

**CITY OF MARATHON, FLORIDA
RESOLUTION 2016-49**

A RESOLUTION OF THE CITY OF MARATHON APPROVING THE REQUEST FOR A FINAL RE-PLAT, AS SUBMITTED BY SERVAIS & SWEENEY PROPERTY COMPANY 1, LLC, PURSUANT TO CHAPTER 102, ARTICLES 10 AND 12 OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS (CODE) ENTITLED "PLATTING," AND "SUBDIVISION REGULATIONS" RESPECTIVELY; FOR A PORTION OF THE SOMBRERO PROPERTIES; THE RE-PLAT TO CONSIST OF FOURTEEN (14) LOTS, INCLUDING TEN (10) SINGLE FAMILY RESIDENTIAL LOTS CONFIGURED AS FIVE DUPLEX UNITS, A BOAT AND VEHICLE STORAGE LOT, A STORMWATER STORAGE LOT, A COMMON AREA LOT FOR A POOL OR SIMILAR AMENITY, AND A PRIVATE WATER ACCESS LOT; FOR A PORTION OF THE SOMBRERO PROPERTIES, WHICH IS DESCRIBED AS THE SOMBRERO PROPERTIES BOOT KEY PB5-101 PT PARCEL 5-G & PT PARCEL 6A, MARATHON, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00355300-000000; PROVIDING FOR THE RECORDATION OF A DECLARATION OF RESTRICTIVE COVENANTS ASSOCIATED WITH THE APPROVAL OF SAID FINAL RE-PLAT DOCUMENTS; AND PROVIDING FOR AUTHORIZING FINAL SIGNATURE AND RECORDATION OF ALL FINAL PLAT DOCUMENTS.

WHEREAS, Servais & Sweeny Property Co., 1 LLC was approved for a Conditional Use Permit on October 13, 2015 pursuant to Resolution 2015-115 which provided for the development of five (5) duplex units, a boat and/or vehicle storage area, a stormwater management area, and access to the adjacent canal; and

WHEREAS, Servais & Sweeny Property Co., 1 LLC applied for a re-plat of the same property on March 8, 2016 which provided for the development of five (5) duplex units on ten (10) lots, a boat and/or vehicle storage lot, a stormwater management lot, and a small lot to allow access to the adjacent canal; and

WHEREAS, on the 16th day of May, 2016 the Planning Commission reviewed the application and staff report concerning the proposed re-Plat, accepted public comment and based on the conditions outlined in the staff report, provided a recommendation of conditional approval for the proposed re-Plat; and

WHEREAS, on the 24th day of May, 2016 the City Council (the "Council") reviewed the Applicant's proposal finding that the final Re-plat documents were compliant with the terms of Chapter 177, Florida Statutes and the Chapter 102, Articles 10 and 12 of the City LDR's; and

WHEREAS, due process was afforded to the parties, the essential requirements of law were adhered to and competent and substantial evidence was presented, the Council voted to approve the Final Re-Plat; and

WHEREAS, the purpose of the Final Plat assures that Servais & Sweeny Property Co, 1 , LLC has complied with all subdivision and plat filing requirements of Chapter 103, Articles 10 and 12 and Florida Statutes Chapter 177.

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 final plat, an unsigned copy of which is attached hereto as Exhibit "A", is hereby approved for signature and recordation and otherwise has complied with or must meet all conditions of the re-Plat as follows:

1. The final plat shall include language regarding owner-signed consent and acknowledgement for all future wastewater and stormwater assessment to the property. Wastewater assessments shall be due upon completion of all required wastewater improvements to the property pursuant to condition 2 below.
2. As part of the plat documents, there shall be an acknowledgement of the fact that the ten (10) building lots are designed for construction of duplex residential units. A party wall agreement shall be required as part of the plat which is deemed sufficient and acceptable by the City Attorney to be thus approved as part of the replat.
3. Prior to final plat, the Applicant will be required to provide construction plans for the adequate provision of water, wastewater, and other utility of connection points for each lot thus subdivided as appropriate to the purpose of the lot. Said construction plans shall be approved by all necessary approval agencies. Within six months of approval of the final plat, all utilities improvements shall be made, be in place, and be approved by all necessary inspecting agencies. Pursuant to Chapter 102, Article 12, "Subdivision Regulations," Section 102.70, "Improvement Guarantee" and an improvement guarantee shall be made in favor of the City. The guarantee may be made in several forms pursuant to the Section and shall only be released by the City at such time that all improvements are complete and deemed to be adequate by all necessary inspecting agencies.
4. As a part of the final plat documents, the Applicant is required to identify each lot for its purpose; building lot, trailer (or other) storage lot, recreation facilities (pool), or water access. Such documents shall provide a breakdown of the total area of each lot and shall further indicate that under current zoning law and allowed densities, that the subdivision may not be further subdivided, in whole or in part.
5. The plat documents shall clearly indicate that no future subdivision shall be allowed of any area accounted for in density calculations.
6. The Applicant shall finalize dimensions of the proposed stormwater area as part of the final plat approval and shall within six months of the final plat approval affect any necessary improvements to create the stormwater system as approved by the City

