

**RESOLUTION NO. 18-03-12**  
**A RESOLUTION OF THE BOARD OF COMMISSIONERS**  
**APPROVING THE REQUEST OF CHRIS SANTE FOR**  
**REMOVAL OF ONE TAX PARCEL FROM THE 2009 NON-**  
**AD VALOREM ASSESSMENT; AND PROVIDING FOR**  
**APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, Deborah Boyce, the owner of the parcels described in Section 1 and Section 2, below, has applied to the Key Largo Wastewater Treatment District approved the request of the property owner, to waive service to the parcel described in Section 2; and

WHEREAS, the Key Largo Wastewater Treatment District has determined the parcel described in Section 2 are adjacent to the parcel described in Section 1 which is receiving service and the lots will be developed and used as a single property; and

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

**Section 1.**

PARCEL ID: 00490270-000000  
AK NO. 1605701  
PARCEL DESCRIPTION: PLAT OF SURVEY OF ELLIS PROPERTY PB2-99 KEY LARGO PT S 100 FT OF TRACT 2 AND TAVERNIER OCEAN SHRS PB4-112 KEY LARGO TR B OR328-178/79 OR373-937/38 OR569-664D/C OR831-2389/90 OR831-2394/96 OR878-1308 OR930-2434C OR990-2087/88 OR1099-859C OR1190-1727/28C/T OR1205-1510R/S OR1275-1369/70 OR1977-1377/78 OR2089-654/55 OR2546-85/88

**Section 2.**

PARCEL ID: 00089500-000100  
AK NO. 8835957  
PARCEL DESCRIPTION: 27-62-38 ISLAND OF KEY LARGO PB1-64 PT LOT 7 OR1275-1369/70 OR1977-1377/78 OR2089-654/55Q/C

**Section 3.**

The Key Largo Wastewater Treatment District Board of Commissioners does hereby exclude the lots designated above in Section 2 from the Key Largo Wastewater Treatment District 2009 Non Ad-Valorem Assessment.

**Section 4.**

The Key Largo Wastewater Treatment District Board of Commissioners does hereby authorize the application of the principal that has been paid on the parcels described in Section 2 to what is owed on the parcel described in Section 1.

**Section 4.**

APPLICABILITY AND EFFECTIVE DATE.

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

RESOLVED AND ADOPTED THIS 6<sup>th</sup> DAY OF MARCH 2012

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Hammaker	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Brooks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Tobin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Higgins	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Chairman thereupon declared Resolution No. 18-03-12 duly passed and adopted the 6<sup>th</sup> 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



**This document prepared by (and after recording return to):** )  
 )  
**Name:** Key Largo Wastewater )  
 Treatment District )  
**Address:** P.O. Box 491 )  
 City, State, Zip: Key Largo, FL 33037-0491 )  
**Phone:** 305-451-4019 ))  
 )

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**Property Appraiser Parcel Identification Number(s) = Serve AK#1605701 Delete AK#8835957**

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
 WAIVER OF WASTEWATER SERVICE  
 AND  
 ACKNOWLEDGEMENT OF POTENTIAL COSTS**

THIS WAIVER of wastewater service and acknowledgement of potential costs is executed on the date(s) shown below:

WHEREAS, on [DATE], the Key Largo Wastewater Treatment District ("District") adopted a Final Assessment Resolution levying non-ad valorem assessments against each of the Tax Parcels listed in Attachment A under and in accordance with Chapter 197.3632, Florida Statutes; and

WHEREAS, the purpose of the non-ad valorem assessments is to recover a portion of the costs of providing wastewater service to the Tax Parcels listed in Attachment A; and

WHEREAS, the undersigned are all of the owners of the Tax Parcels listed in Attachment A; and

WHEREAS, in order to induce the District to waive the non-ad valorem assessment against one or more of the Tax Parcels listed in Attachment A ("Excluded Parcels"), (1) the undersigned are certifying that the Tax Parcels listed in Attachment A are being utilized as a single parcel for development purposes, and that the undersigned do not intend to separate the parcels for development, and (2) the undersigned are waiving their right to receive wastewater service to the Excluded Parcels; and

WHEREAS, even though the Excluded Parcels will not receive wastewater service at this time, the Excluded Parcels will nevertheless receive a special benefit from construction by the District of wastewater collection, transmission, and treatment facilities, but relying on the representations above, the District is willing to forego an assessment against the Excluded Parcels at this time; and

