

Sponsored by: Burnett

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2009-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MARATHON, FLORIDA, REQUESTING THE TRANSFER OF  
OWNERSHIP OF PROPERTIES LOCATED ON GRASSY KEY FROM  
THE MONROE COUNTY LAND AUTHORITY; AND PROVIDING AN  
EFFECTIVE DATE**

**WHEREAS**, the Monroe County Land Authority (the "Authority") purchased the properties within the City of Marathon (the "City") listed on Exhibit A hereto (the "Properties") through a grant agreement with the Florida Communities Trust prior to the incorporation of the City; and

**WHEREAS**, the Properties were inadvertently omitted from the land transfer agreement between the Monroe County Board of Commissions and the City of Marathon at the time of incorporation of the City; and

**WHEREAS**, the City currently maintains three of the four parcels which comprise the Properties as a passive park area; and

**WHEREAS**, pending final clearance from the Florida Community Trust, the City wishes to obtain ownership of the Properties from the Authority;

**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 are incorporated herein

**Section 2.** The City Council hereby requests the transfer of the properties listed in Exhibit A hereto from the Monroe County Land Authority, and directs the City Manager to forward this resolution to the Monroe County Land Authority for their consideration.

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

**EXHIBIT A**

Doc# 1761221  
Bk# 2434 Pg# 291

Real Estate Number 00360240-000000, 00360250-000000, 00360260-000000, and  
00373720-000000

Re: AK#1456802/RE# 00373720-000000  
AK# 1442321/RE# 00360240-000000  
AK#1442330/RE# 00360250-000000  
AK#1442348/RE# 00360260-000000

This instrument prepared by,  
or under the direction of:  
SUZANNE A. HUTTON  
Monroe County Attorney  
FBN# 336122  
P. O. Box 1026  
Key West, FL 33041

Doc# 1761222 10/01/2009 2:51PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1761222  
Bk# 2434 Pg# 292

**QUIT CLAIM DEED**

**THIS DEED**, made this 19<sup>th</sup> day August, 2009, by the **BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA**, a political subdivision of the State of Florida and party of the first part, to the **CITY OF MARATHON**, a municipality incorporated in the State of Florida and party of the second part, whose address is P. O. Box 500430, Marathon, Florida 33050.

**WITNESSETH**, that the said party of the first part, for and in consideration of the assumption and jurisdiction and responsibility over the property conveyed herein does hereby remise, release and quitclaim unto the said party of the second part forever, all the right, title, interest, claim and demand which the said party has in and to the following described real property lying and being in Monroe County, Florida, to wit:

**CRAIN'S SUBDIVISION, GRASSY KEY**

Lot 9, Block 53, Crain's Subdivision of Grassy Key, according to the Plat thereof as recorded in Plat Book 1, Page 51, of the Public Records of Monroe County, Florida.  
(Alternate Key: 1456802/Parcel ID: 00373720-000000)

**SUNSET BAY, GRASSY KEY**

Lots 1, 2, and 3, Block 1-A, Sunset Bay, according to the Plat thereof, as recorded in Plat Book 5, Page 45 of the Public Records of Monroe County  
(Alternate Key: 1442321/Parcel ID: 00360240-000000)  
(Alternate Key: 1442330/Parcel ID: 00360250-000000)  
(Alternate Key: 1442348/Parcel ID: 00360260-000000)

By acceptance of this deed, grantee herein hereby agrees that the use of the Property described herein shall be subject to the covenants and restrictions as set forth in that certain Grant Contract recorded in Official Record Book 1306, Page 0417, Public Records of Monroe County, Florida, as amended. These covenants and restrictions shall run with the Property herein described. If any of the covenants and restrictions of the Grant Contract are violated by the grantee or by some third party with the knowledge of the grantee, fee simple title to the Property described herein shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida in accordance with the Grant Contract without further notice to grantee, its successors and assigns, and grantee, its successors and assigns shall forfeit all right, title and interest in and to the Property described herein.

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**TO HAVE AND TO HOLD** the same together with all and singular the appurtenances thereunto belonging or in anywise pertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

**IN WITNESS WHEREOF**, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting as the Mayor of said Board, the day and year aforesaid.

(SEAL)

**ATTEST: DANNY L. KOLHAGE, CLERK**

By Isabel C. DeSantis  
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA**

By George R. Floyd  
Mayor/Chairman

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
Suzanne A. Hutton  
SUZANNE A. HUTTON  
COUNTY ATTORNEY  
8/09/09