

CITY COUNCIL AGENDA STATEMENT



Meeting Date: July 12, 2022
To: Honorable Mayor and Members of City Council
From: Brian Shea, Planning Director
Through: George Garrett, City Manager

Items: Resolution 2022-72, Approving And Accepting A Warranty Deed For The Conveyance Of Land From Seasons 16 LLC; Having Real Estate Number 00369550-000000; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing An Effective Date.

RECOMMENDATION:

Approval of Resolution

BACKGROUND:

As part of a current TDR approvals, an applicant who has removed density of a lot must record a conservation easement. The lot may then be donated to 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:

Table with 2 columns: Item, Yes, No. Row 1: 1. Comprehensive Plan, Yes: blank, No: X. Row 2: 2. Other -Sewer Mandate, Yes: blank, No: X.

FISCAL NOTE:

APPROVED BY FINANCE DIRECTOR:

RECOMMENDATION:

Approval of Resolution

Sponsored by: Garrett

RESOLUTION NO. 2022-72

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM SEASONS 16 LLC; HAVING REAL ESTATE NUMBER 00369550-000000; AUTHORIZING ITS RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 106.59 of the City Code, a landowner may voluntarily elect to dedicate to the City a vacant, conservation lot that has restricted development through a conservation easement; 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.

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. **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 3. **Recording.** Seasons 16 LLC shall record, at their sole expense, the Deed in the public records of Monroe County, Florida.

Section 4. **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 12TH DAY OF JULY, 2022.

THE CITY OF MARATHON, FLORIDA

John Bartus, 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