

RESOLUTION NO. 04-04-07

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
APPROVING THE REQUEST OF MONROE COUNTY FOR
REMOVAL OF FIVE TAX PARCELS FROM THE 2006
NON-AD VALOREM ASSESSMENT; AND PROVIDING
FOR APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Monroe County has submitted documentation supporting its request for exception from the Wastewater Assessment; and

WHEREAS, the documentation consists of County Records and a letter from the Engineering Division of Monroe County; and

WHEREAS, the documentation states that the parcels owned by Monroe County are lands that are County Rights-of-Ways, small triangular parcels not intended for development, and a hammock located in a residential community with too little surrounding natural area to be designated Tier I; and

WHEREAS, the documentation states that it is unlikely that the parcels will be developed;

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

Section 1.

PARCEL ID:	00546710
AK NO.	8835761
PARCEL DESCRIPTION:	AMD PLAT WINSTON WATERWAYS PB4-144 KEY LARGO FIRST, SECOND
PARCEL ID:	00456160
AK NO.	8712626
PARCEL DESCRIPTION	LARGO GARDENS PB4-38 LOT 15 BLK 4 OR409-996 OR806-1264 OR1002-2389(VE) OR1131-849(JB) OR1301-178/79(JB) OR1318-2151C/T(JB)
PARCEL ID:	00463680
AK NO.	1567094
PARCEL DESCRIPTION	BK 1 LT 5 PAMELA VILLA PB3-125 KEY LARGO OR548-388 OR712-860 OR933-1904Q/C OR1415-1937T/D(JMH) OR1923-80 OR2053-40
PARCEL ID:	00085140
AK NO.	1093793
PARCEL DESCRIPTION	12 61 39 A61912-04.1 ISLAND OF KEY LARGO PB1-68 PART OF LOT 6 SE OF R-W OR601-134-135

PARCEL ID: 00085140
AK NO. 8739788
PARCEL DESCRIPTION 12-61-39 ISLAND OF KEY LARGO PB1-68 & PB4-130
PT LT 1 SE OF R/W (AKA ROADWAY) OR1050-
629/630

Section 2. The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the five tax parcels 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 2nd DAY OF APRIL, 2007

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 2005 non-ad valorem assessment.

I, _____, representative for Monroe County do hereby accept this resolution and agree that it will be recorded in the Public Record.

State of _____ County of _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2007, by _____ who is personally known to me or who has produced _____ as identification.

_____, Notary Public

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

	AYE	NAY
Chairman Claude Bullock	<u>✓</u>	_____
Commissioner Gary Bauman	<u>✓</u>	_____
Commissioner Susan Hammaker	<u>✓</u>	_____
Commissioner Andrew Tobin	<u>✓</u>	_____
Commissioner Norman Higgins	<u>✓</u>	_____

The Chairman thereupon declared Resolution No. 04-04-07 duly passed and adopted the 2nd day of April, 2007

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: Claude M. Bullock
Chairman Claude Bullock

ATTEST:

Carol Walker

Carol Walker, Clerk

Approved to as to form and legal sufficiency

Thomas M. Dillon

District Counsel, Thomas M. Dillon

