

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2006 -153**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LOT DENSITY REDUCTION ROGO ALLOCATION RESTRICTIVE COVENANT FROM BERNARDO AND MARIEN ARAN SPINRAD, AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Section 9.5-127(a)(4) of the City Code, a landowner may elect to voluntarily reduce the density on a lot permitted as of right to receive additional points as part of the Residential Rate of Growth Ordinance ("ROGO") allocation process; and

**WHEREAS**, if a landowner proposes to reduce the density as set forth above, the landowner is required to execute a legally binding restrictive covenant limiting the density on this property running in favor of, and enforceable by, the City that must be approved by the City Council prior to its recording in the public records of Monroe County, Florida; and

**WHEREAS**, Bernardo and Marien Aran Spinrad have applied for a market rate ROGO allocation and has elected to reduce the density of their property.

**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.** Subject to the review and approval of the City Attorney, the restrictive covenant submitted by Bernardo and Marien Aran Spinrad attached hereto and incorporated herein as Exhibit "A" is approved and accepted by the City Council. Bernardo and Marien Aran Spinrad shall record, at its sole expense, the restrictive covenant in the public records of Monroe County, Florida.

**Section 3.** This resolution shall take effect immediately upon its adoption.


**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 26<sup>th</sup> day of September, 2006.

**THE CITY OF MARATHON, FLORIDA**

  
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**Christopher M. Bull, Mayor**

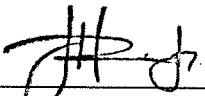
AYES: Mearns, Tempest, Pinkus, Worthington, Bull  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
\_\_\_\_\_  
Diane Clavier  
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 2 and 3 of Block 18 of the plat of Crains Subdivision of Grassy Key as recorded in Plat Book 1, page 51 in the Public Records of Monroe County, Florida