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**CITY OF MARATHON, FLORIDA
RESOLUTION 2023-48**

A RESOLUTION OF THE CITY COUNCIL OF MARATHON, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM MARATHONERS II, LLC, RECIPIENT OF A RESIDENTIAL DWELLING UNIT ALLOCATION AWARD; AUTHORIZING ITS 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 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 Marathoners II, LLC attached as Exhibit "A" is 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 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 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, THIS 9TH DAY OF MAY 2023.

THE CITY OF MARATHON, FLORIDA



Mayor Gonzalez

AYES: Landry, Matlock, Smith, Still, Gonzalez
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:



Steven Williams
City Attorney

Prepared by and return to:

Wolfe Stevens PLLC
6807 Overseas Highway
Marathon, FL 33050
(305)743-9858

Parcel Identification No. 00368750-000000/00374370-000000

[Space Above This Line For Recording Data]

Warranty Deed

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

This Indenture, Made this 10th day of April 2023

Between

Marathoners II, LLC, a Florida limited liability company

post office address is 11765 3rd Ave Ocean, Marathon, FL 33050

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 14, 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 16, Block 20, 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:

Marathoners II, LLC

Rodreelle Shucart

Witness Name:

Witness # 1 Rodreelle Shucart

Rene Acres Hatch

Witness Name:

Witness # 2 Rene Acres Hatch

Randy Acres

By: Randy Acres, Manager

Sandy Acres

By: Sandy Acres, Manager

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 10th day of April 2023 by Randy Acres and Sandy Acres, Managers on behalf of said company who are personally known to me or who have produced a _____ driver license as identification.

Nancy Price Farnsworth

Notary Public, State of

Printed Name: NANCY PRICE FARNSWORTH

My Commission Expires: 3-9-2027