7. Prior to final plat approval, the Applicant must provide the location of all protected trees within the subdivision, the limits of open space / buildable area based on required setbacks, buffer requirements, and stormwater easement areas.
8. To the extent practicable, the Applicant shall be required to protect, transplant or mitigate the proposed loss of any trees to be located within conceptual building areas in accordance with the standards established in Chapter 6, Article 2 of the City of Marathon Land Development Regulations (LDRs). Such mitigation shall be replaced in the Project Boundary Buffer area required under Chapter 107, Article 8.
9. Plans for such protection, transplantation, and/or mitigation shall be submitted to the City for approval prior to the final plat approval. Such plans shall take into account all safety issues raised and validated concerning ingress and egress across the bike path and onto Sombrero Beach Road. As approved such plans shall be implemented within after the approval of the final plat approval.
10. A pre-cast driveway (or other structures approved by the City) which bridge the City's drainage swale shall be designed in such a way that they will not limit the volume capacity of the swale. Driveways shall not destroy or disrupt the integrity of the existing City maintained bike path. If repaving of the bike path is found to be necessary, it shall be the Applicant's responsibility to re-pave the entire length along their frontage so as to create no interruptions in bike path pavement. The driveway shall be installed within six (6) months of the final plat approval and shall be a part of the improvement guarantees noted in Condition 2 above.
11. Clear sight triangles and safety signage or other appropriate safety features shall be provided as part of driveway improvements. As with the driveway improvements, these features shall be provided within six (6) months after final plat approval.
12. The Applicant is required to install underground utility improvements to each property at the same time that the driveway improvements such that potential disruptions of traffic flow on Sombrero Beach Road are minimized.
13. All conditions of the previously issued Conditional Use Permit must be met before or coincident with required plat improvements as appropriate.

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

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 12th DAY OF JULY, 2016.

THE CITY OF MARATHON, FLORIDA



Mark Senmartin, Mayor

AYES: Zieg, Coldiron, Kelly, Senmartin
NOES: None
ABSENT: Bartus
ABSTAIN: None

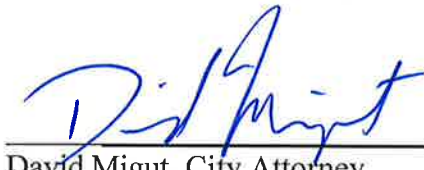
ATTEST:



Diane Clavier, City Clerk

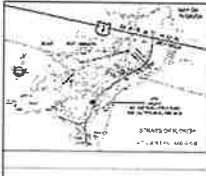
(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



David Migut, City Attorney

EXHIBIT A
Final Plat of Property
(Original Re-plot to be attached at final adoption & signature)



THE RESERVE AT SOMBRERO

LOCATED IN SECTION 15, TOWNSHIP 66 SOUTH, RANGE 32 EAST
 CITY OF MARATHON, BOOT KEY, MONROE COUNTY, FLORIDA
 JUNE, 2016

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT ERIC AND SHERRY PROPERTIES CO, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER OF THE FOLLOWING DESCRIBED PROPERTY IN THE CITY OF MARATHON, ON BOOT KEY, MONROE COUNTY, FLORIDA, HAS CAUSED TO BE MADE THE ATTACHED PLAT ENTITLED "THE RESERVE AT SOMBRERO".

THAT THE EXPRESS PURPOSE OF THIS PLAT INCLUDES, BUT NOT LIMITED TO, PLATTING THE FOLLOWING DESCRIBED PROPERTY IN ORDER TO CREATE MORE SUITABLE SITES FOR CONSTRUCTION.

