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**CITY OF MARATHON, FLORIDA
RESOLUTION 2005-084**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM ROBERT AND RUTH ANN UNDORF, 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, Robert and Ruth Ann Undorf 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 28th day of June, 2005.


THE CITY OF MARATHON, FLORIDA



John Bartus, Mayor

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

Lot 9, Block 24, Crains Subdivision

Lot 10, Amended Plat of Dorsett 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.: 00369320-000000

[Space Above This Line For Recording Data]

Warranty Deed

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

This Indenture made this 27 day of JUNE, 2005 between

ROBERT W. UNDORE and RUTH ANN UNDORE, husband and wife

whose post office address is ~~4211 Sylvan Ramble Street, Tampa, FL 33609-4313~~

of the County of Hillsborough, 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 9, Block 24, CRAINS SUBDIVISION, according to the Plat thereof as recorded in Plat Book 1, Page 51, of the Public Records of Monroe County, Florida.

RE: # 00369320 - 000000

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 4211 Sylvan Ramble Street, Tampa, FL 33609-4313.

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: _____

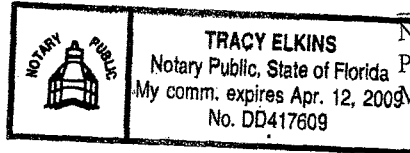
Witness Name: _____

Robert W. Undorf
ROBERT W. UNDORE

Ruth Ann Undorf
RUTH ANN UNDORE

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this 27 day of June, 2005 by **ROBERT W. UNDORE and RUTH ANN UNDORE, husband and wife** who () who are personally known to me or () who have produced _____ Driver Licenses as identification.



Tracy Elkins
Notary Public, State of Florida
Printed Name: Tracy Elkins
My Commission Expires: April 12 - 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.: 00376240-000000

[Space Above This Line For Recording Data]

Warranty Deed

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

This Indenture made this 27 day of June, 2005 between

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whose post office address is **4211 Sylvan Ramble Street, Tampa, FL 33609-4313**
of the County of Hillsborough, 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 10 of AMENDED PLAT OF DORSETT SUBDIVISION, according to the Plat thereof as recorded in Plat Book 2, Page(s) 153, of the Public Records of Monroe County, Florida.

RE: 0037 624 000 0000

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 4211 Sylvan Ramble Street, Tampa, FL 33609-4313.

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.

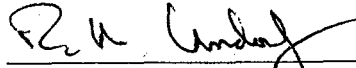
and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "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: _____



ROBERT W. UNDORE

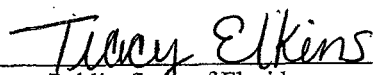
Witness Name: _____



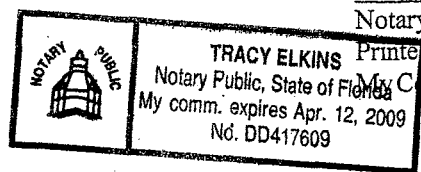
RUTH ANN UNDORE

**STATE OF FLORIDA
COUNTY OF**

The foregoing instrument was acknowledged before me this 27 day of June, 2005 by **ROBERT W. UNDORE and RUTH ANN UNDORE, husband and wife** who () who are personally known to me or () who have produced _____ Driver Licenses as identification.



Notary Public, State of Florida



Printed Name: Tracy Elkins
Commission Expires: April 12-2009