

**CITY OF MARATHON, FLORIDA
RESOLUTION 2021-13**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE REQUEST BY G98 DEVELOPMENT LLC FOR A RE-PLAT PURSUANT TO CHAPTER 102, ARTICLE 10 OF THE CITY OF MARATHON LAND DEVELOPMENT REGULATIONS (LDRS) ENTITLED “SUBDIVISION OF LAND/PLATS AND RE-PLATS,” PARTICULARLY, FOR A PART OF GOVERNMENT LOT 1, SECTION 8, TOWNSHIP 66 SOUTH, RANGE 32 EAST, MARATHON, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00319960-000000 & 00319970-000000. NEAREST MILE MARKER 47.5.

WHEREAS, G98 Development LLC filed an Application on August 21st, 2020 for approval to Re-Plat property located at 453, 455, 457 And 543 11th Street, having Real Estate Numbers 00319960-000000 & 00319970-000000, into seven (7) single family residential lots, and one (1) common area lot pursuant to Chapter 177, Florida Statutes and Chapter 102, Article 10, of the City of Marathon Land Development Regulations (LDRs); and

WHEREAS, on the 19th day of October 2020 the City of Marathon Planning Commission (the “Commission”) reviewed and recommended approval of the final re-plat with several conditions; and

WHEREAS, on the 10th day of November 2020, the City Council (the “Council”) reviewed the Applicant’s proposal finding that the preliminary Re-plat documents were compliant with the terms of Chapter 177, Florida Statutes and the Chapter 102, Article 10 of the City LDR’s; and

WHEREAS, on the 9th day of March, 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, Article 10 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 G98 Development LLC has complied with all subdivision and plat filing requirements of Chapter 102, Articles 10 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. Final plat shall include language regarding owner-signed consent and acknowledgement for wastewater and stormwater assessment for future development of the properties.
2. All utility and right-of-way permits shall be obtained and issued prior to final plat approval.
3. Applicant shall provide form of guarantee for necessary utility construction.
4. Reductions shall be noted in the plat and a complete accounting of acreage respective of allowed densities shall be made in the plat document.
5. Plat documents shall clearly indicate that no future subdivision shall be allowed of any area accounted for in density calculations
6. All conditions of the Conditional Use must be met prior to building permit issuance.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 9th DAY OF MARCH, 2021.

THE CITY OF MARATHON, FLORIDA



Luis Gonzalez, Mayor

AYES: Bartus, Cook, Senmartin, Zieg, Gonzalez

NOES: None

ABSENT: None

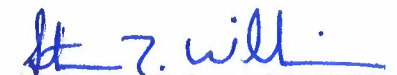
ABSTAIN: None

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:



Steve Williams, City Attorney

GOOSE'S COVE

A SUBDIVISION, BEING A RE-PLAT OF
 LOTS 3, 4, 5 & 6, BLOCK 1, "RIGGS' SUBDIVISION"
 PLAT BOOK 2, PAGE 68

BEING A PART OF GOVERNMENT LOT 1, SECTION 8, TOWNSHIP 66 SOUTH, RANGE 32 EAST
 CITY OF MARATHON, HOG KEY, MONROE COUNTY, FLORIDA
 SEPTEMBER 2021

LEGEND (CONTROL):

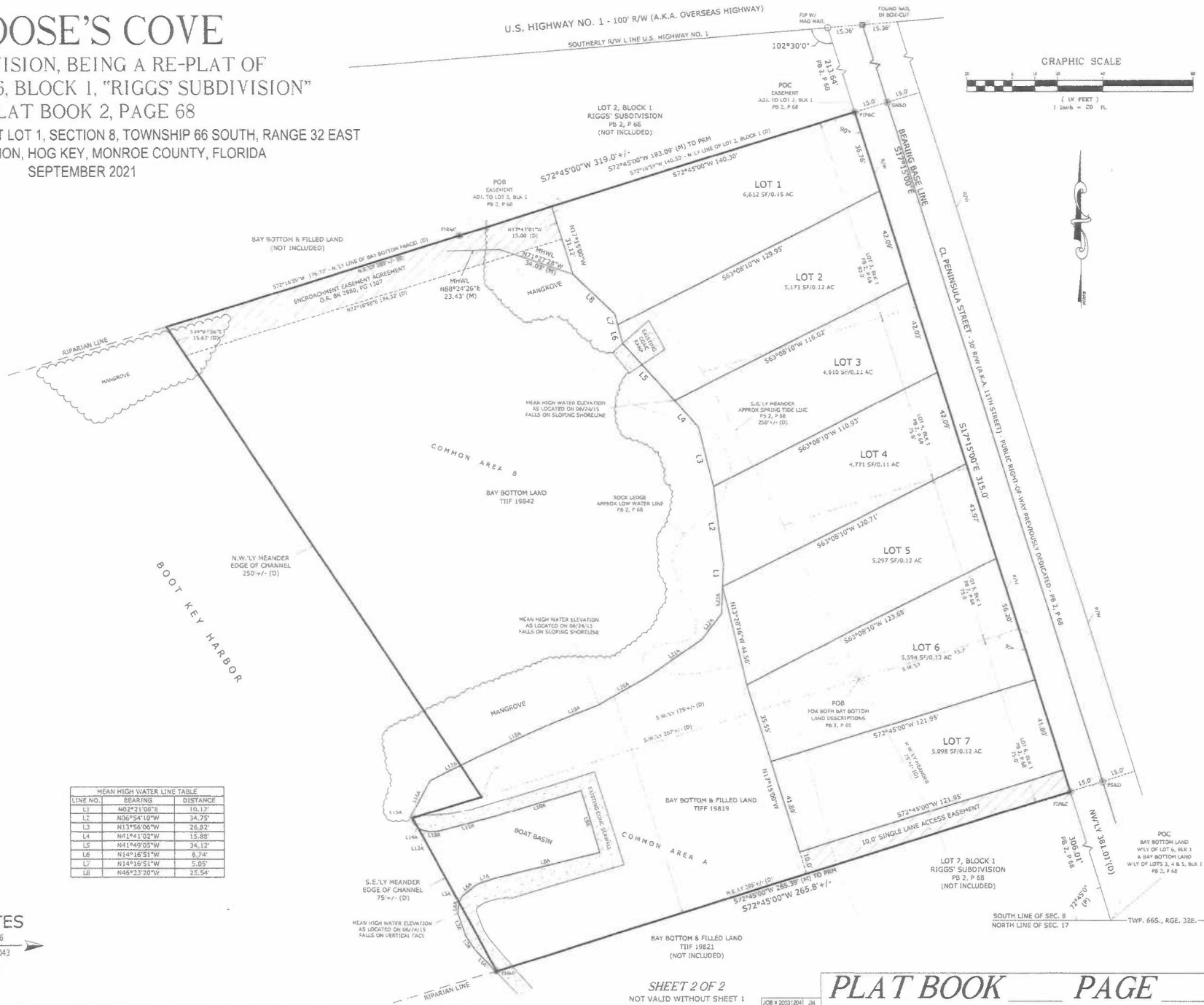
- PERMANENT REFERENCE MONUMENT (PRM) FOUND/SET, SEE DESCRIPTION FOR TYPE AND STAMPING
- PERMANENT CONTROL POINT (PCP) FOUND/SET, SEE DESCRIPTION FOR TYPE AND STAMPING

ABBREVIATIONS:

