

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE REQUEST BY SEAVIEW COMMONS 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 0 PESCAYO AVE, WHICH IS DESCRIBED AS LOT 1, BLOCK 6 OF COCO PLUM BEACH, FAT KEY DEER, MARATHON, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00363510-000000. NEAREST MILE MARKER 54.**

**WHEREAS**, Seaview Commons LLC. filed an Application on September 2<sup>th</sup>, 2021 for approval to Re-Plat property located on 0 Pescayo Ave, having Real Estate Number 00363510-000000, into five (5) single family residential lots pursuant to Chapter 177, Florida Statutes and Chapter 102, Article 10, of the City of Marathon Land Development Regulations (LDRs); and

**WHEREAS**, on the 18<sup>th</sup> day of October 2021 the City of Marathon Planning Commission (the “Commission”) reviewed and recommended approval of the final re-plat with several conditions; and

**WHEREAS**, on the 9<sup>th</sup> day of November 2021, 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 8<sup>th</sup> day of March 2022, 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 Seaview Commons 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 8TH DAY OF MARCH, 2022.**

**THE CITY OF MARATHON, FLORIDA**



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**John Bartus, Mayor**

AYES: Cook, Zieg, Still, Gonzalez, Bartus  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**



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Diane Clavier, City Clerk

(City Seal)


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



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Steve Williams, City Attorney

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



LOCATION MAP  
REF TO PAGE 2

**LEGAL DESCRIPTION:**  
LOT 1, BLOCK 8, COCO PLUM BEACH SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 158, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.

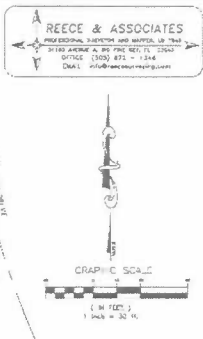
**DEDICATION:**  
UNION ALL FIDELITY OF THESE PRESENTS THAT SEAVEN COMMONS, LLC A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE PROPERTY DESCRIBED BY THE LEGAL DESCRIPTION HEREIN, IN THE CITY OF MARATHON, ON THIS DAY OF MARCH, COUNTY OF MARION, FLORIDA, HAS CAUSED TO BE MADE THE ATTACHED PLAT ENTITLED "BONEFISH HARBOR".

THEY THE SIGNED PARTIES OF THIS PLAT WOLVES, HAS NOT BEEN TO BE MADE BY THE PROPERTY DEVELOPER BY THE LEGAL DESCRIPTION HEREIN IN ORDER TO CREATE MORE VARIABLE SIZES FOR DEVELOPMENT.

SEAVEN COMMONS, LLC, "OWNER" HEREIN, RECEIVES "TRIMLINE ADJUSTED CUL-DE-SAC" AS A TRIMLINE ADJUSTMENT TO THE PROPERTY DESCRIBED BY THE LEGAL DESCRIPTION HEREIN, FOR THE PURPOSE OF PROFIT CORPORATION, THAT, BY SEPARATE INSTRUMENT SUBSEQUENT TO THE RECORDING OF THIS PLAT AND SHALL BE MAINTAINED BY THE OWNER WITH SUFFICIENT RECORDS AND SHALL BE MAINTAINED BY THE OWNER AFTER SUCH CONVEYANCE OCCURS, AND ALSO TO THE CITY OF MARATHON FOR THE PURPOSE OF MAINTAINING THE CITY RECORDS WITHIN THE CADASTRAL.

OWNER (FURTHER DOES GRANT, CONFIRMS AND DEDICATE TO THE CITY OF MARATHON AND MARION COUNTY, FLORIDA A TRIMLINE ADJUSTMENT THEREON, PRIVATE ACCESS EASEMENTS AND COMMON AREAS FOR CITY AND ALL GOVERNMENTAL PURPOSES INCIDENTAL HERETO.

OWNER (FURTHER DOES GRANT, CONFIRMS AND DEDICATE TO THE CITY OF MARATHON FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF UTILITY SERVICES WITHIN THE SUBDIVISION.



