

WPBD, INC., a Florida corporation

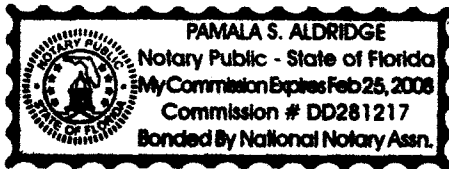
Pamala S. Aldridge
Witness Name: PAMALA S. Aldridge

By: William S. Daniels
WILLIAM S. DANIELS, President

Lisa S. Daniels
Witness Name: LISA S. DANIELS

**STATE OF FLORIDA
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me this 26 day of **March, 2004** by **WILLIAM S. DANIELS** as President of **WPBD, Inc., a Florida corporation** who is personally known to me.



Pamala S. Aldridge
Notary Public, State of Florida
Printed Name: PAMALA S. Aldridge
My Commission Expires: _____

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.: 00361100-000000

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Warranty Deed

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

This Indenture made this _____ day of _____, 2004 between

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of the **County of Monroe, 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 26, Block 4, SUNSET BAY SUBDIVISION, according to the Plat thereof, recorded in Plat Book 5, Page 46, 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 1152 76th Street, Marathon, Florida 33050.

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**

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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.

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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:

WPBD, INC., a Florida corporation

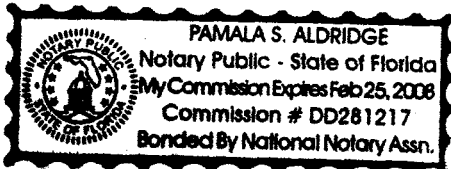
Pamala S. Aldridge
Witness Name: PAMALA S. ALDRIDGE

By: William S. Daniels
WILLIAM S. DANIELS, President

W.S. Ziel
Witness Name: LISA S. ZIELS

**STATE OF FLORIDA
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me this 26 day of **March, 2004** by **WILLIAM S. DANIELS** as **President of WPBD, Inc., a Florida corporation** who is personally known to me.



Pamala S. Aldridge
Notary Public, State of Florida
Printed Name: Pamala S. Aldridge
My Commission Expires: _____