

RESOLUTION NO. 00-10-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, EXPRESSING THE COUNCIL'S SUPPORT OF THE TRANSFER OF OWNERSHIP BY MONROE COUNTY TO THE CITY OF MARATHON OF CRAWL KEY AND ALL COUNTY-OWNED PARKS AND BEACHES LOCATED WITHIN THE CITY OF MARATHON WITH THE EXCEPTION OF THE MARATHON COMMUNITY PARK AND THE BOOT KEY HARBOR MARINA; AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO PERFORM DUE DILIGENCE, PREPARE, REVIEW AND HAVE EXECUTED BY THE APPROPRIATE OFFICIALS ALL NECESSARY LEGAL INSTRUMENTS TO TRANSFER TITLE; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXPEND BUDGETED FUNDS AS NECESSARY TO COMPLETE THE TRANSACTIONS CONTEMPLATED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marathon, Florida (the "City") desires to have ownership of and responsibility for Crawl Key and all County-owned parks and beaches (the "Parks") located within the City of Marathon with the exception of the Marathon Community Park and the Boot Key Harbor Marina, which will be transferred by separate agreements.

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

Section 1. Recitals. The above recital is true and correct and is incorporated herein by this reference.

Section 2. The City Council approves the acceptance of the Parks from Monroe County subject to the prior review and approval of each transaction by the City Manager and City Attorney. Such reviews shall include due diligence to determine any potential liabilities prior to acceptance by the City of Ownership of the Parks.

Section 3. The City Manager and the City Attorney are authorized to prepare, review, have executed by the appropriate officials and record all necessary legal instruments to transfer title, ownership or control of Crawl Key and all County-owned parks and beaches located within the City of Marathon with the exception of the Marathon Community Park and the Boot Key Harbor Marina (the "Properties)."

Section 4. The City Manager and City Attorney are authorized to expend budgeted funds as necessary to complete any due diligence and the transactions contemplated herein regarding the Properties.

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


PASSED AND ADOPTED the 10th day of October 2000.

ATTEST:



Carol N. Chamberlain
MY COMMISSION # CC682322 EXPIRES
September 22, 2001
BONDED THRU TROY FAJN INSURANCE, INC.


ROBERT MILLER, MAYOR


CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY