

**CITY OF MARATHON, FLORIDA
RESOLUTION 2015-40**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ACCEPTING A RELEASE OF OWNER OCCUPIED DEED RESTRICTIONS FOR PROPERTY LOCATED AT 1872 107TH ST GULF, MARATHON, FLORIDA; FURTHER IDENTIFIED BY REAL ESTATE NO. 00335060-000000, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a building permit application was submitted for property located at 1872 107th Street, Gulf, Marathon, Florida (RE No. 00335060-000000) for an owner occupied Building Permit Allocation System (BPAS) allocation; and

WHEREAS, the applicant recorded the deed restriction prematurely before receiving an allocation; and

WHEREAS, the original applicant/owner of said property intends to sell the property; and

WHEREAS, if the new owner intends to use the existing application to obtain an owner occupied BPAS allocation, they will be required to record a new owner occupied deed restriction; and

WHEREAS, the new deed restriction shall not be filed until after the applicant receives an allocation through BPAS and prior to receiving the permit allowing construction of the unit.

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 incorporated herein.

Section 2. The City Council hereby approves and accepts the “Release of Owner Occupied Deed Restrictions” for property located at 1872 107th Street, Gulf, Marathon, Florida (RE No. 00335060-000000), attached as Exhibit “A.”

Section 3. The Mayor is authorized to execute the Release of Owner Occupied Deed Restrictions on behalf of the City.

Section 4. The Owner of said property is responsible for recording the “Release of Deed Restriction” in the public record through the Monroe County Clerk of Court at his/her/its sole expense, and returning a copy of said recordation to the City Clerk of the City of Marathon.

Section 5. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 14TH DAY OF APRIL, 2015.

THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Keating, Kelly, Senmartin, Zieg, Bull
NOES: None
ABSENT: None
ABSTAIN: None

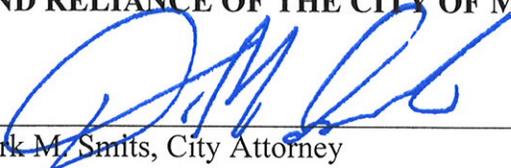
ATTEST:



Diane Clavier, City Clerk

(City Seal)

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



Dirk M. Smits, City Attorney

This document prepared
by and return to:
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

Doc# 2024956
Bk# 2735 Pg# 2094

RELEASE OF OWNER OCCUPIED DEED RESTRICTIONS

1872 107th STREET
MARATHON, FLORIDA 33050
RE # 00335060-000000

1. A building permit application was submitted for property located at 1872 107th Street, Gulf, Marathon, Florida (RE No. 00335060-000000) for an owner occupied Building Permit Allocation System (BPAS) allocation, such Property being more particularly described as follows:

Block 2 Lot 6 KEY COLONY SUBD #4, according to the Plat thereof, recorded in Plat Book 4, Page 23, of the Public Records of Monroe County, Florida.

2. The Owner of the Property recorded an owner occupied deed restriction prior to receive an allocation through BPAS.

3. Should the New Owner intend to use the existing permit application, they will be required to record an owner occupied deed restriction in their name.

4. Said New Owner will file a new Owner Occupied Deed Restriction to run with the land upon receiving an allocation and prior to the issuance of the building permit.

5. In consideration of the above, the City hereby releases the Property from the Owner Occupied Deed Restrictions recorded in Document No. 1700354, Book 2367, Pages 1861-1867 of the Monroe County Clerk of Courts Records.

EXECUTED this 14th day of April, 2015.

Witness 1:

CITY OF MARATHON

Diane clavier
Name

By: Chris Bull
Chris Bull, Mayor

Diane clavier
Signature

Witness 2:

MONROE COUNTY
OFFICIAL RECORDS

Hillary Palmer
Name

Hillary Palmer
Signature