

RESOLUTION NO. 17 -03-12
A RESOLUTION OF THE BOARD OF COMMISSIONERS
APPROVING THE REMOVAL OF ONE TAX PARCEL
FROM THE 2009 NON-AD VALOREM ASSESSMENT;
AND PROVIDING FOR APPLICABILITY AND AN
EFFECTIVE DATE.

WHEREAS, the Key Largo Wastewater Treatment District (hereinafter "District") has determined that it will not provide wastewater infrastructure to serve the Tax Parcel shown in Exhibit "A"; and

WHEREAS, The District has previously levied Non-Ad Valorem Assessments for various Tax years for the Parcels shown in Exhibit "A"; and

WHEREAS, The Monroe County Tax Collector has issued Tax Certificates on the Parcel for certain tax years as shown in Exhibit "A"; and

WHEREAS, The District desires to cause refunds and/or credits to be made for all payments made on account of non-ad valorem assessments levied against the parcel;

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

Section 1. The District hereby removes and reverses all non-ad valorem assessments made by the District against the Tax Parcel shown in Exhibit "A".

Section .2 The District hereby authorizes the Monroe County Tax Collector to credit the Tax Parcel shown in Exhibit "A" with all payments received on account of them, following the Monroe County Tax Collector's standard methodology.

Section 3. The District authorizes the Monroe County Tax Collector to issue credits to holders of tax certificates issued with respect to the Tax Parcel shown in Exhibit "A" insofar as the tax certificates were sold to collect District non-ad valorem assessments. The District will accept deductions from the Monroe County Tax Collector's sweeps to the District account for credits granted in accordance with this resolution.

Section 4. **APPLICABILITY AND EFFECTIVE DATE.** This resolution shall take effect upon adoption by the Board of Commissioners.

RESOLVED AND ADOPTED THIS 6TH DAY OF MARCH 2012

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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
Chairman Majeska	<u>X</u>	___
Commissioner Hammaker	<u>X</u>	___
Commissioner Brooks	<u>X</u>	___
Commissioner Tobin	<u>X</u>	___
Commissioner Higgins	<u>X</u>	___

The Chairman thereupon declared Resolution No. 17-03-12 duly passed and adopted the 6TH day of March, 2012.

KEY LARGO WASTEWATER TREATMENT DISTRICT
BY: [Signature]
Chairman Majeska

ATTEST:
[Signature]
Carol Walker, District Clerk

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



Attachment A

Excluded Parcels:

Excluded Parcel No. 1:

Alternate Key Number: 1605662

RE Number: 00490230-000000 Physical Location: Vacant Land

Legal Description: **PLAT OF SURVEY OF ELLIS PROPERTY KEY LARGO PB2-99 PT
N 100FT OF S 400FT TRACT 2 LT 1 G73-168/169 OR1232-763/64 OR2086-
1508/10 OR2456-2223/24**

**KEY LARGO WASTEWATER TREATMENT DISTRICT
98880 OVERSEAS HWY, KEY LARGO, FL 33037
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
PHONE (305) 451-4019 FAX (305) 453-5807**



WWW.KLWTD.COM

RE: Request for Exemption

AK#1605662

Chris and Pamela Sante
95231 Overseas Hwy
Key Largo, FL 33037

Dear Property Owner:

The District has reviewed your property and determined that your lot is unbuildable and there are no plans to sewer your lot. You have the option to be excluded if you choose to be at this time.

However, if you opt out of the assessment now, and you or a subsequent owner later choose to obtain District wastewater service, the cost to obtain that service will be substantially greater than the amount of the current assessment.

If you choose to opt out of the current assessment, please complete the next page of this letter and have it notarized; return the completed and notarized document to the District Clerk.

In reliance on the certifications and statements of the undersigned, the District will forego its right to impose the non-ad valorem assessment on the excluded parcels.

The District will advise the Monroe County Tax Collector to remove the assessment(s) against the Excluded Parcel(s). The District has been advised by the Monroe County Tax Collector that upon receipt of such advice, the Monroe County Tax Collector will issue amended tax bills reflecting the removal of the assessment(s) from the Excluded Parcels. If the assessment(s) have already been paid, the District will take steps to refund the amount(s) received by the District to the then-current owner(s) of the Excluded Parcels. However, the District will not be obligated to refund any amounts charged by the Monroe County Tax Collector for collecting the assessment(s).

THE UNDERSIGNED, COMPRISING ALL OF THE OWNERS OF THE TAX PARCELS LISTED IN ATTACHMENT A HAVE EXECUTED THIS EXEMPTION OF WASTEWATER SERVICE AND ACKNOWLEDGEMENT OF POTENTIAL COSTS ON THE DATES SHOWN OPPOSITE THEIR NAMES.

THE UNDERSIGNED ACKNOWLEDGE AND AGREE THAT IF THEY OR A SUBSEQUENT OWNER OF A TAX PARCEL LISTED IN ATTACHMENT "A" LATER CHOOSE TO OBTAIN DISTRICT WASTEWATER SERVICE, THE COST OF CONNECTION WILL BE SIGNIFICANTLY GREATER THAN THE AMOUNT OF THE CURRENT ASSESSMENT.

Signed, Sealed and Delivered in the presence of these Witnesses (one of whom may be the Notary):

Owner or Co-owner

Owner or Co-owner

Sign: *[Signature]*

Sign: *Ram Santa*

Owner or Co-owner

Owner or Co-owner

Sign: _____

Sign: _____

Witness

Witness

Sign: *Marianne Stanley*

Sign: _____

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 02/13/12 (date), by CHRIS & RAM SANTA (name(s)), who is personally known to me or who has produced _____ (type of identification) as identification.

[Signature]
Notary Public

Printed Name: MICHAEL STANLEY

My Commission Expires:

