

RESOLUTION NO. 07-04-10

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF ROBERT A. BARKER AND JANNIE K. BARKER, HUSBAND AND WIFE, FOR REMOVAL OF ONE TAX PARCEL FROM THE 2007 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, Robert A. Barker and Jannie K. Barker, husband and wife, have submitted documentation consisting of a recorded Lot Aggregation Restrictive Covenant, supporting a request for exception from the Wastewater Assessment; and

WHEREAS, the documentation states that the parcels owned by Robert A. Barker and Jannie K. Barker, husband and wife, had the density reduced through a Lot Aggregation Restrictive Covenant from two dwelling units to one dwelling unit; and

WHEREAS, the documentation states that Robert A. Barker and Jannie K. Barker, husband and wife, have voluntarily reduced the density from two dwelling units to one dwelling unit on the Parcels in Section One of this resolution.

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

Section 1.

Remove

PARCEL ID: 00468471-006700
AK NO. 1572551
PARCEL DESCRIPTION: BK 4 LT 9 CROSS KEY WATERWAY ESTATES SECTION ONE KEY LARGO PB 6-51 OR513-263 OR1756-2151 OR2176-178

Serve

PARCEL ID: 00468474-006800
AK NO. 1572560
PARCEL DESCRIPTION: BK 4 LT 9 CROSS KEY WATERWAY ESTATES SECTION ONE KEY LARGO PB 6-51 OR513-263 OR1756-2151 OR2176-178

Section 2.

The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the lot designated above from the Key Largo Wastewater Treatment District 2007 No 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 6th DAY OF APRIL, 2010

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 2007 non-ad valorem assessment.

I, Robert A. Barker 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 _____, 2010, by Robert A. Barker who is personally known to me or who has produced _____ as identification.

_____, Notary Public

I, Jannie K. Barker 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 _____, 2010, by Jannie K. Barker 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 Hammaker, and being put to a vote the result was as follows:

	AYE	NAY
Chairman Higgins	<u>X</u>	_____
Commissioner Hammaker	<u>X</u>	_____
Commissioner Brooks	<u>X</u>	_____
Commissioner Tobin	<u>X</u>	_____
Commissioner Majeska	<u>X</u>	_____

The Chairman thereupon declared Resolution No. 07-04-10 duly passed and adopted the 6th day of April, 2010

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: Norman Higgins
Chairman Higgins

ATTEST:
Carol Walker
Carol Walker, District Clerk

Approved to as to form and legal sufficiency
Thomas M. Dillon
District Counsel, Thomas M. Dillon

