

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-33**

**A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM SEASONS 16, LLC, 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.

**WHEREAS**, in consideration of the award of a BPAS allocation, Seasons 16, LLC is hereby dedicating two properties having RE No. 00369540-000000 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 Deed (the "Deed"), submitted by Seasons 16, LLC attached as Exhibit "A" is approved and accepted by the City.

**Section 2.** **BPAS Dedication.** The City accepts the Deed 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.** Seasons 16, LLC shall record, at their sole expense, the Deed 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 8<sup>TH</sup> DAY OF MARCH, 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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Steven T. Williams, City Attorney

This Instrument prepared by  
and return to:

David B. Norris, Esq.  
Cohen, Norris, Wolmer, Ray, Telepman,  
Berkowitz & Cohen  
712 U.S. Highway One, Suite 400  
North Palm Beach, Florida 33408

Parcel ID #00369540-000000

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**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022 by Seasons 16, LLC, a Delaware limited liability company, (hereinafter called "Grantor"), whose address is 1222 SE 47<sup>th</sup> Street, Suite 330, Cape Coral, Florida 33904 to The City of Marathon (hereinafter called "Grantee"), whose address is 9805 Overseas Highway, Marathon, Florida 33050.

(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)

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged, hereby grants, bargains, sells, remises, releases, conveys and confirms unto Grantee, that certain real property, situate in Monroe County, Florida as more particularly described as follows:

Lots 15 Block 25, MAP OF CRAINS SUBDIVISION OF GRASSY KEY,  
according to the plat thereof, recorded in Plat Book 1, Page 51, of the Public  
Records of Monroe County, Florida.

SUBJECT TO restrictions, reservations, covenants and easements of record, if any, to the extent that same are valid and enforceable and taxes for the year 2022 and thereafter.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor and none other.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed to be executed on the day and year first above written.

Signed, Sealed and Delivered:  
In the Presence of:

SEASONS 16, LLC, a Delaware  
limited liability company

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

By: Waters Edge Homes, LLC, a  
Florida limited liability company,  
its Manager

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Michael Aranda, Manager

STATE OF FLORIDA                    )  
  )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ of \_\_\_\_\_, 2021, by Michael Aranda as Manager of Waters Edge Homes, LLC, a Florida limited liability company, Manager of Seasons 16, LLC, a Delaware limited liability company, who is personally known to me or who has produced \_\_\_\_\_ as identification.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires: