

Sponsored by: Rosasco

**CITY OF MARATHON, FLORIDA
RESOLUTION 2010-10**

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

WHEREAS, pursuant to Section 107.09 of the City Code, a landowner may voluntarily elect to dedicate to the City vacant, buildable lots 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. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Subject to payment of all taxes and review and approval by the City Attorney, the Statutory Warranty Deeds (the "Deeds"), submitted by Charles Hotz attached as Exhibit "A" are approved and accepted by the City.

Section 3. The City accepts the Deeds as part of the Residential BPAS allocation process.

Section 4. The City Council finds and determines that the properties being dedicated to the City are 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, and requesting the properties be declared tax exempt pursuant to Section 196.199, *Florida Statutes*.

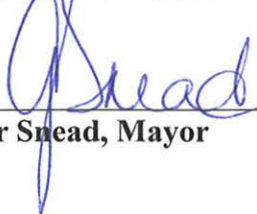
Section 4. Charles Hotz shall record, at his sole expense, the Deeds in the public records of Monroe County, Florida.

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Section 5. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Marathon, Florida, this 26th day of January, 2010.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

AYES: Cinque, Keating, Ramsay, Worthington, Snead
NOES: None
ABSENT: None
ABSTAIN: None

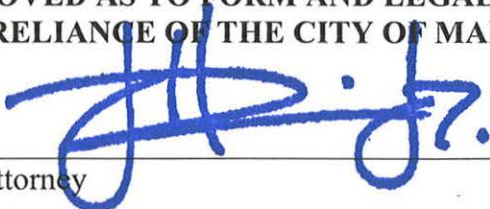
ATTEST:



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

02/16/2010 2:08PM
DEED DOC STAMP CL: LINDAR \$122.50

Prepared by:

John J. Wolfe
John J. Wolfe, P.A.
2955 Overseas Highway
Marathon, FL 33050

Doc# 1777710
Bk# 2452 Pg# 2494

After recording return to:

City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Parcel Identification No.: 003697960-000000

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Warranty Deed

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

This Indenture made this 20th day of **November, 2009** between

JOHN C. HOTZ, a married man ^{GRAVITY}
whose post office address is ~~626 Highway~~ ⁶²⁶ **Hollow Road, Medford, NJ 08055**
of the County of Burlington, State of New Jersey,
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 2, Block 14, 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.

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 not reimpose same.**

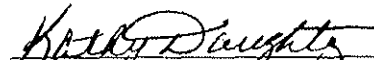
- 2. Real estate taxes and assessments accruing subsequent to the date of this Deed.
- 3. Existing applicable governmental building and zoning ordinances and other governmental regulations.

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:

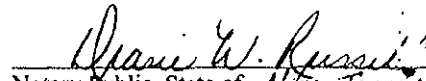

Witness Name: KATHY DOUGHTY


JOHN C. HOTZ


Witness Name: THOMAS E. RUSSELL

STATE OF NEW JERSEY
COUNTY OF BURLINGTON

The foregoing instrument was acknowledged before me this 20th day of November 2009 by **John C. Hotz** who () who is personally known to me or () who has produced _____ Driver Licenses as identification.


Notary Public, State of NEW JERSEY
Printed Name: DIANE W. RUSSELL
My Commission Expires: 04-12-2012

02/16/2010 2:04PM
DEED DOC STAMP CL: LINDAR \$122.50

Prepared by:

John J. Wolfe
John J. Wolfe, P.A.
2955 Overseas Highway
Marathon, FL 33050

Doc# 1777709
Bk# 2452 Pg# 2492

After recording return to:

City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Parcel Identification No.: 00369670-000000

_____[Space Above This Line For Recording Data]_____

Warranty Deed

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

This Indenture made this 20th day of **November, 2009** between

JOHN C. HOTZ, a married man ^{GRAVELLY}
whose post office address is **626 ~~Harvey~~ Hollow Road, Medford, NJ 08055**
of the County of Burlington, State of New Jersey,
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 Twelve (12), in Square Twenty-Six (26), 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.

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 not 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.

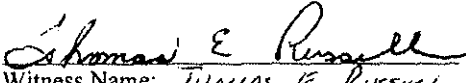
* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

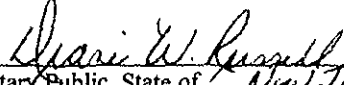

Witness Name: KATHY DOUGHTY


JOHN C. HOTZ


Witness Name: THOMAS E. RUSSELL

STATE OF NEW JERSEY
COUNTY OF BURLINGTON

The foregoing instrument was acknowledged before me this 20th day of November 2009 by **John C. Hotz** who () who is personally known to me or () who has produced _____ Driver Licenses as identification.


Notary Public, State of NEW JERSEY
Printed Name: DORIAN W. RUSSELL
My Commission Expires: 04-17-2012

MONROE COUNTY
OFFICIAL RECORDS



Subject Parcels