

Name: Key Largo Wastewater Treatment District
Address: P.O. Box 491
City, State, Zip: Key Largo, FL 33037-0491
Phone: 305-453-5804

RESOLUTION NO. 44-10-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF THE WHITEHURST FAMILY PARTNERSHIP FOR DESIGNATION OF ONE TAX PARCEL AS A PARCEL EXCLUDED FROM THE 2006 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Whitehurst Family Partnership has submitted documentation supporting the request for exception of the Tax Parcel described below from the District's 2006 non-ad valorem assessment; and

WHEREAS, the documentation consists of the Monroe County's Proposed Property Taxes for 2005; and

WHEREAS, the information states that the parcel owned by the Whitehurst Family Partnership is Submerged Lands (Bay Bottom) and no dry land; and

WHEREAS, the Tax Parcel will receive no special benefit from the wastewater facilities because it is not developed and is not capable of being developed with improvements that will generate wastewater;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT;

Section 1.

PARCEL ID: 00087900-000000
AK NO. 1093564
PARCEL DESCRIPTION: 11 61 39 BAY BOTTOM NWLY LOTS 10-14 & PT LOT 15 BAYWOOD SUB OR512-120-121 OR1078-372/73(JMH) OR1174-1977/79(JMH)

Section 2. The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the deleted tax parcel designated above from the Key Largo Wastewater Treatment District's 2006 Non-ad Valorem Assessment.

Section 3. APPLICABILITY AND EFFECTIVE DATE.

This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 4th DAY OF October, 2006

Doc# 1613246 11/16/2006 11:47AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1613246
BK# 2252 Pg# 1288

This resolution is made in reliance upon information, representations, and documents provided by the owner of the Excluded Parcel. If, at some later date, the District determines that the information, representations, and documents contained false or misleading information material to the District's decision to designate the Tax Parcel as an Excluded Parcel, the District reserves the right, in its discretion, to revoke such designation, and to pursue all remedies at law and equity for injuries to the District caused by exclusion of the Tax Parcel.

If the District in its sole discretion later provides Wastewater Service to an Excluded Parcel, the then-current owner(s) shall be required to pay to the District all direct and indirect costs and expenses, including, but not limited to, an amount fairly representing the special benefit that the Tax Parcel will receive, as determined by the District.. The undersigned understand and acknowledge that the amount charged at the time of later connection is expected to be significantly greater than the 2006 non-ad valorem assessment.

I, Christy Schweiss, on behalf of the Whitehurst Family Trust, do hereby accept this resolution and agree that it will be recorded in the Public Record.



State of FL County of Monroe

The foregoing instrument was acknowledged before me this 6 day of OCT, 2006, by Lee Carpenter who is personally known to me or who has produced FL S200-519 55 632 as identification.



_____, Notary Public



The foregoing RESOLUTION was offered by Commissioner Bauman, who moved its approval. The motion was seconded by Commissioner Higgins, and being put to a vote the result was as follows:

	AYE	NAY
Chairman Claude Bullock	<u>X</u>	_____
Commissioner Gary Bauman	<u>X</u>	_____
Commissioner Charles Brooks	<u>X</u>	_____
Commissioner Andrew Tobin	<u>X</u>	_____
Commissioner Norman Higgins	<u>X</u>	_____

The Chairman thereupon declared Resolution No. 44 -10-06 duly passed and adopted the 4th day of October, 2006.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: Claude M. Bullock
Chairman Claude Bullock

ATTEST:

Approved to as to form and legal sufficiency

Carol Walker

Carol Walker, Clerk

Thomas M. Dillon

District Counsel, Thomas M. Dillon



MONROE COUNTY
OFFICIAL PUBLIC RECORD