

**RESOLUTION NO. 10-04-13**  
**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 Section 1; and

WHEREAS, The District has previously levied Non-Ad Valorem Assessments for the Tax year 2009 for the Parcel shown in Section 1; 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.**

PARCEL ID: 00447860-000000  
AK NO.: 1547514  
PARCEL DESCRIPTION: BK 3 LT 26 HARRIS OCEAN PK ESTATES PB4-126 KEY LARGO OR362-40/41 OR1118-528AFF OR1315-1782

**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 2009 Non-ad Valorem Assessment, provided that if the District in its sole discretion later provides Wastewater Service to any of the Excluded Parcels, 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(s) will receive, as determined by the District. The amount charged at the time of later connection is expected to be significantly greater than the 2009 non-ad valorem assessment.

**Section 3.**

The District hereby authorizes the Monroe County Tax Collector to credit the Tax Parcels shown in Section 1 with all payments received on account of them, following the Monroe County Tax Collector's standard methodology as directed by the District.

**Section 4.**

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

RESOLVED AND ADOPTED THIS 9<sup>th</sup> DAY OF APRIL 2013

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

	A YE	NAY
Chairman Majeska	<u>X</u>	—
Commissioner Gibbs	<u>X</u>	—
Commissioner Tobin	<u>X</u>	—
Commissioner Higgins	<u>X</u>	—
Commissioner Asdourian	—	<u>X</u>

The Chairman thereupon declared Resolution No. 10-04-13 duly passed and adopted the 9<sup>th</sup> day of April 2013

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

ATTEST:  
[Signature]  
Carol Walker, District Clerk

Approved to as to form and legal sufficiency  
[Signature]  
General Counsel, Ray Giglio



# Key Largo Wastewater Treatment District

98880 Overseas Highway  
PO Box 491  
Key Largo, FL 33037

Phone: 305-451-4019  
Fax: 305-453-5807



February 24, 2013

AK#: 1547514

CUENCA, CESAR I AND MIRIAM  
150 PACIFIC AVE  
TAVERNIER, FL 33070

Re: Request for **Exemption**

Dear Property Owner:

In response to your request for exemption for the property referenced in Attachment A and in accordance with Section 4.06 of KLWTD Resolution No. 63-08-12, the District has reviewed your request and has determined that this property is eligible to be excluded from the wastewater assessment roll. To exercise this exemption, please complete the attached form, have it notarized and return it to the District at the address provided above.

If you exercise this exemption and you or a subsequent owner later choose to obtain District wastewater services, **the owner of this tax parcel will be required to pay the assessment on this property**, which could be substantially greater than the amount of the original assessment.

Upon receipt of the completed attached documentation, your request will be reviewed and, if complete, placed on a Key Largo Wastewater Treatment District (the "District") Board of Commissioners meeting agenda for Board approval. Please contact the District Clerk at 305-451-4019 ext 205 or email [carol.walker@klwtd.com](mailto:carol.walker@klwtd.com) for confirmation of the meeting date. If any refund of assessment be due, the District will issue a check for all principal paid to the parcel owner of record as recorded with the Monroe County Property Appraiser at the time of Board approval.

Sincerely,

Diane Oberheu  
Assessment Coordinator  
Key Largo Wastewater Treatment District

Margaret Blank  
General Manager  
Key Largo Wastewater Treatment District

*For information on an implementation of a new or old policy...*

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):

Print: CESAR I CUENCA  
Owner or Co-Owner

Print: Miriam S. CUENCA  
Owner or Co-Owner

Sign: [Signature]  
Owner or Co-Owner

Sign: [Signature]  
Owner or Co-Owner

Sign: [Signature]  
Witness

Sign: [Signature]  
Witness

STATE OF FLORIDA

COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 3-12-13 (date), by CESAR I CUENCA & Miriam S. CUENCA (name(s)), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

[Signature]  
NOTARY PUBLIC  
STATE OF FLORIDA  
YOHANY RODRIGUEZ  
MY COMMISSION # EE 092897  
EXPIRES: June 20, 2015  
Bonded Thru Budget Notary Services  
Notary Public  
Yohany Rodriguez  
Printed Name

NOTARY PUBLIC  
STATE OF FLORIDA  
YOHANY RODRIGUEZ  
MY COMMISSION # EE 092897  
EXPIRES: June 20, 2015  
Bonded Thru Budget Notary Services

6/20/15  
Commission Expiration Date

# ATTACHMENT A

## Excluded Parcels

Excluded Parcel:

Alternate Key Number: 1547514

RE Number: 00447860-000000

Physical Location: VACANT LAND KEY LARGO

Subdivision: HARRIS OCEAN PARK ESTATES

Legal Description: BK 3 LT 26 HARRIS OCEAN PK ESTATES PB4-126 KEY

LARGO OR362-40/41 OR1118-528AFF OR1315-1782

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