

**CITY OF MARATHON, FLORIDA
RESOLUTION 2006-078**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM SEAS THE DAY FL KEYS, INC., 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 of Marathon (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.

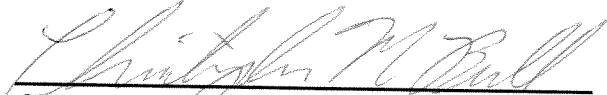
Section 2. The City Council approves and accepts the dedication of land legally described in Exhibit "A", which is within an area proposed for conservation or resource protection. The City Council further directs that such land shall be held or used for public purposes, specifically for conservation and resource protection use. Upon approval of the City Attorney, Seas the Day FL Keys, Inc. 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 23rd day of May, 2006.

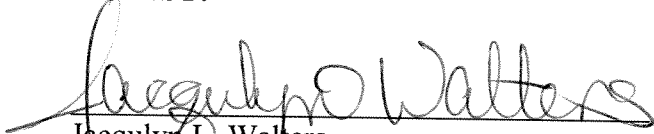
THE CITY OF MARATHON, FLORIDA



Christopher M. Bull, Mayor

AYES: Pinkus, Tempest, Bull
NOES: None
ABSENT: Mearns, Tempest
ABSTAIN: None

ATTEST:



Jacquelyn L. Walters
Acting 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 5, 6 and 7, Block 38, Crains Subdivision, Grassy Key, Monroe County, Florida (RE Numbers 00371340-000000, 00371350-000000 and 00371360-000000)