



COUNCIL AGENDA STATEMENT

Meeting Date: December 10, 2019
To: Honorable Mayor and Council Members
From: George Garrett, Planning Director
Through: Chuck Lindsey, City Manager

Agenda Item: **Resolution 2019-121**, Approving And Accepting Quit Claim Deeds For The Conveyance Of Land From Royal Crest Homes, Llc, (Re Nos. 00319720-000000 & 00319730-000000), Recipients Of A Residential Dwelling Unit Allocation Award; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

RECOMMENDATION:

Based on the above information, the Marathon Planning Department staff recommends **APPROVAL** to accept the aforementioned lot dedications.

BACKGROUND:

Pursuant to Section 107.09 of the City Code, a landowner may voluntarily elect to dedicate to the City a vacant, buildable lot or buildable land as part of the Building Permit Allocation System ("BPAS") allocation process. If a landowner proposes to dedicate land to the City as set forth above, the landowner is required to execute a statutory warranty deed (or quit claim deed) conveying such land to the City that must be approved by the City Council prior to its recording in the public records of Monroe County, Florida. In consideration of the award of a BPAS allocation, Royal Crest Homes, LLC is hereby dedicating two properties having RE Nos. 00319720 & 300319730-000000 to the City of Marathon.

CONSISTENCY CHECKLIST:

	Yes	No
1. Comprehensive Plan	_____	__X__
2. Other –Sewer Mandate	_____	__X__

FISCAL NOTE:

APPROVED BY FINANCE DIRECTOR:

Sponsored by: Lindsey

**CITY OF MARATHON, FLORIDA
RESOLUTION NO. 121**

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING QUIT CLAIM DEEDS FOR THE CONVEYANCE OF LAND FROM ROYAL CREST HOMES, LLC, (RE NOS. 00319720-000000 & 00319730-000000), RECIPIENTS OF A RESIDENTIAL DWELLING UNIT ALLOCATION AWARD; AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 107.09 of the City Code, a landowner may voluntarily elect to dedicate to the City a vacant, buildable lot or buildable land as part of the Building Permit Allocation System ("BPAS") allocation process; and

WHEREAS, if a landowner proposes to dedicate land to the City as set forth above, the landowner is required to execute a statutory warranty deed (or quit claim deed) conveying such land to the City that must be approved by the City Council prior to its recording in the public records of Monroe County, Florida.

WHEREAS, in consideration of the award of a BPAS allocation, Royal Crest Homes, LLC is hereby dedicating two properties having RE Nos. 00319720 & 300319730-000000 to the City of Marathon,

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

Section 1. Acceptance of Land Dedication. Subject to payment of all taxes and review and approval by the City Attorney, the Statutory Warranty Deeds (the "Deeds"), submitted by Royal Crest Homes, LLC attached as Exhibit "A" are approved and accepted by the City.

Section 2. BPAS Dedication. The City accepts the Deeds as part of the Residential BPAS allocation process.

Section 3. Public Purpose. The City Council finds and determines that the property being dedicated to the City is within an area proposed for conservation or resource protection and shall be held or used for public purposes, specifically for conservation and resource protection use. The City Clerk is directed to forward a copy of this resolution to the Monroe County Property Appraiser and Tax Collector.

Section 4. Recording. Royal Crest Homes, LLC shall record, at their sole expense, the Deeds in the public records of Monroe County, Florida.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 10TH DAY OF DECEMBER, 2019.

THE CITY OF MARATHON, FLORIDA

Steven Cook, Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

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

Prepared by and return to:

Wolfe Stevens PLLC
2955 Overseas Highway
Marathon, FL 33050

_____[Space Above This Line For Recording Data]_____

Quit Claim Deed

This Quit Claim Deed made this ____ day of December 2019 between **Royal Crest Homes, LLC, a Florida Limited Liability Company**, whose post office address is: **6677 Overseas Highway, Marathon, Florida 33050** grantor, and **City of Marathon**, whose post office address is: **9805 Overseas Highway, Marathon Florida 33050** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Monroe County, Florida to-wit:

Lot 21, Block 1, KNIGHTS KEY VILLAGE, a Subdivision according to the Plat thereof as recorded in Plat Book 5, Page 84, of the Public Records of Monroe County, Florida

Parcel Identification Number: 00319720-000000

This is not the homestead property of the Grantor.

The preparer of this instrument was neither furnished with, nor requested to review, an abstract on the described property and therefore expresses no opinion as to condition of title.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: _____

Andrew George
Manager

Witness Name: _____

State of Florida

County of Monroe

The foregoing instrument was acknowledged before me this ____ day of December 2019 by Andrew George who
[] is personally known or [] has produced a driver's license as identification.

[Notary Seal]

Notary Public_____

Printed Name_____

My Commission Expires_____

Prepared by and return to:

Wolfe Stevens PLLC
2955 Overseas Highway
Marathon, FL 33050

_____[Space Above This Line For Recording Data]_____

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(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Monroe County, Florida to-wit:

Lot 22, Block 1, KNIGHTS KEY VILLAGE, a Subdivision according to the Plat thereof as recorded in Plat Book 5, Page 84, of the Public Records of Monroe County, Florida

Parcel Identification Number: 00319730-000000

This is not the homestead property of the Grantor.

The preparer of this instrument was neither furnished with, nor requested to review, an abstract on the described property and therefore expresses no opinion as to condition of title.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: _____

Andrew George
Manager

Witness Name: _____

State of Florida

County of Monroe

The foregoing instrument was acknowledged before me this ___day of December 2019 by Andrew George who [] is personally known or [] has produced a driver's license as identification.

[Notary Seal]

Notary Public_____

Printed Name_____

My Commission Expires_____