- AC = ACRES
- C = CALCULATED
- CA = CENTRAL ANGLE
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- CL = CENTERLINE
- CONC = CONCRETE
- D = DEED (L.A. BOOK 2974, PAGE 1733)
- DWR = DRAINAGE MARKHOLE
- EL = ELEVATION
- FIP = FOUND 1/2" IRON PIPE - NO ID
- FIPRC = FOUND 1/2" IRON PIPE AND CAP - 1/2" FIP/RC
- FIPRLC = FOUND 1/2" IRON ROD & CAP - 1/2" FIP/RLC
- FIPRD = FOUND NAIL AND DISK - NO ID
- FSAD = FOUND SCREW AND DISK - 1/4" DIA
- GOVT = GOVERNMENT
- ID = IDENTIFICATION
- IP = IRON PIPE
- IR = IRON ROD
- L = ARC LENGTH
- LP = LIGHT POST
- M = MEASURED
- M.H.W.L. = MEAN HIGH WATER LINE
- NAVD = NORTH AMERICAN VERTICAL DATUM (1988)
- NAD83 = NATIONAL GEODETIC VERTICAL DATUM (1983)
- NTS = NOT TO SCALE
- OW = OVERHEAD WIRE
- OR = OFFICIAL RECORDS OF MONROE COUNTY, FLORIDA
- P = PLAT BOOK 2, PAGE 58
- P.B. = PLAT BOOK
- PC = POINT OF CURVE
- PCP = PERMANENT CONTROL POINT
- PC = PEG
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF RELEASE CURVE
- PRM = PERMANENT REFERENCE MONUMENT
- PT = POINT OF TANGENT
- R = RADIUS/RADIAL
- R/W = RIGHT OF WAY
- R/WL = RIGHT OF WAY LINE
- RS = SQUARE FEET
- SR = SET 1/2" IRON ROD, LB 7846
- SOUND = SET NAIL & DISK, P.C.P., LB 7846
- T = TANGENT
- TOD = TOP OF BANK
- TP = TYPICAL
- ULC = UTILITY CASSEMENT
- WV = WATER VALVE

LINE NO.	BEARING	DISTANCE
L3A	N43°33'02"W	13.46'
L3A	N34°46'15"W	7.00'
L3A	N38°48'33"W	10.45'
L4A	N06°14'22"E	4.75'
L5A	N26°05'20"E	3.34'
L6A	N22°30'00"E	8.19'
L7A	N70°49'55"E	8.03'
L8A	N76°14'41"E	48.08'
L9A	N16°28'11"W	28.55'
L10A	S73°33'51"W	39.32'
L11A	S75°13'54"W	26.32'
L12A	S86°23'30"W	4.07'
L13A	N76°13'47"W	4.03'
L14A	N46°02'52"W	3.99'
L15A	N23°38'18"W	3.56'
L16A	N28°32'54"E	18.13'
L17A	N64°01'47"E	24.85'
L18A	N55°21'46"E	35.47'
L19A	N68°38'47"E	23.65'
L20A	N60°34'04"E	26.54'
L21A	N55°24'24"E	26.55'
L22A	N37°59'32"E	14.28'
L23A	N62°51'08"E	12.12'

LINE NO.	BEARING	DISTANCE
L1	N02°21'08"E	10.12'
L2	N05°54'09"W	34.75'
L3	N13°56'06"W	26.82'
L4	N41°41'02"W	15.88'
L5	N41°49'05"W	34.12'
L6	N14°18'51"W	8.74'
L7	N14°16'51"W	5.05'
L8	N46°23'30"W	35.54'



REECE & ASSOCIATES
 PROFESSIONAL SURVEYOR AND MAPPER, LB 7846
 127 INDUSTRIAL ROAD, BIG PINE KEY, FL 33043
 OFFICE (305) 872-1348
 EMAIL INFO@REECESURVEYING.COM

SHEET 2 OF 2
 NOT VALID WITHOUT SHEET 1

PLAT BOOK PAGE

JOB # 20211204 JM

GOOSE'S COVE

A SUBDIVISION, BEING A RE-PLAT OF
 LOTS 3, 4, 5 & 6, BLOCK 1, "RIGGS' SUBDIVISION"
 PLAT BOOK 2, PAGE 68

BEING A PART OF GOVERNMENT LOT 1, SECTION 8, TOWNSHIP 66 SOUTH, RANGE 32 EAST
 CITY OF MARATHON, HOG KEY, MONROE COUNTY, FLORIDA
 SEPTEMBER 2021



LEGAL DESCRIPTION:

Lot 6, Block 1, RIGGS SUBDIVISION, according to the plat thereof as recorded in Plat Book 2, Page 68, Public Records of Monroe County, Florida, located in Section 8, Township 66 South, Range 32 East, commonly called Hog Key.