RECEE & ASSOCIATES  
PROFESSIONAL SURVEYOR AND MAPPER OF FLORIDA  
22150 WILSON BLVD SUITE 200  
ORLANDO, FLORIDA 32835  
OFFICE (407) 873-1344  
CELL (407) 873-1344  
EMAIL: rrecee@recee.com

GRAPHIC SCALE  
1" = 100'  
1" = 30.48 M

## BONEFISH HARBOR

MARCH 2022

A REPLAT OF LANDS AS DESCRIBED AS LOT 1, BLOCK 8 OF COCO PLUM BEACH, A SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 158, LOCATED IN SECTIONS 5, TOWNSHIP 30 SOUTH, RANGE 31 EAST, CITY OF MARATHON, FAY DISTRICT, MARION COUNTY, FLORIDA.

**OWNERS ACKNOWLEDGMENT:**  
I, DEWELE N. HOLLAND, MARION COUNTY, FLORIDA, DO HEREBY SET THIS HAND AND SEAL TO THIS DEED BY DEWELE N. HOLLAND, MARION COUNTY, FLORIDA.

DATE: \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

BY: DEWELE N. HOLLAND, MARION COUNTY MEMBER

WITNESS SIGNATURE: \_\_\_\_\_ WITNESS NAME: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

**HOMEOWNERS ASSOCIATION ACKNOWLEDGMENT:**  
I, DEWELE N. HOLLAND, MARION COUNTY, FLORIDA, DO HEREBY SET THIS HAND AND SEAL TO THIS DEED BY DEWELE N. HOLLAND, MARION COUNTY, FLORIDA.

THIS: \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

BY: DEWELE N. HOLLAND, MARION COUNTY MEMBER

WITNESS SIGNATURE: \_\_\_\_\_ WITNESS NAME: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

**NOTARY ACKNOWLEDGMENT:**  
STATE OF FLORIDA  
COUNTY OF MARION

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE FOREGOING INSTRUMENT HAS BEEN VOLUNTARILY FORWARDED TO ME BY MEANS OF [ ] PHYSICAL PRESENCE OR [ ] ONLINE NOTARIZATION, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

BY: DEWELE N. HOLLAND, MARION COUNTY MEMBER OF SEAVEN COMMONS, LLC A FLORIDA LIMITED LIABILITY COMPANY, WHO PERSONALLY APPEARED AND IS PERSONALLY KNOWN TO ME OR HAS PRODUCED \_\_\_\_\_ AS DEDICATION.

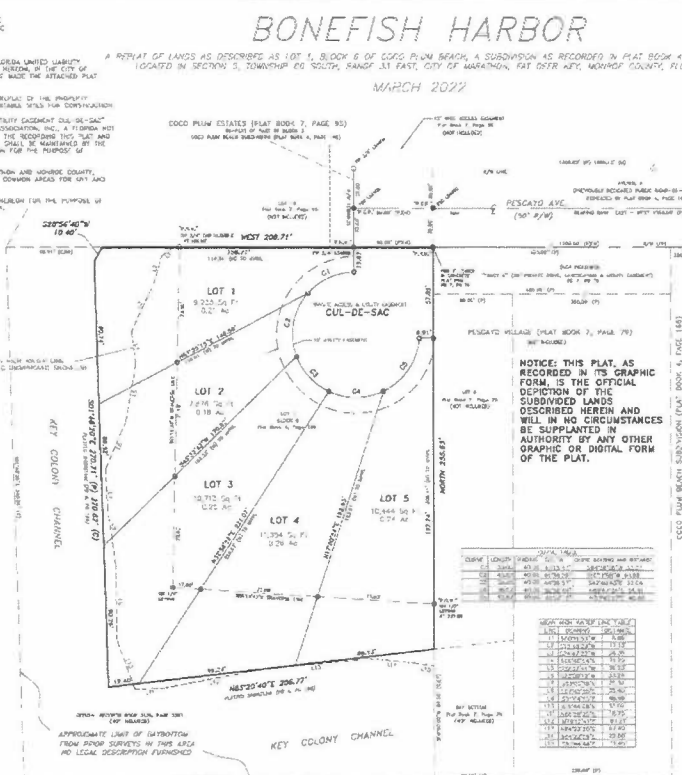
NOTARY PUBLIC, STATE OF \_\_\_\_\_ (PRINTED NAME) \_\_\_\_\_ (NOTARY SEAL)

