

**CITY OF MARATHON, FLORIDA
RESOLUTION 2024-04**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AND AMENDING A LEASE AGREEMENT (2023-111) BETWEEN THE CITY OF MARATHON, FLORIDA AS THE OWNER, AND QOF, INC. AS LESSEE FOR SUBMERGED LANDS IDENTIFIED BY REAL ESTATE NUMBER 00355400-000000; INCLUDING, BUT NOT LIMITED TO ESTABLISHING A LEASE AREA, LEASE AMOUNT, LEASE DURATION, AND RELEASE OF LIABILITY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon, Florida (the “City”) is the owner of certain properties existing below the mean high waters of the State of Florida, further identified by real estate number 00355400-000000 and located within the geographical bounds of Boot Key Harbor (the “Property”); and

WHEREAS, QOF, Inc. (the “Lessee”) desires to lease certain portions of said Property for the purposes of future construction of docking facilities associated with the Lessee’s upload property identified by real estate numbers 00355370-002203 and 00355370-002204; and

WHEREAS, the parties have agreed to lease terms including, but not limited to, lease area, lease amount, lease duration, and release of liability; and

WHEREAS, the Lessee has changed the dock design, requiring an amendment to the lease area; and

WHEREAS, the City believes that the Lease Agreement is in the best interest of the Parties and of the residents of the City of Marathon, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein.

Section 2. The Lease Agreement between the City and the Lessee attached hereto as “Exhibit A,” is hereby approved. The City is authorized to execute the Lease Agreement on behalf of the City.

Section 3. Effective Date. This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,
FLORIDA, THIS 9th DAY OF JANUARY, 2024.**

THE CITY OF MARATHON, FLORIDA

Mayor Robyn Still

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

Resolution 2024-04 Exhibit A

No lease was received by applicant at the time of publication.