

Sponsored by: Puto

**CITY OF MARATHON, FLORIDA
RESOLUTION 2006-072**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM GEM HOMES, LLC, AUTHORIZING THE RECORDING OF THE APPROPRIATE WARRANTY DEED IN THE PUBLIC RECORDS OF MONROE COUNTY, FINDING AND DETERMINING THAT 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, which deed must be approved by the City Council prior to its recordation 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. The City Council further directs that such land shall be held or used for public purposes, specifically for conservation and resource protection use. Upon approval of the City Attorney, Gem Homes, I, LLC 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 9th day of May, 2006.

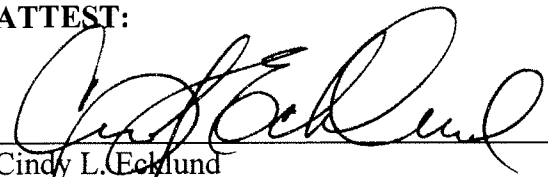
THE CITY OF MARATHON, FLORIDA



Christopher M. Bull, Mayor

AYES: Mearns, Pinkus, Tempest, Worthington, Bull
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 DESCRIPTION:

Lots 4 and 11, Block 38, Crains Subdivision, Grassy Key, Monroe County, Florida (RE Numbers 00371330-000000 and 00371400-000000)

This Document Prepared By and Return to:
David P. Kirwan
Attorney at Law
5800 Overseas Highway, #4
Marathon, FL 33050

Doc# 1585668 06/07/2006 10:53AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1585668
Bk# 2214 Pg# 1709

Parcel ID Number:

Warranty Deed

This Indenture, Made this 7 day of June, 2006 A.D., Between
Gem Homes I, LLC, , a Florida limited liability company

of the County of _____, State of _____, grantor, and
City of Marathon, a Florida municipal corporation

whose address is: P. O. Box 500430, Marathon, FL 33050

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

Witnesseth that the GRANTOR, for and in consideration of the sum of

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

Lots 4 and 11, Block 38, CRAINS SUBDIVISION OF GRASSY KEY, as
recorded in Plat Book 1, Page 51, of the Public Records of Monroe
County, Florida.

RECEIVED
JUN 27 2006

BY: TD

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

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

Signed, sealed and delivered in our presence:

[Signature] By: [Signature] (Seal)
Printed Name: Steve Smith Luis Alonso, Manager
Witness P.O. Address: 4937 SW 75th Avenue, Miami, FL 33155
[Signature]
Printed Name: Regina K Morgan
Witness (Corporate Seal)

STATE OF Florida
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 2nd day of May, 2006 by
Luis Alonso, Manager, on behalf of the limited liability company

He is personally known to me or he has produced his Florida driver's license as identification.



Angie R. Paneque
Commission #DD228260
Expires: Jul 01, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Printed Name: Angie R. Paneque
Notary Public
My Commission Expires: 7/1/07

This Document Prepared By and Return to:
David P. Kirwan
Attorney at Law
5800 Overseas Highway, #4
Marathon, FL 33050

Doc# 1585672
Bk# 2214 Pg# 1716

Parcel ID Number:

Warranty Deed

This Indenture, Made this 7 day of June, 2006 A.D., Between
Gem Homes I, LLC, , a Florida limited liability company

of the County of _____, State of _____, grantor, and
City of Marathon, a Florida municipal corporation

whose address is: P. O. Box 500430, Marathon, FL 33050

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

Witnesseth that the GRANTOR, for and in consideration of the sum of

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

Lots 12 and 13, Block 38, CRAINS SUBDIVISION OF GRASSY KEY, as
recorded in Plat Book 1, Page 51, of the Public Records of Monroe
County, Florida.

RECEIVED
JUN 27 2006
BY: TD

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

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

Signed, sealed and delivered in our presence:

[Signature]
Printed Name: Steve SMITH
Witness

By: [Signature] (Seal)
Luis Alonso, Manager
P.O. Address: 4937 SW 75th Avenue, Miami, FL 33155

[Signature]
Printed Name: Regina Morgan
Witness

(Corporate Seal)

STATE OF Florida
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me this and day of May, 2006 by
Luis Alonso, Manager, on behalf of the limited liability company

he is personally known to me or he has produced his Florida driver's license as identification.

Printed Name: Angie Pagan
Notary Public
My Commission Expires: 7/1/07



Angie R. Paneque
Commission #DD228260
Expires: Jul 01, 2007
Bonded Thru
Atlantic Bonding Co., Inc