

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2026-26**

**A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING WARRANTY DEEDS FOR THE CONVEYANCE OF LANDS FROM AUSTIN NOTGRASS RECIPIENT OF A RESIDENTIAL DWELLING UNIT ALLOCATION AWARD; AUTHORIZING THEIR 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(s) to the City that must be approved by the City Council prior to its recording in the public records of Monroe County, Florida.

**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 Austin Notgrass attached as Exhibit "A" are 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 properties being dedicated to the City are 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.** Austin Notgrass shall record, at his 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, ON THIS 10TH DAY OF MARCH, 2026.**

**THE CITY OF MARATHON, FLORIDA**

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**Lynny Del Gaizo, 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 Williams, City Attorney

**Prepared by and return to:**

Wolfe Stevens PLLC  
5800 Overseas Highway, Suite 3  
Marathon, FL 33050  
(305)743-9858

**Parcel Identification No. 00374380-000000/ 00367080-000000**

[Space Above This Line For Recording Data]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

**This Indenture**, Made this \_\_\_\_\_ day of January 2024

**Between**

**Austin Notgrass**

post office address is

**Grantor**

**City of Marathon, an agency and instrumentality of the State of Florida**

whose post office address is 9805 Overseas Highway, Marathon, FL 33050

**Grantee:**

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida, to-wit:

Parcel I:

Lot 15, Square 56, Map of Crains Subdivision of Grassy Key, according to the plat thereof as recorded in Plat Book 1, Page 51, Public Records of Monroe County, Florida.

Parcel II:

Lot 7, Block 2, Map of Crains Subdivision of Grassy Key, according to the plat thereof as recorded in Plat Book 1, Page 51, Public Records of Monroe County, Florida.

THE HEREIN DESCRIBED PROPERTY IS VACANT LAND AND NOT THE HOMESTEAD OF THE GRANTOR.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

\_\_\_\_\_  
Witness Name:  
Witness # 1 \_\_\_\_\_  
Witness address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Austin Notgrass

\_\_\_\_\_  
Witness Name:  
Witness # 2 \_\_\_\_\_  
Witness address: \_\_\_\_\_  
\_\_\_\_\_

**STATE OF** \_\_\_\_\_  
**COUNTY OF** \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of \_\_ physical presence or \_\_ online notarization this \_\_\_\_\_ day of January 2024 Austin Notgrass is personally known to me or who has produced a \_\_\_\_\_ driver license as identification.

\_\_\_\_\_  
Notary Public, State of  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_