

RESOLUTION NO. 24-08-09

**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, Aldo F. Suarez has submitted documentation showing that the parcel described herein is submerged land (Parcel Description from Monroe County Record Card), 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: 00090490-000281
AK NO. 9087438
PARCEL DESCRIPTION: 05-62-39 BAY BTM S'LY UNIT 78 MOLASSES REEF MARINA
CONDO (12' X 24') OR2232-1779/1780

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 4th DAY OF AUGUST 2009

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, _____, 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 _____, 2009, by Aldo F. Suarez who is personally known to me or who has produced _____ as identification.

_____, Notary Public

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

	AYE	NAY
Chairwoman Susie Hammaker	X	___
Commissioner Charles Brooks	X	___
Commissioner Susan Hammaker	X	___
Commissioner Andrew Tobin	X	___
Commissioner Norman Higgins	X	___

The Chairman thereupon declared Resolution No. 24-08-09 duly passed and adopted the 4th day of August, 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