LEGAL DESCRIPTION:

A TRACT OF LAND IN A PART OF SECTION 15, TOWNSHIP 66 SOUTH, RANGE 32 EAST, ON BOOT KEY, MONROE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWEST QUARTER-QUARTER LINE OF ANGLERS DRIVE OF SOMBRERO ANGLERS CLUB HOUSING, AS RECORDED IN PLAT BOOK 6, PAGE 62 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, AND THE WESTERLY ADJACENT QUARTER-QUARTER LINE OF STATE ROAD 941L, SAID INTERSECTION BEING ON A CURVE HAVING A CENTRAL ANGLE OF 11 DEGREES 28 MINUTES 20 SECONDS AND A RADIUS OF 296.08 FEET, BEAR S00°00'00"W ALONG SAID CURVE AND DEFLECTIVE TO THE LEFT, 142.38 FEET TO A POINT OF BEGINNING;

THENCE ALONG SAID QUARTER-QUARTER LINE OF ANGLERS DRIVE, SAID CURVE HAVING A CENTRAL ANGLE OF 10 DEGREES 19 MINUTES 30 SECONDS AND A RADIUS OF 168.08 FEET;

THENCE ALONG SAID CURVE IN A SOUTHERLY DIRECTION AND DEFLECTING TO THE LEFT 233.22 FEET TO A POINT OF TANGENCY;

THENCE BEAR SOUTH 00 DEGREES 52 MINUTES WEST, 260.27 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREINAFTER DESCRIBED;

FROM SAID POINT OF BEGINNING COURSE BEARING SOUTH 00 DEGREES 22 MINUTES WEST, 217.31 FEET;

THENCE BEAR NORTH 69 DEGREES 00 MINUTES WEST, 223 FEET, MORE OR LESS, TO THE SHERIDAN;

THENCE 45° SUNDERS THE S-CURVE IN A NORTHWESTERLY DIRECTION 225 FEET, MORE OR LESS, TO THE CENTERLINE OF A CANAL;

THENCE BEAR NORTH 76 DEGREES 20 MINUTES EAST ALONG SAID CENTERLINE 121 FEET, MORE OR LESS, TO A POINT OF CURVE, SAID CURVE HAVING A CENTRAL ANGLE OF 75 DEGREES 38 MINUTES AND RADIUS OF 75 FEET, THENCE ALONG SAID CURVE IN AN EASTERLY DIRECTION AND COLLECTED TO THE LEFT, 648 FEET TO A POINT THAT IS BEARING NORTH 89 DEGREES 00 MINUTES WEST FROM THE POINT OF BEGINNING;

THENCE BEAR SOUTH 89 DEGREES 00 MINUTES EAST, 190 FEET, MORE OR LESS, BACK TO THE POINT OF BEGINNING.

HAVE CAUSED THE SAME TO BE PLATTED AS SHOWN AND HEREBY DECLARE AS FOLLOWS:

1. LOT 15, BEING THE STORM WATER RETENTION AREA DESCRIBED IN PARAGRAPH SECTION OF THE DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, RESERVATIONS, SERVITUDES, AND EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK PAGE OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, IS HEREBY DEDICATED TO AS COMMON AREA FOR DRAINAGE AND STORM WATER RETENTION, AND IS THE MATERIAL MAINTENANCE RESPONSIBILITY OF SAID ASSOCIATION.

2. LOT 16, BEING THE POOL AREA DESCRIBED IN PARAGRAPH SECTION OF THE DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, RESERVATIONS, SERVITUDES, AND EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK PAGE OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, IS HEREBY DEDICATED TO AS COMMON AREA FOR RECREATIONAL USE, AND IS THE MATERIAL MAINTENANCE RESPONSIBILITY OF SAID ASSOCIATION.

3. LOT 17, BEING THE ACCESS ROAD DESCRIBED IN PARAGRAPH SECTION OF THE DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, RESERVATIONS, SERVITUDES, AND EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK PAGE OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, IS HEREBY DEDICATED TO AS COMMON AREA FOR ROAD, DRAINAGE, ACCESS, UTILITY, DRAINAGE, AND OTHER PURPOSES, AND IS THE MATERIAL MAINTENANCE RESPONSIBILITY OF SAID ASSOCIATION.

4. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

5. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

6. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

7. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

8. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

9. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

10. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

11. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

12. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

13. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

14. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

15. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

16. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

17. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

18. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

19. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

20. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

21. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

22. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

23. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

24. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

25. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

26. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

27. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

28. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

29. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

30. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

31. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

32. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

33. THE UTILITY EASEMENT SHOWN HEREON IS A NON-EXCLUSIVE EASEMENT DEDICATED IN WHOLETY TO THE PUBLIC FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT OF UTILITIES AND PUBLIC WORKS, INCLUDING BUT NOT LIMITED TO POTABLE WATER MAINS, SANITARY SEWER MAINS, ELECTRIC POWER LINES, TELECOMMUNICATION LINES, CABLE TELEVISION LINES, GAS LINES, AND RELATED APPURTENANCES, AND BUILDINGS, STRUCTURE IMPROVEMENTS, TREES, WALLS OR FENCES OTHER THAN FENCIBLES, AND SIGNAGE SHALL BE INSTALLED WITHIN THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ASSOCIATION.

