

Sponsored by: Burnett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2008-104**

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM CARLOS PEREIRA, RECIPIENT OF A RESIDENTIAL DWELLING UNIT ALLOCATION AWARD; AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 107.09 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 Building Permit Allocation System ("BPAS") 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 MARATHON, FLORIDA, AS FOLLOWS:

Section 1. Acceptance of Land Dedication. Subject to payment of all taxes and review and approval by the City Attorney, the Statutory Warranty Deed (the "Deed"), submitted by Carlos Pereira attached as Exhibit "A" is approved and accepted by the City.

Section 2. BPAS Dedication. The City accepts the Deed as part of the Residential BPAS allocation process.

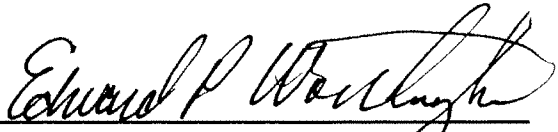
Section 3. Public Purpose. The City Council finds and determines that the property being dedicated to the City is within an area proposed for conservation or resource protection and shall be held or used for public purposes, specifically for conservation and resource protection use. The City Clerk is directed to forward a copy of this resolution to the Monroe County Property Appraiser and Tax Collector.

Section 4. Recording. Carlos Pereira shall record, at his sole expense, the Deed in the public records of Monroe County, Florida.

Section 5. Effective Date. That this Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 8th day of July, 2008.


THE CITY OF MARATHON, FLORIDA



Edward P. Worthington, Mayor

AYES: Cinque, Tempest, Vasil, Worthington
NOES: None
ABSENT: Bull
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

420

Doc# 1704276 07/18/2008 1:06PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Prepared by:

Joel Reed
Reed & Company Development Services, Inc.
89240 Overseas Highway, Suite 3
Tavernier, FL 33070

07/18/2008 1:06PM
DEED DOC STAMP CL: RHONDA \$0.70

After recording return to:

City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Doc# 1704276
Bk# 2372 Pg# 569

Parcel Identification No.: 00372450-000000

(Space Above This Line For Recording Data)

Warranty Deed

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

This Indenture made this 8th day of July 2008 between

CARLOS A. PEREIRA, an individual
Whose post office address is **90 McDonald Road, Wilmington**
Of the County of Middlesex, State of Massachusetts,

Grantor*, and

CITY OF MARATHON, a Florida municipal corporation
Whose post office address is **9805 Overseas Highway, 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 6, Block 45, CRAIN'S SUBDIVISION, GRASSEY KEY, according to the plat thereof, as recorded in Plat Book 1, Page 51, of the Public Records of Monroe County, Florida.

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.

SUBJECT TO:

- 1. All conditions, reservations, restrictions and easements of record provided that this instrument shall no 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.

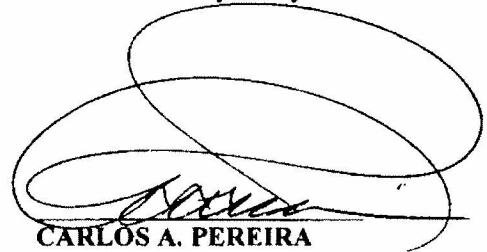
Signed, sealed and delivered in our presence:



Witness Name: Alexandre Araujo

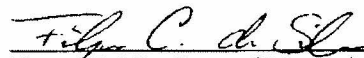


Witness Name: Claudia Antunes

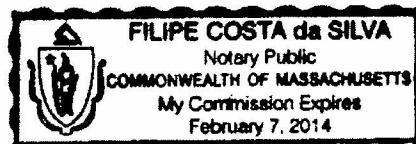

CARLOS A. PEREIRA

State of Massachusetts
COUNTY OF MIDDLESEX

The foregoing instrument was acknowledged before me this 17th day of July 2008 by Carlos A. Pereira who () are personally known to me or () who have produced Massachusetts Driver License as identification.



Notary Public, State of Massachusetts
Printed Name: Filipe Costa da Silva
My Commission Expires: 02/07/2014



MONROE COUNTY
OFFICIAL PUBLIC RECORD

Prepared by:

Joel Reed
Reed & Company Development Services, Inc.
89240 Overseas Highway, Suite 3
Tavernier, FL 33070

Doc# 1704277 07/18/2008 1:06PM
Filed & Recorded in Official Records of
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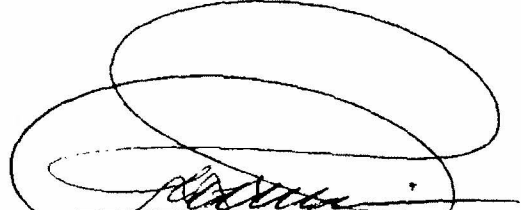
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Signed, sealed and delivered in our presence:


Witness Name: Alexandre Araujo

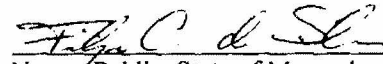

CARLOS A. PEREIRA

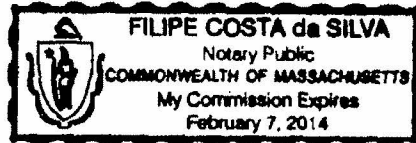


Witness Name: Claudia Antunes

State of Massachusetts
COUNTY OF MIDDLESEX

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Notary Public, State of Massachusetts
Printed Name: Filipe Costa da Silva
My Commission Expires: 02/07/2014



MONROE COUNTY
OFFICIAL PUBLIC RECORD