WHEREAS, the District has advised the undersigned that, if they or their successors desire to have wastewater service provided to any of the Excluded Parcels the cost to the District, and the cost to the undersigned persons or their successors, of providing the service will be significantly greater than the costs of providing service at this time;

NOW, THEREFORE, in consideration of the premises and in further consideration of the promises below, the undersigned agree:

1. The undersigned certify that they are all of the owners, or legal representatives of all of the owners, of the Tax Parcels, as shown in the records of the Monroe County Property Appraiser, listed in Attachment A.
2. The undersigned certify that they desire to receive wastewater service to the Tax Parcel listed in Attachment A and designated as the Tax Parcel receiving wastewater service, and further hereby waive their right to receive wastewater to the Tax Parcel(s) listed in Attachment A and designated as Excluded Parcel(s).
3. The undersigned certify that the Tax Parcels listed in Attachment A are being utilized as a single parcel for development purposes, and that the undersigned do not intend to separate the parcels for development.

4. If the District later provides Wastewater Service to an Excluded Parcel, the then-current owner(s) shall be required to pay to the District 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 non-ad valorem assessment.
5. 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.
6. 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).
7. The District acknowledges receipt of an administrative fee of \$200.00.
8. The undersigned mortgagee(s) hereby consent to this waiver of wastewater service and acknowledgement of potential costs, and all of its terms.
9. This waiver and all of its terms shall be binding upon, and inure to the benefit of, the signatories, their successors and assigns, and all subsequent owners of the Tax Parcels listed in Attachment A, and each of them.

IN WITNESS WHEREOF, the undersigned, comprising all of the owners of the Tax Parcels listed in Attachment A have executed this waiver of wastewater service and acknowledgement of potential costs on the dates shown opposite their names.

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: _____	Sign: <u>[Signature]</u>
Owner or Co-owner	Owner or Co-owner
Sign: _____	Sign: <u>[Signature]</u>
Witness	Witness
Sign: _____	Sign: _____

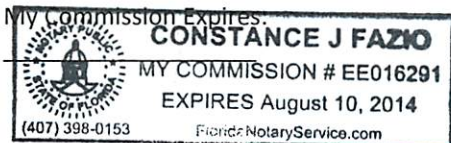
STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 2/8/2012 (date), by 5530104550010 (name(s)), who is personally known to me or who has produced SS30104550010 (type of identification) as identification.

FC  
 ac

Constance J Fazio  
 Notary Public

Printed Name: Constance J. Fazio



WAIVER OF WASTEWATER SERVICE  
AND  
ACKNOWLEDGEMENT OF POTENTIAL COSTS

Attachment A

**Tax Parcel receiving wastewater Service:**

Alternate Key Number: 1605701  
RE Number: 00490270-000000  
Physical Location: 92425 OVERSEAS HWY KEY LARGO  
Legal Description: PLAT OF SURVEY OF ELLIS PROPERTY PB2-99 KEY LARGO PT S 100 FT OF TRACT 2 AND TAVERNIER OCEAN SHRS PB4-112 KEY LARGO TR B OR328-178/79 OR373-937/38 OR569-664D/C OR831-2389/90 OR831-2394/96 OR878-1308 OR930-2434C OR990-2087/88 OR1099-859C OR1190-1727/28C/T OR1205-1510R/S OR1275-1369/70 OR1977-1377/78 OR2089-654/55 OR2546-85/88

**Excluded Parcels:**

**Excluded Parcel No. 1:**

Alternate Key Number: 8835957  
RE Number: 00089500-000100  
Physical Location: 92419 OVERSEAS HWY KEY LARGO  
Legal Description: 27-62-38 ISLAND OF KEY LARGO PB1-64 PT LOT 7 OR1275-1369/70 OR 1077-78 OR2089-654/55Q/C

**Excluded Parcel No. 2:**

Alternate Key Number:  
RE Number:  
Physical Location:  
Legal Description:

**Excluded Parcel No. 3:**

Alternate Key Number:  
RE Number:  
Physical Location:  
Legal Description:

**Excluded Parcel No. 4:**

Alternate Key Number:  
RE Number:  
Physical Location:  
Legal Description: