



COUNCIL AGENDA STATEMENT

Meeting Date: December 12, 2023
To: Honorable Mayor and Council Members
From: Brian Shea, Planning Director
Through: George Garrett, City Manager

Agenda Item: **Resolution 2023-118**, Approving And Accepting A Warranty Deed And Conservation Easement For The Conveyance Of Land From the Monroe County Land Authority; Having Real Estate Number 00356680-000000; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

BACKGROUND & JUSTIFICATION

As set forth in Resolution 2016-48, the City works with the Monroe County Land Authority to acquire properties for the purposes of habitat protection, conservation, and preservation, as well as reducing the potential for futures takings cases. The Monroe County Land Authority has acquired the above parcel within the City of Marathon. The lot is environmentally sensitive and will be managed with our other conservation lots once transferred to the City.

CONSISTENCY CHECKLIST:

Yes No

1. Comprehensive Plan

 X

FISCAL NOTE:

RECOMMENDATION:

Approval of Resolution

**CITY OF MARATHON, FLORIDA
RESOLUTION 2023-118**

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED AND CONSERVATION EASEMENT FOR THE CONVEYANCE OF LAND FROM THE MONROE COUNTY LAND AUTHORITY; HAVING REAL ESTATE NUMBER 00356680-000000; AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan for the City of Marathon requires that the City acquire, protect, conserve, and restore properties within its jurisdiction for the purposes of habitat conservation; and

WHEREAS the City requested that the Monroe County Land Authority/ Board of County Commissioners purchase the parcels suggested based on a concerted effort to purchase the parcels and as funding is available under Resolution 2016-48.

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 are incorporated herein.

Section 2. Subject to payment of all taxes and review and approval by the City Attorney, the Statutory Warranty Deed (the "Deed"), submitted by Monroe County Land Authority attached as Exhibit "A" is approved and accepted by the City.

Section 3. The Conservation Easement (the "Easement"), submitted by Monroe County Land Authority attached as Exhibit "B" is approved and accepted by the City.

Section 4. 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 5. The warranty deed and conservation easement shall be recorded in the public records of Monroe County.

Section 6. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 12TH DAY OF DECEMBER, 2023.

THE CITY OF MARATHON, FLORIDA

Vice Mayor Landry

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