



COUNCIL AGENDA STATEMENT

Meeting Date: October 10, 2023
To: Honorable Mayor and Council Members
From: Brian Shea, Planning Director
Through: George Garrett, City Manager

Agenda Item: **Resolution 2023-101**, Approving And Accepting A Warranty Deed For The Conveyance Of Land To Be Used As Public Right Of Way, From Presbyterian Kirk Of The Keys Inc; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

BACKGROUND & JUSTIFICATION

The portion of the Kirk property that serves as access to 88th Street has been split off through SSUB-23-5. The ROW parcel is now being deeded over as a 20' public road dedication.

CONSISTENCY CHECKLIST:

Yes No

1. Comprehensive Plan

FISCAL NOTE:

RECOMMENDATION:

Approval of Resolution

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA
RESOLUTION 2023-101**

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND TO BE USED AS PUBLIC RIGHT OF WAY, FROM PRESBYTERIAN KIRK OF THE KEYS INC; AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for simple subdivision SSUB-23-5 was approved to split off a portion of the Presbyterian Kirk of the Keys Inc property; and

WHEREAS, said parcel provides access to the right of way known as 88th Street.

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 Presbyterian Kirk of the Keys Inc. attached as Exhibit "A" is approved and accepted by the City.

Section 3. A survey of the parcel is attached as Exhibit "B".

Section 4. The City Council finds and determines that the property being dedicated to the City is to be used as a right of way. 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 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 10TH DAY OF OCTOBER 2023.

THE CITY OF MARATHON, FLORIDA

Luis Gonzalez, Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

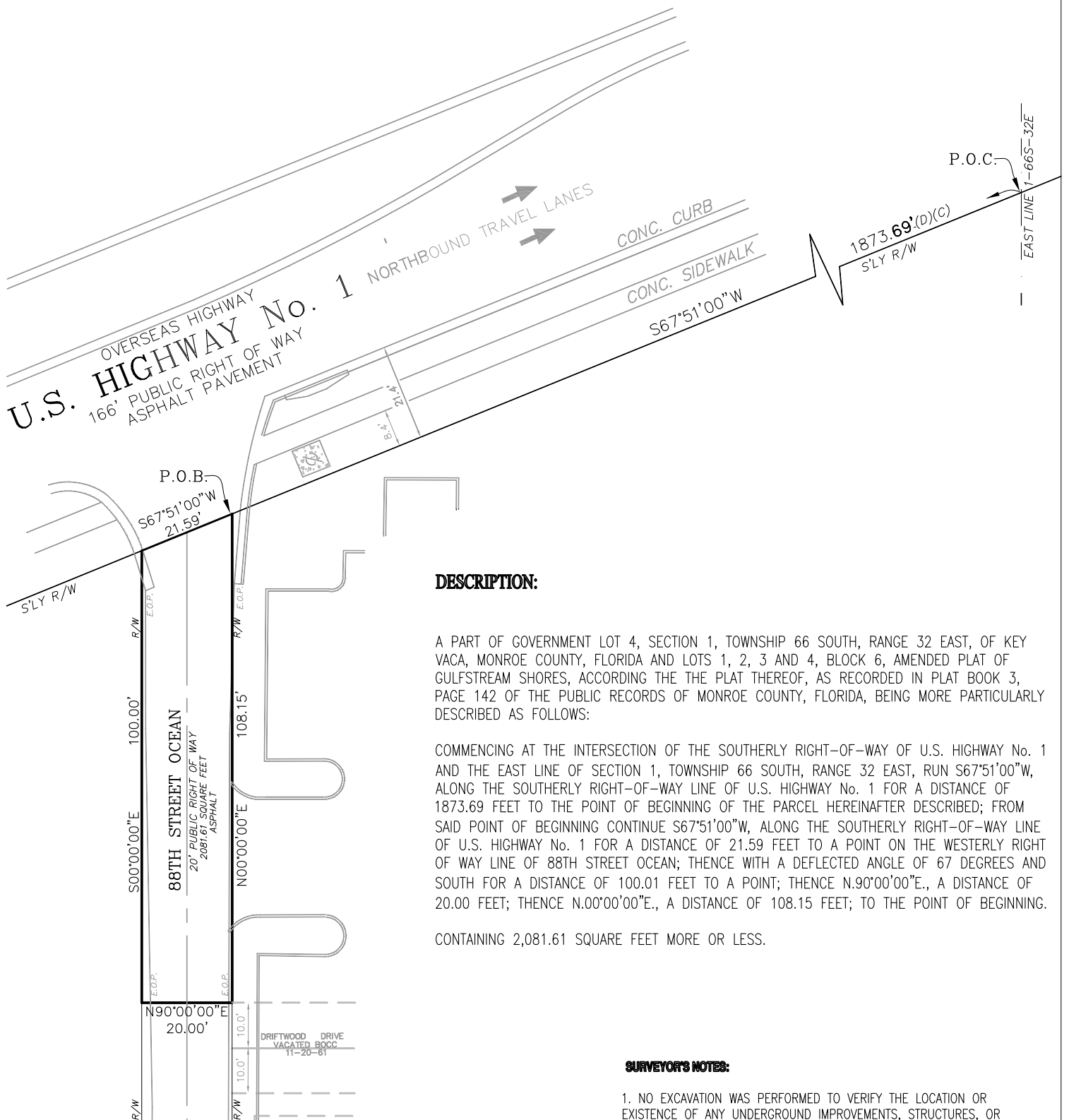
Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

