

Name: Key Largo Wastewater
Treatment District
Address: P.O. Box 491
Key Largo, FL 33037

RESOLUTION NO. 06-02-09

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
APPROVING DESIGNATION OF ONE TAX PARCEL AS A
PARCEL EXCLUDED FROM THE 2008 NON-AD
VALOREM ASSESSMENT; AND PROVIDING FOR
APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Dream Bay Marina LLC. has submitted documentation showing that the parcel described herein is submerged land, and not capable of being improved with facilities that will generate wastewater; and

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

Section 1.

PARCEL ID: 00088070-000000
AK NO. 1096971
PARCEL DESCRIPTION: 32 61 39 ISLAND OF KEY LARGO BAY BTM ADJ LTS 4-8 I I
DEED NO 24762 OR408-1034 (CASE#80-300-CPOR1432-509/10
OR2351-436/39Q/C

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 2008 Non-ad Valorem Assessment, provided that 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 amount charged at the time of later connection is expected to be significantly greater than the 2008 non-ad valorem assessment.

Section 3. APPLICABILITY AND EFFECTIVE DATE.

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

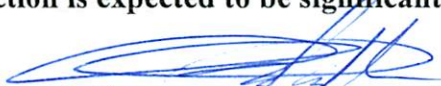
RESOLVED AND ADOPTED THIS 17th DAY OF FEBRUARY 2009

Doc# 1743359 05/21/2009 2:31PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1743359
Bk# 2414 Pg# 121

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 2008 non-ad valorem assessment.


I, William Cullen, representing Dream Bay Marina LLC., 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 15 day of MAY, 2009, by

William Cullen, who is personally known to me or who has produced FL DR C450-97-49-062-6 as identification.


_____, Notary Public



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

	AYE	NAY
Chairwoman Susie Hammaker	<u>X</u>	___
Commissioner Charles Brooks	<u>X</u>	___
Commissioner Susan Hammaker	<u>X</u>	___
Commissioner Andrew Tobin	<u>X</u>	___
Commissioner Norman Higgins	<u>X</u>	___

The Chairman thereupon declared Resolution No. 06-02-09 duly passed and adopted the 17th day of February, 2009.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: [Signature]
Chairwoman Hammaker

ATTEST:

[Signature]
Carol Walker, District Clerk

Approved to as to form and legal sufficiency

[Signature]
District Counsel, Thomas M. Dillon



MONROE COUNTY
OFFICIAL PUBLIC RECORD