

# CITY COUNCIL AGENDA STATEMENT

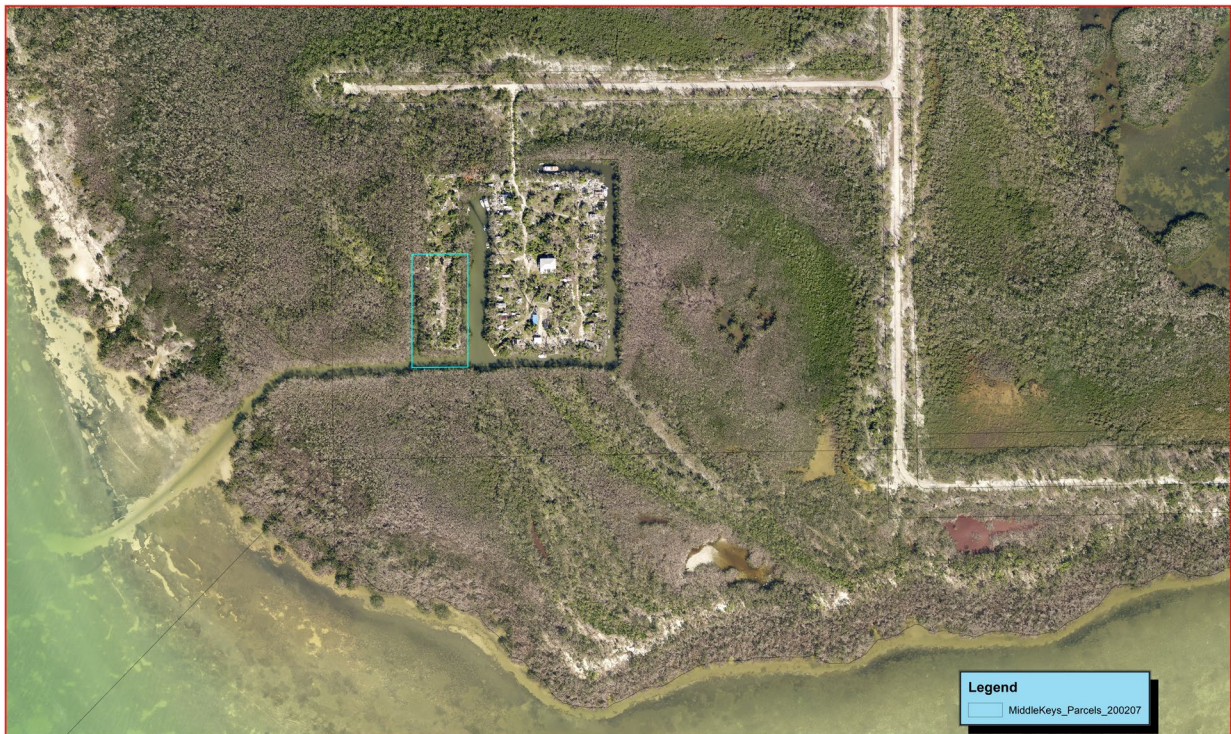


**Meeting Date:** January 11th, 2021  
**To:** Honorable Mayor and Council Members  
**From:** Brian Shea, Planning Director  
**Through:** George Garrett, City Manager

**Agenda Item:** **Resolution 2022-04** Authorize The Purchase Of Real Property From Marathon Wireless Communications Inc (Re No. 00105320-000000); Authorizing The City Manager To Execute The Contract For Sale, Negotiate Terms, And To Consummate The Purchase Through All Closing Documents In An Amount Not To Exceed Two Thousand Dollars (\$200,000); Appropriating Funds And Providing For An Effective Date.

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## **BACKGROUND:**



Each year, at the time the annual City budget is reviewed, the Director shall propose appropriations to be spent from the fund. The proceeds shall be spent for capital improvements in a manner consistent with the capital improvements plan of the Comprehensive Plan. Proceeds shall be used exclusively for the purchase of land or easements for conservation in a manner consistent with the capital improvements plan of the Comprehensive Plan.

The five-year capital improvement plan identified Boot Key Acquisition as a potential project.

Recently the above-mentioned parcel was listed for sale. The parcel is on the Florida Forever list, in the Coastal Barrier Resource Area, and is potential habitat for the peregrine falcon, white crowned pigeon, osprey, and eastern indigo snake. Staff is recommending using the conservation lands impact fee funds for the purchase of said parcel. The parcel shall be deed restricted as a conservation management area, which will count towards open space requirements in the FEMA CRS.

