

**RESOLUTION NO. 22-06-55**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AND ACCEPTING A WARRANTY DEED FOR THE CONVEYANCE OF LAND FROM HARBORGATE LLC; AUTHORIZING RECORDING OF DEED IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; FINDING AND DETERMINING THAT THE REAL PROPERTY SHALL BE USED FOR MUNICIPAL OR PUBLIC PURPOSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 30-476(a)(4) of the Code of Ordinances (the "Code") of Islamorada, Village of Islands (the "Village"), a landowner may voluntarily dedicate to the Village a vacant, buildable lot or buildable land as part of an application to the Building Permit Allocation System ("BPAS"); and

**WHEREAS**, if a landowner proposes to dedicate land to the Village as set forth above, the landowner is required to execute a statutory warranty deed conveying such land to the Village that must be approved by the Village Council prior to recording in the public records of Monroe County, Florida; and

**WHEREAS**, Harborage, LLC. (the "Applicant") submitted an application to the BPAS, and in order to receive ten (10) points toward the BPAS score desires to dedicate one (1) vacant lot to the Village; and

**WHEREAS**, the vacant lot located at 30 Flamingo Hammock Rd (Parcel ID #: 00403041-00300) meets the requisite land dedication criteria; and

**WHEREAS**, the Village Council finds that approval of the land dedication to the Village and the Resolution attached hereto is in the best interest of the Village.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,  
VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

**Section 1. Acceptance of Land Dedication.** Subject to compliance with all Village and Code requirements, payment of all taxes, and review and approval by the Village Attorney, the Statutory Warranty Deed (the "Deed") submitted by Harborgate, LLC, attached as Exhibit "A", is approved and accepted by the Village as part of the BPAS in substantial compliance with the attached warranty deed, to further provide for appropriate Village officials to execute any additional documents necessary to accept the warranty deed.

**Section 2. Determination of Public Purpose.** The Village Council finds and determines that the property being dedicated to the Village shall be held or used for a municipal or public purpose.

**Section 3. Recording.** The Deed shall be recorded in the public records of Monroe County, Florida at the sole cost and expense of Harborgate LLC.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

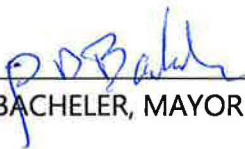
Moved by Councilman David Webb, second by Mayor Pete Bachelier.

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:**

Mayor Pete Bachelor	<u>Yes</u>
Vice Mayor Henry Rosenthal	<u>Yes</u>
Councilman Mark Gregg	<u>Abstain</u>
Councilman Joseph B. Pinder III	<u>Yes</u>
Councilman David Webb	<u>Yes</u>

**PASSED AND ADOPTED** this 23<sup>rd</sup> day of June, 2022.

  
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PETER BACHELER, MAYOR

ATTEST:

  
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MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE  
USE AND BENEFIT OF ISLAMORADA, VILLAGE OF  
ISLANDS ONLY

  
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JOHN QUICK, INTERIM VILLAGE ATTORNEY