TOGETHER WITH:

A Parcel of bay bottom land and filled land in Block Key Harbor at Hog Key, Monroe County, Florida, lying Westerly of Lot 6, Block 1, RIGGS SUBDIVISION, according to the plat thereof as recorded in Plat Book 2, Page 68, Public Records of Monroe County, Florida, and more particularly described as follows:
 Commencing at the intersection of the South line of Section 8, Township 66 South, Range 32 East, and the Southwesterly right of way line of Peninsula Street of said RIGGS SUBDIVISION, run Northwesterly along the Southwesterly right of way line of Peninsula Street for a distance of 381.01 feet to a point; said point being at the Northeast corner of Lot 6, Block 1 of said RIGGS SUBDIVISION; thence at right angles and Southwesterly along the Northwesterly line of Lot 6 for a distance of 73.7 feet to the Point of Beginning of the bay bottom land hereinafter described; from said Point of Beginning, continue Southwesterly for a distance of 175 feet, more or less, to the edge of an existing channel; thence run Northwesterly meandering the edge of said existing channel for a distance of 230 feet, more or less to a point on the North line of Lot 3, Block 1, of said RIGGS SUBDIVISION; extended Southwesterly; thence run Northwesterly along the North line of Lot 3, extended Southwesterly for a distance of 182 feet, more or less, to a point on the approximate spring tide line; thence meander to approximate spring tide line in a Southwesterly direction for a distance of 220 feet, more or less, back to the POINT OF BEGINNING. Lying and being in Section 8, Township 66 South, Range 32 East, Monroe County, Florida.

AND

Lots 3, 4 and 5, Block 1, RIGGS SUBDIVISION, according to the plat thereof as recorded in Plat Book 2, Page 68, Public Records of Monroe County, Florida.

TOGETHER WITH:

A Parcel of bay bottom land in Block Key Harbor Westerly of and adjacent to Lots 3, 4 and 5, Block 1 of RIGGS SUBDIVISION, as recorded in Plat Book 2, Page 68, of Hog Key, Monroe County, Florida, and more particularly described as follows:
 Commencing at the intersection of the South line of Section 8, Township 66 South, Range 32 East, and the Westerly right of way line of Peninsula Street, run Northwesterly along the Westerly right of way line of Peninsula Street for a distance of 381.01 feet to a point; thence at right angles and Southwesterly for a distance of 73.7 feet to the POINT OF BEGINNING at the bay bottom land hereinafter described; from said Point of Beginning, continue Southwesterly for a distance of 175 feet, more or less, to the edge of an existing channel; thence run Northwesterly meandering the edge of said existing channel for a distance of 230 feet, more or less to a point on the North line of Lot 3, Block 1, of said RIGGS SUBDIVISION; extended Southwesterly; thence run Northwesterly along the North line of Lot 3, extended Southwesterly for a distance of 182 feet, more or less, to a point on the approximate spring tide line; thence meander to approximate spring tide line in a Southwesterly direction for a distance of 220 feet, more or less, back to the POINT OF BEGINNING. Lying and being in Section 8, Township 66 South, Range 32 East, Monroe County, Florida.

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS, THAT G9S DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNERS OF THE PROPERTY DESCRIBED BY THE LEGAL DESCRIPTION ABOVE, IN THE CITY OF MARATHON, ON HOG KEY, MONROE COUNTY, FLORIDA, HAS CAUSED TO BE MADE THE ATTACHED PLAT ENTITLED "GOOSE'S COVE".

THAT THE EXPRESS PURPOSE OF THIS PLAT INCLUDES, BUT NOT LIMITED TO: RE-PLAT OF THE PROPERTY DESCRIBED BY THE LEGAL DESCRIPTION ABOVE IN ORDER TO CREATE MORE SUITABLE SITES FOR CONSTRUCTION.

G9S DEVELOPMENT, LLC A FLORIDA LIMITED LIABILITY COMPANY, "OWNER," HEREBY RESERVES THE BOAT BASIN, COMMON AREA A, COMMON AREA B AND A 10 FOOT SINGLE LANE ACCESS EASEMENT. AS SHOWN HEREON, FOR CONVEYANCE TO GOOSE'S COVE HOMEOWNERS ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION, "HQA," BY SEPARATE INSTRUMENT SUBSEQUENT TO THE RECORDING OF THIS PLAT AND SHALL BE MAINTAINED BY THE OWNER UNTIL SUCH CONVEYANCE OCCURS, AND SHALL BE MAINTAINED BY THE HQA AFTER SUCH CONVEYANCE OCCURS.

OWNERS ACKNOWLEDGMENT:

IN WITNESS WHEREOF, G9S DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, HAS HEREBY SET THEIR HAND AND SEAL THIS 14th DAY OF September, 2021.

WILLIAM R. NIENHART - MANAGER
 WILLIAM R. NIENHART - MANAGER

DAVID R. ROY
 DAVID R. ROY

AMANDA CAMEJO
 AMANDA CAMEJO

NOTARY ACKNOWLEDGMENT:

STATE OF FLORIDA
 COUNTY OF MONROE DORWARD

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF September, 2021, BY G9S DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, WHO PERSONALLY APPEARED AND IS PERSONALLY KNOWN TO ME OR HAS PRODUCED FL DL AS IDENTIFICATION.

AMANDA CAMEJO
 AMANDA CAMEJO

NOTARY PUBLIC STATE OF FLORIDA
 MY COMMISSION EXPIRES: 9/30/2026



TITLE CERTIFICATION:

WE, DAVID R. ROY, P.A., A FLORIDA PROFESSIONAL ASSOCIATION, A LAW FIRM, DULY LICENSED IN THE STATE OF FLORIDA, HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY, THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED TO G9S DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT THE PROPERTY CONTAINS NO ENCUMBRANCES WHICH AFFECT THE SUBDIVISION OF THE PROPERTY.

BY: David R. Roy
 DAVID R. ROY - PRESIDENT

DATE: 9-14-21

APPROVAL OF MARATHON CITY COUNCIL:

IT IS HEREBY CERTIFIED THAT THE CITY OF MARATHON CITY COUNCIL OFFICIALLY APPROVED THIS PLAT OF "GOOSE'S COVE" ON THE 9TH DAY OF MARCH, 2021, BY RESOLUTION NO. 2021-13 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: Luis Gonzalez
 LUIS GONZALEZ, MAYOR

BY: Diane Clavier
 DIANE CLAVIER, CITY CLERK

APPROVAL OF CITY OF MARATHON PLANNING COMMISSION:

IT IS HEREBY CERTIFIED THAT THE CITY OF MARATHON PLANNING COMMISSION OFFICIALLY APPROVED THIS PLAT OF "GOOSE'S COVE" ON THE 19TH DAY OF OCTOBER, 2020.

BY: Lynn Landrit
 LYNN LANDRIT, CHAIRMAN

APPROVAL BY CITY OF MARATHON OFFICIALS:

APPROVED:

BY: Cliff
 CITY ENGINEER

BY: WJ
 CITY FIRE MARSHAL

APPROVAL OF THE CLERK OF THE CIRCUIT COURT

THIS PLAT WAS APPROVED BY RESOLUTION OF THE CITY COUNCIL OF CITY OF MARATHON, FLORIDA, ON THE 14th DAY OF September, 2021, AND WAS FILED FOR RECORD THIS 14th DAY OF September, 2021, AND RECORDED IN PLAT BOOK 2 ON PAGE 68 IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF MONROE COUNTY, FLORIDA.

