

Sponsored by: Michael Puto

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2006-161**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A LAND DEDICATION FROM GEM HOMES II, LLC, 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 AND PROVIDING AN EFFECTIVE DATE**

**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, Gem Homes II, 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 10<sup>th</sup> day of October, 2006.

**THE CITY OF MARATHON, FLORIDA**

  
\_\_\_\_\_  
**Christopher M. Bull, Mayor**

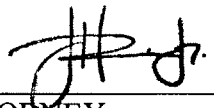
AYES: Mearns, Pinkus, Tempest, Worthington, Bull  
NOES: None  
ABSENT: None  
ABSTAIN: None

**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:**

Lot 4, Block 39 Crain's Subdivision (RE 00371490-000000)

Lot 5, Block 39 Crain's Subdivision (RE 00371500-000000)

Near the intersection of Ferreira and Lime on Grassy Key

Doc# 1607210 10/11/2006 9:46AM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

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

10/11/2006 9:46AM  
DEED DOC STAMP CL: LINDAR \$0.70

Doc# 1607210  
BKN 2243 Pgm 1644

Parcel ID Number:

# Warranty Deed

This Indenture, Made this 26th day of September, 2006 A.D., Between  
Gem Homes II, 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:

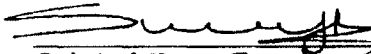
Lots 4 and 5, Block 39, CRAINS SUBDIVISION OF GRASSY KEY, as recorded  
in Plat Book 1, Page 51, of the Public Records of Monroe County,  
Florida.

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

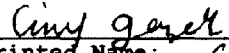
In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Gem Homes II, LLC  
a FL limited liability company

  
Printed Name: Sandra Rincon  
Witness

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

  
Printed Name: Cindy Gonzalez  
Witness

(Corporate Seal)

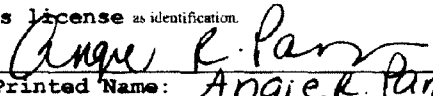
STATE OF Florida  
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 28th day of September, 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.