

**CITY OF MARATHON, FLORIDA
RESOLUTION 2018-104**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, RATIFYING THE MOTION TO AUTHORIZE THE PURCHASE OF REAL PROPERTY FROM THE ESTATE OF KONSTANTINOS BOULIS MADE AT THE JULY 10, 2018 CITY COUNCIL MEETING; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT FOR PURCHASE AND SALE AND TO CONSUMMATE THE PURCHASE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Marathon City Council approved a time-sensitive motion to authorize the purchase of real property from the Estate of Konstantinos Boulis for a purchase price not to exceed two million, one hundred thousand dollars (\$2,100,000.00) and authorized the City Manager to execute a contract for purchase and a mortgage at its July 10, 2018 meeting; and

WHEREAS, the Contract for Purchase and Sale of Real Property entered into on or about July 19, 2018 requires the City to provide a resolution evidencing authorization to enter into and execute the contract and the consummation of the transaction at closing; and

WHEREAS, the Estate of Konstantinos Boulis has received court authorization to sell the property to the City; and

WHEREAS, the legal description of Real Property is attached as Exhibit "A".

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The City Council hereby ratifies the Motion to Authorize the Purchase of Real Property from the Estate of Konstantinos Boulis made at the July 10, 2018 City Council meeting.

Section 3. The City Manager or designee is authorized to execute the Contract for Purchase and Sale of Real Property and work with the City Attorney to prepare such other documents and take such other actions as may be necessary to consummate the purchase.

Section 4. The City Manager or designee is authorized to execute any mortgage, note, and closing documents.

Section 5. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 25TH DAY OF SEPTEMBER, 2018.

THE CITY OF MARATHON, FLORIDA



Michelle Coldiron, Mayor

AYES: Zieg, Cook, Senmartin, Coldiron
NOES: None
ABSENT: Bartus
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:



David Migut, City Attorney

Exhibit A

Parcel 1

That portion of Government Lot 1, Section 5, Township 66 South Range 33 East, which lies Northerly of U. S. Highway No. 1 (Overseas Highway) and immediately adjacent to the Westerly boundary of said Government Lot 1. This parcel extends Easterly from said Westerly boundary of said Government Lot 1 for a distance of 353 feet, more or less, measured parallel to said Highway on a line 116 feet from the center line thereof measured perpendicularly to said center line. Said line 116 feet from the center line of said Highway forms the Southerly boundary of the parcel herein described; the Westerly, Northerly and Easterly boundaries being the waters of the Florida Bay. Together with such riparian and littoral rights as the parties of the first part may possess in the property herein described.

TOGETHER with all of Old State Road No. 4A continuous to and Southerly of the above described property.

Parcel 2

All that portion of Florida State Road No. 5 (U.S.I) as shown on Florida Department of Transportation right-of-way Map for Section 90040-2509, and lying in Section 5, Township 66 South, Range 33 East, Monroe County, Florida, being more particularly described as follows:

Commence at the intersection of the East line of said Section 5 and the Baseline of Survey of State Road No. 5; thence run South $67^{\circ}05'07''$ West along said Baseline for a distance of 959.46 feet to a point; thence run North $22^{\circ}54'53''$ West for a distance of 50.00 feet to a point on the Westerly projection of the Northerly right-of-way line of said State Road No. 5 being the Point of Beginning of the parcel of land here-in-after described; thence continue North $22^{\circ}54'53''$ West for a distance of 66.00 feet to a point which lies, when measured at a right angle 116.00 feet North of and parallel with the Baseline of Survey or said State Road No. 5; thence run North $67^{\circ}05'07''$ East along said line for a distance of 140.00 feet, more or less, to the shoreline as shown on Florida State Road So. 5 (4A), State Road 3174, dated duly, 1942; thence run Southwesterly along the meander line of said shoreline to a point on the Northerly right-of-way line of said State Road No. 5; thence run South $67^{\circ}05'07''$ West along the Westerly projection of said right-of-way line for a distance of 20.00 feet, more or less, to the Point of Beginning.

Parcel 3

All that portion of Florida State Road No. 5 as shown on Florida Department of Transportation Right-of-Way Map for Section 90040-2509 and lying in Section 5, Township 66 South, Range 33 East, Monroe County, Florida, and being more particularly described as follows:

Commence at the point of intersection with the Baseline of Survey for said Florida State Road No. 5 and the East line of said Section 5; thence run South $67^{\circ}05'07''$ West along the Baseline of Survey for said Florida State Road No. 5, for a distance of 408.46 feet to a point; thence run North $22^{\circ}54'53''$ West, at right angles to said Baseline, for a distance of 50.00 feet to the Point of Beginning of the parcel of land hereinafter to be described; thence continue North $22^{\circ}54'53''$ West for a distance of 66.00 feet to a point of intersection with a line being parallel with and 116.00 feet North of, as measured at right angles to the Baseline of said Florida State Road No. 5; thence run North $67^{\circ}05'07''$ East, along said line, for a distance of 45.16 feet to a point; thence run South $00^{\circ}33'23''$ East for a distance of 25.95 feet to a point; thence run South $17^{\circ}06'31''$ West for a distance of 54.85 feet to the Point of Beginning.