CERTIFICATE OF CONSENT TO PLAT AND DEDICATION BY MORTGAGE HOLDER, CONSENT TO DEDICATION:

BRANCH BANKING AND TRUST COMPANY, A NORTH CAROLINA CORPORATION, THE HOLDER OF THAT CERTAIN MORTGAGE OF REAL ESTATE AND SECURITY AGREEMENT DATED _____ AND RECORDED IN OFFICIAL RECORDS INSTRUMENT NUMBER _____ OF THE PUBLIC RECORDS OF _____ COUNTY, FLORIDA, DOES HEREBY RATIFY, APPROVE, CONFIRM AND CONSENT TO THIS PLAT AND THE DEDICATION CERTIFICATE THEREON.

IN WITNESS WHEREOF, THE UNDERSIGNED CORPORATION HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS _____ AND ATTESTED BY ITS SECRETARY, THIS _____ DAY OF JULY, 2015.

BRANCH BANKING AND TRUST COMPANY, A NORTH CAROLINA CORPORATION

BY: _____ PRIME NAME: _____

ATTEST: _____ AS ITS: _____

SECRETARY

NOTARY ACKNOWLEDGMENT:

STATE OF FLORIDA

COUNTY OF MONROE

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____ AND _____ SECRETARY OF BRANCH BANKING AND TRUST COMPANY, A NORTH CAROLINA CORPORATION, TO ME KNOWN TO BE THE INDIVIDUALS DESCRIBED IN AND WHO EXECUTED THE FOREGOING CONSENT TO DEDICATION, AND THE EACH ONLY ACKNOWLEDGED BEFORE ME THAT THEY EXECUTE THE SAME, AS SUCH OFFICERS, FOR AND IN BEHALF OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL AT _____ COUNTY, FLORIDA, THIS _____ DAY OF JULY, 2015

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
 MY COMMISSION EXPIRES _____

APPROVAL OF MARATHON CITY COUNCIL:

IT IS HEREBY CERTIFIED THAT THE CITY OF MARATHON CITY COUNCIL OFFICIALLY APPROVED THIS PLAT OF "THE RESERVE AT SOMBRERO" ON THE _____ DAY OF _____, 2016, BY RESOLUTION NO. _____ PROVIDED THAT THIS PLAT IS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF MONROE COUNTY, FLORIDA, WITHIN THIRTY (30) DAYS FROM SAID DATE.

CITY OF MARATHON, FLORIDA

BY: _____

MARK SOMMERHAY, MAYOR

BY: _____

DIANE CLAVIER, CITY CLERK

APPROVAL OF THE CITY OF MARATHON PLANNING COMMISSION:

IT IS HEREBY CERTIFIED THAT THE CITY OF MARATHON PLANNING COMMISSION OFFICIALLY APPROVED THIS PLAT OF "THE RESERVE AT SOMBRERO" ON THE _____ DAY OF _____, 2016.

BY: _____

CHANCELLOR

APPROVAL BY CITY OF MARATHON OFFICIALS:

APPROVED:

BY: _____ CITY ENGINEER

BY: _____ CITY FIRE MARSHAL

APPROVAL OF THE CLERK OF THE CIRCUIT COURT:

THIS PLAT WAS APPROVED BY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ON THE _____ DAY OF _____, 2016, AND WAS FILED FOR RECORD THIS _____ DAY OF _____, 2016, AT _____ AM, AND RECORDED ON PAGE _____ OF PLAT BOOK _____ IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF MONROE COUNTY, FLORIDA.

BY: _____

ANYL HEAVLIN, CLERK OF COURT

REVIEW AND APPROVAL OF THE CITY SURVEYOR:

I HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT FOR CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY THE CITY OF MARATHON.

BY: _____

JOHN PAUL CLAYTON, P.S., M., F.S. # 1956

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED PLAT ENTITLED "THE RESERVE AT SOMBRERO" AS SHOWN ON THE ACCOMPANYING SHEETS NUMBERED 1 THROUGH 2 OF 2 IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS RECENTLY SURVEYED UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY DATA SHOWN ON SAID PLAT CONFORMS WITH THE APPLICABLE REQUIREMENTS OF CHAPTER 177, PART 2, FLORIDA STATUTES, AND FURTHER THAT THE NECESSARY ADJUSTMENTS WERE SET IN ACCORDANCE WITH SUBSECTION 177.081(2) OF SAID CHAPTER 177.

BY: _____

ROBERT S. REECE, P.S., M., F.S. # 5632

REECE & ASSOCIATES

CERTIFICATE OF AUTHORIZATION NO. LB 7946

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

DATE _____