MY COMMISSION EXPIRES: \_\_\_\_\_

**TITLE CERTIFICATION:**  
STATE OF FLORIDA  
COUNTY OF MARION

I, \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION), DO HEREBY CERTIFY THAT I HAVE EXAMINED THE FILE TO THE RECORD DESCRIBED HEREIN, THAT I FIND THE FILE TO BE PROPERLY FILED TO SEAVEN COMMONS, LLC A FLORIDA LIMITED LIABILITY COMPANY, THAT HAVE CURRENT TAXES PAID, THAT THE PROPERTY CONTAINS NO ENCUMBRANCES WHICH AFFECT THE SUBDIVISION OF THE PROPERTY.

BY: \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION)



**NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DESCRIPTION OF THE SUBDIVIDED LAND DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPERSEDED BY AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.**

NO.	DESCRIPTION	AREA	DATE
1	DEWELE N. HOLLAND, MARION COUNTY MEMBER	0.2255 SQ. FT.	12/15/2022
2	DEWELE N. HOLLAND, MARION COUNTY MEMBER	0.18 SQ. FT.	12/15/2022
3	DEWELE N. HOLLAND, MARION COUNTY MEMBER	0.2255 SQ. FT.	12/15/2022
4	DEWELE N. HOLLAND, MARION COUNTY MEMBER	0.2255 SQ. FT.	12/15/2022
5	DEWELE N. HOLLAND, MARION COUNTY MEMBER	0.2255 SQ. FT.	12/15/2022

**KEY CHANNEL**

**SYMBOL LEGEND:**

- P.A.C.
- P.C.P.
- S.A.
- CENTERLINE

**SURVEYOR'S NOTES:**

1. LEGAL DESCRIPTION WAS FURNISHED BY THE CLIENT OR THEIR REPRESENTATIVE.
2. THE BOUNDARY BASIS FOR THIS PLAT IS THE CENTERLINE OF A TRIMLINE ADJUSTED CUL-DE-SAC FROM PLAT BOOK 4, PAGE 158 AND THE FOUND SURVEY INFORMATION FROM THE WEST OF COCO PLUM BEACH.
3. ALL LOTS AND SIZES AND ALL ENCUMBRANCES WERE RECORDED.
4. MONIES OF ENCUMBRANCE AND ALL SURVEY FEES AND DEEDAL FEES WERE PAID.
5. THE LISTED USES OF THE PROPERTY DESCRIBED WITHIN THIS PLAT ARE NOT TO BE USED FOR ANY OTHER PURPOSES UNLESS THROUGH A PERMISSIBLE BY A NEIGHBORING STATE OF FLORIDA.
6. UNDESIRABLE ENCUMBRANCES, IF ANY WERE NOT LISTED.
7. SINGLES TRIMLINE HEREIN AND IN THE LEGAL DESCRIPTION HAVE BEEN EXAMINED FOR CORRECTNESS AND FOUND TO BE CORRECT. THE LOCATION OF THE TRIMLINE ADJUSTMENT AND THE LOCATION OF THE TRIMLINE ADJUSTMENT ARE SHOWN ON THE PLAT AND IN THE LEGAL DESCRIPTION.
8. THE LAND IS KNOWN TO THE SURVEYOR AS BEING OWNED BY SEAVEN COMMONS, LLC A FLORIDA LIMITED LIABILITY COMPANY.
9. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES WHICH MAY AFFECT THE PROPERTY DESCRIBED IN THIS PLAT.
10. THERE ARE NO ADVERSE ENCUMBRANCES THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
11. ALL PLATTED LANDS WOULD BE SUBJECT TO CONSTRUCTION OF A TRIMLINE ADJUSTMENT AND THE LOCATION OF THE TRIMLINE ADJUSTMENT IS SHOWN ON THE PLAT AND IN THE LEGAL DESCRIPTION.
12. ALL NEIGHBORING PLATS WERE RECORDED AND THE LOCATION OF THE TRIMLINE ADJUSTMENT IS SHOWN ON THE PLAT AND IN THE LEGAL DESCRIPTION.
13. THERE ARE NO ADVERSE ENCUMBRANCES THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
14. ALL PLATTED LANDS WOULD BE SUBJECT TO CONSTRUCTION OF A TRIMLINE ADJUSTMENT AND THE LOCATION OF THE TRIMLINE ADJUSTMENT IS SHOWN ON THE PLAT AND IN THE LEGAL DESCRIPTION.
15. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES WHICH MAY AFFECT THE PROPERTY DESCRIBED IN THIS PLAT.
16. NEIGHBORING PLATS AND RECORDS ARE:
  - PLAT BOOK 4, PAGE 158
  - PLAT BOOK 4, PAGE 159
  - PLAT BOOK 4, PAGE 160
  - PLAT BOOK 4, PAGE 161
  - PLAT BOOK 4, PAGE 162
  - PLAT BOOK 4, PAGE 163
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  - PLAT BOOK 4, PAGE 199
  - PLAT BOOK 4, PAGE 200