BY: Kevin Madock, CPA, CLERK OF COURT

SURVEYOR'S NOTES:

1. THE MEAN HIGH WATER ELEVATION, 1.38' NGVD 1929-0.01' NAVD 1988, AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION PROVIDED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION MEAN HIGH WATER SURVEY PROCEDURAL APPROVAL FOR TIDE POINT NO. 2137, ACCESSED 06/15/2015, APPROVED FOR FILING 07/09/2015, MEAN HIGH WATER SURVEY FILE NUMBER: 5821.
2. THE BEARING BASIS FOR THIS PLAT IS THE CENTRALLINE OF PENINSULA STREET (A.K.A. 11TH STREET), SAID LINE BEARS S 17°15'00" E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
3. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.
4. SQUARE FOOTAGES ARE PLUS OR MINUS (±).
5. THE RIPARIAN LINES SHOWN HEREON WERE ESTABLISHED USING THE BUREAU OF SURVEYING AND MAPPING'S STUDY ENTITLED "GUIDELINES FOR RIPARIAN RIGHTS" REVISED FEBRUARY 26, 2012 THROUGH THE GENERALLY ACCEPTED METHOD OF APPORTIONING CANAL CENTERLINE FROM THE ANGLE BISECTORS OF THE END OF THE CANAL BY PROPORTIONAL SHOULDER/CANAL LINES (PROPORTIONAL OWNERSHIP). THESE RIPARIAN LINES AS THIS SURVEYORS DETERMINATION, HOWEVER ONLY THE COURTS CAN RULE ON THE ACTUAL RIPARIAN RIGHTS.
6. THE ACTUAL EDGE OF CANAL FALLS INSIDE THE CANAL LIMITS BY THE PREVIOUS PLAT, RESULTING IN AN EXCESS OF LAND BETWEEN THE PLATTED LINES AND THE ACTUAL SHOULDER.
7. NOTICE, THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL, IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
8. THERE ARE TWO EASEMENTS THAT ENCLUMBER THIS PLAT AS SHOWN ON THE MAP OF PLAT ON "PAGE 2":
 1) AN ENCROACHMENT EASEMENT AGREEMENT, O.A. BK 2980, PG 1307.
 2) A 10.0' SINGLE LANE ACCESS EASEMENT
9. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE FOR CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED NO SUCH SERVICE INTERFERES WITH THE FACILITIES OF ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY (FS177.091).
10. OWNER DOES HEREBY GRANT, CONVEY AND DEDICATE TO THE CITY OF MARATHON AND MONROE COUNTY, FLORIDA, A PERPETUAL EASEMENT OVER ALL PRIVATE ACCESS EASEMENTS AND COMMON AREAS FOR ANY AND ALL GOVERNMENTAL PURPOSES INCIDENTAL THERETO.
11. OWNER ASSUMES OWNERSHIP AND MAINTENANCE OBLIGATION FOR EACH: "COMMON AREA A", "COMMON AREA B", "BOAT BASIN" AND "10' SINGLE LANE ACCESS EASEMENT".
12. NO FUTURE SUBDIVISION SHALL BE ALLOWED OF ANY AREA ACCOUNTED FOR IN DENSITY CALCULATIONS.
13. OWNER DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE ASSESSMENT OF STORM WATER AND WASTEWATER FEES FOR THIS PROPERTY, NOW AND FOR ALL FUTURE HOLDING.

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: David William McDaniel, PFS
 PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE - 5840

DATE: 09/10/2021

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT ENTITLED "GOOSE'S COVE" AS SHOWN ON THIS AND 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 COMPLIES WITH THE APPLICABLE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES, AND FURTHER THAT THE PERMANENT REFERENCE MONUMENTS WERE SET IN ACCORDANCE WITH SUBSECTION 177.091(7) OF SAID CHAPTER 177.



BY: Robert E. Reece, P.S.M. 10-13-21
 ROBERT E. REECE, P.S.M.
 FLORIDA REGISTERED SURVEYOR NO. LS 5632
 REECE & WHITE LAND SURVEYING, INC.
 D/B/A REECE & ASSOCIATES
 CERTIFICATE OF AUTHORIZATION NO. LB 7846

SHEET 1 OF 2
 NOT VALID WITHOUT SHEET 2

PLAT BOOK PAGE