The following uses may be permitted as part of an approved management plan, provided they do not adversely affect natural resource function and ecological integrity:

- A. Nature trails (mulched walking paths, elevated wooden walkways);
- B. Low intensity, passive recreational activities such as wildlife viewing and hiking;
- C. Scientific and educational activities (interpretive trails, observation points);
- D. Site investigative work such as surveys, soil logs, and percolation tests;
- E. Scenic, historic, wildlife, or scientific preserves;
- F. Ongoing Aquacultural activities that:
  - 1. Are consistent with the protection of the natural resource(s) identified on the site for protection under the management plan; and
  - 2. To the extent consistent with the protection of such resources, follow certification programs or Best Management Practices as set forth in Section 106.38 A.
- G. Constructing fences where no fill activity is required and wildlife movement corridors are maintained; and
- H. Other uses demonstrated to be compatible with natural resource protections as outlined in the management plan.

**CONSISTENCY CHECKLIST:**

- 1. Comprehensive Plan
- 2. Other – 2010 Sewer Mandate

<b>Yes</b>	<b>No</b>
<u>  X  </u>	<u>      </u>
<u>      </u>	<u>  X  </u>

**FISCAL NOTE:**

**APPROVED BY FINANCE DIRECTOR:**

**RECOMMENDATION:**

Approval

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, TO AUTHORIZE THE PURCHASE OF REAL PROPERTY FROM MARATHON WIRELESS COMMUNICATIONS INC (RE NO. 00105320-000000); AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT FOR SALE, NEGOTIATE TERMS, AND TO CONSUMMATE THE PURCHASE THROUGH ALL CLOSING DOCUMENTS IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$200,000); APPROPRIATING FUNDS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City seeks to purchase the parcel for conservation related uses, furthering the goals and policies of the Comprehensive Plan; and

**WHEREAS**, the City Council of the City of Marathon, Florida seeks to authorize the purchase of real property from Marathon Wireless Communications Inc for purchase price not to exceed two hundred thousand dollars (\$200,000) and authorized the City Manager to execute a Contract For Sale; and

**WHEREAS**, the Monroe County Property Appraiser’s description of the property attached as Exhibit “A”; and

**WHEREAS**, the signed Contract For Sale shall attached as Exhibit “B;” and

**WHEREAS**, the Closing Documents shall be attached as consolidated Exhibits “C,” and

**WHEREAS**, the Conservation Easement is attached as Exhibit “D,”

**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 City Council authorizes the purchase of Real Property, RE No. 00105320-000000, from Marathon Wireless Communications Inc.

**Section 3.** The City Manager or his designee is authorized to execute the Contract for Sale based on a negotiation of terms, to work with the City Attorney to prepare such other documents and take such actions as may be necessary to consummate the purchase, and finally, to consummate the purchase through all closing documents in an amount not to exceed two hundred thousand dollars (\$200,000), and

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 11<sup>TH</sup> DAY OF JANUARY, 2022.**

**THE CITY OF MARATHON, FLORIDA**

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**John Bartus, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**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"  
Monroe County Property Appraiser's Data

EXHIBIT "B"  
Contract For Sale

EXHIBIT "C"  
Closing Documents

EXHIBIT "D"  
Conservation Easement





**Disclaimer**

The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.

By continuing into this site you assert that you have read and agree to the above statement.

**Summary**

<b>Parcel ID</b>	00105320-000000
<b>Account#</b>	1123951
<b>Property ID</b>	1123951
<b>Millage Group</b>	50CM
<b>Location Address</b>	VACANT LAND, MARATHON
<b>Legal Description</b>	16 66 32 BOOT KEY PT LOT 3 OR301-351-352 OR691-224/226 OR805-2273 <i>(Note: Not to be used on legal documents.)</i>
<b>Neighborhood</b>	10040
<b>Property Class</b>	COMMERCIAL (1000)
<b>Subdivision</b>	
<b>Sec/Twp/Rng</b>	16/66/32
<b>Affordable Housing</b>	No

**Owner**

MARATHON WIRELESS COMMUNICATIONS INC  
 C/O DAWN FREESE  
 219 Seville Rd  
 West Palm Beach FL 33405

**Valuation**

	2021	2020	2019	2018	2017
+ Market Improvement Value	\$0	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0	\$0
+ Market Land Value	\$400,773	\$400,773	\$194,950	\$211,416	\$65,968
= Just Market Value	\$400,773	\$400,773	\$194,950	\$211,416	\$65,968
= Total Assessed Value	\$96,582	\$87,802	\$79,820	\$72,564	\$65,968
- School Exempt Value	\$0	\$0	\$0	\$0	
= School Taxable Value	\$400,773	\$400,773	\$194,950	\$211,416	

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL CANAL (1MOC)	27,443.00	Square Foot	0	0
ENVIRONMENTALLY SENS (000X)	0.92	Acreage	0	0
(9500)	0.13	Acreage	0	0

**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
2/1/1980	\$350,000	Conversion Code		805	2273	Q - Qualified	Improved

**Permits**

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
P2006-0414	3/21/2006		\$1,500		RAMP REPAIR / RESTORTATION

**View Tax Info**

[View Taxes for this Parcel](#)

Map



TRIM Notice

2021 TRIM Notice (PDF)

2021 Notices Only

No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Yard Items, Exemptions, Sketches (click to enlarge), Photos.

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