

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2021-85**

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING WARRANTY DEEDS FOR THE CONVEYANCE OF LAND FROM MARK ANDREW LAFONATINE AS TRUSTEE OF THE MARK ANDREW LAFONTAINE DECLARATION OF TRUST, RECIPIENT 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 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.

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 Mark Andrew Lafonatine as trustee of the Mark Andrew Lafontaine declaration of trust attached as Exhibit "A" and Exhibit "B" are approved and accepted by the City.

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

Section 2. 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 3. Recording. Mark Andrew LaFontaine as Trustee of the Mark Andrew LaFontaine Declaration of Trust shall record, at his sole expense, the Deed in the public records of Monroe County, Florida.

Section 4. 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 14TH DAY OF SEPTEMBER 2021.

THE CITY OF MARATHON, FLORIDA

Luis Gonzalez, 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:

Steve Williams, City Attorney

Prepared by and return to:

Wolfe Stevens PLLC
6807 Overseas Highway
Marathon, FL 33050
(305)743-9858

Parcel Identification No. 00372420-000000

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Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture, Made this _____ day of July 2021

Between

Mark Andrew LaFontaine as Trustee of the Mark Andrew LaFontaine Declaration of Trust dated November 12, 2002, as amended

post office address is 17062 Lake Shote Hills, West Olive MI 49460

Grantor, and

City of Marathon, an agency and instrumentality of the State of Florida

whose post office address is 9805 Overseas Highway, Marathon, FL 33050

Grantee:

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Lot 3, Block 45, Map of Crains Subdivision of Grassy Key, according to the plat thereof as recorded in Plat Book 1, Page 51, Public Records of Monroe County, Florida.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

**Mark Andrew LaFontaine as Trustee of the
Mark Andrew LaFontaine Declaration of
Trust dated November 12, 2002, as
amended**

Witness Name:
Witness # 1 _____

BY: Mark Andrew LaFontaine, Trustee

Witness Name:
Witness # 2 _____

**STATE OF FLORIDA
COUNTY OF MONROE**

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization this _____ day of July 2121 Mark Andrew LaFontaine, Trustee who is personally known to me or who has produced a _____ driver license as identification.

Notary Public, State of
Printed Name: _____
My Commission Expires: _____

Prepared by and return to:

Wolfe Stevens PLLC
6807 Overseas Highway
Marathon, FL 33050
(305)743-9858

Parcel Identification No. 00372430-000000

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

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Mark Andrew LaFontaine as Trustee of the Mark Andrew LaFontaine Declaration of Trust dated November 12, 2002, as amended

post office address is 17062 Lake Shore Hills, West Olive, MI 49460

Grantor, and

City of Marathon, an agency and instrumentality of the State of Florida

whose post office address is 9805 Overseas Highway, Marathon, FL 33050

Grantee:

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Lot 4, Block 45, Map of Crains Subdivision of Grassy Key, according to the plat thereof as recorded in Plat Book 1, Page 51, Public Records of Monroe County, Florida.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

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Mark Andrew LaFontaine Declaration of
Trust dated November 12, 2002, as
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Witness Name:
Witness # 1 _____

BY: Mark Andrew LaFontaine, Trustee

Witness Name:
Witness # 2 _____

**STATE OF FLORIDA
COUNTY OF MONROE**

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Notary Public, State of
Printed Name: _____
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