

RESOLUTION NO. 00-03-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, APPROVING AND ACCEPTING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND LAND DEDICATIONS FROM RECIPIENTS OF RESIDENTIAL DWELLING UNIT ALLOCATION AWARDS, AUTHORIZING THEIR RECORDING IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 9.5-122.1(a)(4) of the Monroe County Code as the same is applicable to the City of Marathon (the "City"), a landowner may voluntarily elect to develop dwelling units which contribute to the supply of affordable housing in the City as part of the Residential Dwelling Unit Allocation Award ("ROGO") process; and

WHEREAS, pursuant to Section 9.5-122.1(b)(4) of the Monroe County Code as the same is applicable to the City, if a landowner proposes to develop affordable housing in the City as set forth above, the landowner is required to execute a legally binding restrictive covenant limiting the eligibility of the prospective resident; and

WHEREAS, the restrictive covenant must run in favor of, and be enforceable by the City, and must be approved by the City Council prior to recording in the public records of Monroe County, Florida; and

WHEREAS, pursuant to Section 9.5-122.1(a)(5) of the Monroe County Code, as the same is applicable to the City, a landowner may voluntarily agree to dedicate to the City a vacant, buildable lot or buildable land as part of the ROGO unit 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 recording in the public records of Monroe County, Florida.

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


Section 1. That the Declaration of Covenants, Conditions and Restrictions (the "Declarations") and the Statutory Warranty Deeds (the "Deeds"), submitted by the recipients of ROGO allocations awarded by the City of Marathon Planning Commission at its meeting of March 2, 2000, attached as Exhibit "A" are approved and accepted by the City as part of the ROGO allocation process.

Section 2. That the above approval and acceptance is subject to compliance with all City and Code requirements, payment of all taxes (as may be appropriate), and review and approval of the Declarations and Deeds by the City Attorney. The Declarations and Deeds shall be recorded in the public records of Monroe County, Florida at the sole cost and expense of the recipients of ROGO allocation awards.

Section 3. 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.

Section 4. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 2nd day of March, 2000.


ROBERT "BOB" MILLER, MAYOR

ATTEST:


ACTING CITY CLERK, JOANNE WEBER

APPROVED AS TO LEGAL SUFFICIENCY:


ACTING CITY ATTORNEY,

FINAL VOTE AT ADOPTION

<i>Mayor Robert Miller</i>	<u>YES</u>
<i>Vice Mayor John Bartus</i>	<u>YES</u>
<i>Councilman Frank Greenman</i>	<u>YES</u>
<i>Councilman Jon Johnson</i>	<u>YES</u>
<i>Councilman Randy Mearns</i>	<u>YES</u>

EXHIBIT "A"

ROGO ALLOCATION RANKINGS

MARKET DWELLING UNITS

1.	*	JIM NEALIS	99-2-0984
2.	*	RICKY QUALLS	99-2-0683
3.	*	RICKY QUALLS	99-2-0683
4.	*	DAN WILLIAMS	99-2-1078
5.	*	RAYMOND WILLIS	99-2-0145
6.	*	FRANCESCA BOLOGNA	99-2-1192
7.	*	HARRY PEITSCH	99-2-1344
8.	*	MARINO/CRADDOCK	99-2-1471
9.		THOMAS/CAROL MCCOY	99-2-1034
10.		TRUDY MURRAY	99-2-0698
11.		DAVID MAIMON	99-2-1358
12.		AUSTIN YOUNG	99-2-1426
13.		KEVIN KENNY	99-2-1534

AFFORDABLE DWELLING UNITS

1.	*	ANDY BOTT
2.	*	ALAN SCHMITT

* **LAND COVENANTS, DECLARATIONS OR RESTRICTIONS**