Steve Williams, City Attorney

88th STREET OCEAN – 20' PUBLIC ROAD DEDICATION
 A PART OF GOVERNMENT LOT 4
 SECTION 1, TOWNSHIP 66 SOUTH, RANGE 32 EAST
 CITY OF MARATHON



DESCRIPTION:

A PART OF GOVERNMENT LOT 4, SECTION 1, TOWNSHIP 66 SOUTH, RANGE 32 EAST, OF KEY VACA, MONROE COUNTY, FLORIDA AND LOTS 1, 2, 3 AND 4, BLOCK 6, AMENDED PLAT OF GULFSTREAM SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 142 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY No. 1 AND THE EAST LINE OF SECTION 1, TOWNSHIP 66 SOUTH, RANGE 32 EAST, RUN S67°51'00"W, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1 FOR A DISTANCE OF 1873.69 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREINAFTER DESCRIBED; FROM SAID POINT OF BEGINNING CONTINUE S67°51'00"W, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1 FOR A DISTANCE OF 21.59 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 88TH STREET OCEAN; THENCE WITH A DEFLECTED ANGLE OF 67 DEGREES AND SOUTH FOR A DISTANCE OF 100.01 FEET TO A POINT; THENCE N.90°00'00"E., A DISTANCE OF 20.00 FEET; THENCE N.00°00'00"E., A DISTANCE OF 108.15 FEET; TO THE POINT OF BEGINNING.

CONTAINING 2,081.61 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. NO EXCAVATION WAS PERFORMED TO VERIFY THE LOCATION OR EXISTENCE OF ANY UNDERGROUND IMPROVEMENTS, STRUCTURES, OR FOUNDATIONS. UNDERGROUND UTILITIES SHOWN HEREON ARE SHOWN PER ABOVE GROUND EVIDENCE AND/OR RECORD DRAWINGS OR MUNICIPAL ATLAS INFORMATION AND THE LOCATION OF ALL UNDERGROUND UTILITY LINES ARE APPROXIMATE ONLY. THIS DOCUMENT SHOULD NOT BE RELIED UPON FOR EXCAVATION OR CRITICAL DESIGN FUNCTIONS WITHOUT FIELD VERIFICATION OF UNDERGROUND UTILITY LOCATIONS. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST.
2. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
3. ANY USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. BEARINGS ARE BASED UPON THE MONUMENTED CENTERLINE OF 88TH STREET OCEAN BEING N.00°00'00"E. PER PLAT (ASSUMED).
5. THIS IS NOT A BOUNDARY SURVEY

Prospect Surveying, LLC
 Certificate of Authorization No. LB 7921

BRENT JOSEPH THURKETTLE
 FLORIDA LICENSE – LS 6794

THIS IS NOT A BOUNDARY SURVEY

SKETCH OF DESCRIPTION 88TH STREET 20' PUBLIC ROAD DEDICATION
 GOVERNMENT LOT 4 SECTION 1, TOWNSHIP 66 SOUTH, RANGE 32 EAST
 KEY VACA CITY OF MARATHON MONROE COUNTY FLORIDA
 Date: 7-3-23



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