**CERTIFICATE OF CONSENT TO PLAT AND DEDICATION BY MORTGAGE HOLDER, CONSENT TO DEDICATION:**  
THE PLAT (SEAVEN COMMONS, LLC A FLORIDA LIMITED LIABILITY COMPANY) THE HOLDER OF THAT CERTAIN MORTGAGE, SECURITY AGREEMENT AND ASSIGNMENT OF INTEREST DATED NOVEMBER 4, 2021, AND INCORPORATED IN OFFICIAL RECORDS INSTRUMENT NUMBER 2021001, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, DOES HEREBY GIVE, APPROVE, CONFIRM AND CONSENT TO THIS PLAT AND THE DEDICATION CERTIFICATE HEREIN.

I, \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION), DO HEREBY CERTIFY THAT I HAVE EXAMINED THE FILE TO THE RECORD DESCRIBED HEREIN, THAT I FIND THE FILE TO BE PROPERLY FILED TO SEAVEN COMMONS, LLC A FLORIDA LIMITED LIABILITY COMPANY, THAT HAVE CURRENT TAXES PAID, THAT THE PROPERTY CONTAINS NO ENCUMBRANCES WHICH AFFECT THE SUBDIVISION OF THE PROPERTY.

BY: \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION)

**APPROVAL OF CITY OF MARATHON PLANNING COMMISSION:**  
IT IS HEREBY CERTIFIED THAT THE CITY OF MARATHON PLANNING COMMISSION OFFICIALLY APPROVED THIS PLAT BY "BONEFISH HARBOR" ON THE 15TH DAY OF MARCH, 2022.

BY: \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION)

**APPROVAL OF CITY OF MARATHON OFFICIALS:**  
I HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT FOR CONFORMANCE WITH THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA, AS A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY THE CITY OF MARATHON.

BY: \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION)

**APPROVAL OF MARATHON CITY COUNCIL:**  
IT IS HEREBY CERTIFIED THAT THE CITY OF MARATHON CITY COUNCIL OFFICIALLY APPROVED THIS PLAT BY "BONEFISH HARBOR" ON THE \_\_\_\_\_ DAY OF MARCH, 2022.

BY RESOLUTION NO. \_\_\_\_\_ OF THE CITY OF MARATHON, FLORIDA

BY: \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION)

**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 \_\_\_\_\_ 2022, AND WAS FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022, AND RECEIVED BY \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION).

BY: \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION)

**SURVEYOR'S CERTIFICATE:**  
I HEREBY CERTIFY THAT THE ATTACHED PLAT "BONEFISH HARBOR" AS SHOWN ON THIS PLAT, IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS DESCRIBED HEREIN BY ME AND SUPERVISOR, AND THAT THE SURVEY DATA SHOWN ON THIS PLAT COMPLIES WITH THE APPLICABLE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES, AND FURTHER THAT THE FOREGOING REQUIREMENTS HAVE BEEN ACCOMPLISHED WITH SUBSECTION 177.09(2) OF SAID CHAPTER 177.

BY: \_\_\_\_\_ (NAME AND TITLE), \_\_\_\_\_ (DATE), \_\_\_\_\_ (COUNTY OF MARION)

**PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_**