

RESOLUTION NO. 26-08-13

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REMOVAL OF 7 TAX PARCELS (DESIGNATED AS MARINA AND USED AS A BOAT SLIP) FROM THE 2008 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 Parcels 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, on account of the nonpayment of the District's Non-Ad Valorem Assessments the Monroe County Tax Collector may have issued Tax Certificates on certain Parcels for certain tax years as shown in Exhibit "A"; and

WHEREAS, the Tax Parcels listed in Exhibit "A" are designated by the Monroe County Property Appraiser as "Marina"; and

WHEREAS, the Tax Parcels listed in Exhibit "A" are being used as boat slips; and

WHEREAS, none of the Tax Parcels listed in Exhibit "A" has any facilities capable of creating or collecting wastewater that will enter the District's wastewater facilities; and

WHEREAS, Resolution Number 25-08-13, Section 4.06(A)(4) excludes Tax Parcels that are designated by the Monroe County Property Appraiser as "Marina" and are being used only as a "boat slip, dock or rackominimum;" and

WHEREAS, the District desires to cause refunds and/or credits to be made for all Non-Ad Valorem Assessments levied against those parcels by the District;

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 imposed by the District against the Tax Parcels shown in Exhibit "A".

Section 2.

The District hereby authorizes the Monroe County Tax Collector to credit all Non-Ad Valorem wastewater assessments and any fees associated with any tax certificates that may have been issued due to the District's wastewater assessment to holders of tax certificates issued with respect to the Tax Parcels shown in Exhibit "A."

Section 3.

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 20th DAY OF AUGUST 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:

	AYE	NAY
Chairman Robert Majeska	<u>X</u>	_____
Commissioner David Asdourian	<u>X</u>	_____
Commissioner Steve Gibbs	<u>X</u>	_____
Commissioner Norman Higgins	<u>X</u>	_____
Commissioner Andrew Tobin	<u>X</u>	_____

The Chairman thereupon declared Resolution No. 26-08-13 duly passed and adopted the 20th day of August 2013.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: [Signature]
Chairman Robby Majeska

ATTEST:

Approved to as to form and legal sufficiency

[Signature]
Carol Walker, District Clerk

[Signature]
General Counsel, Ray Giglio



Resolution 26-08-13**Exhibit A**

Parcel ID	AK NO.	Parcel Description
00090401-000402	8861362	KEY LARGO YACHT CLUB A CONDOMINIUM MARINA UNIT 2 & .8533% COMMON ELEMENTS OR1410-1786/87(JB)
00090401-000403	8861371	UNIT 3 KEY LARGO YACHT CLUB A CONDOMINIUM MARINA OR1418-612/13 OR1922-1578 OR2466-2067/68
00090401-000407	8861419	KEY LARGO YACHT CLUB A CONDOMINIUM MARINA UNIT 7 & .4800% COMMON ELEMENTS OR1359-1053/55(CMS)
00090401-000413	8861478	KEY LARGO YACHT CLUB A CONDOMINIUM MARINA UNIT 13 & .4800% COMMON ELEMENTS OR1367-319/21(JB)
00090401-000421	8861559	UNIT 21 KEY LARGO YACHT CLUB A CONDOMINIUM MARINA OR1418-614/15 OR2466-2067
00498810-000201	8981886	OCEAN SHORES VILLAS, A CONDOMINIUM DOCK SLIP UNIT 1 & 4.70% COMMON ELEMENTS OR1732-14/16(CTT)
00498810-000203	8981908	DOCK SLIP UNIT 3 OCEAN SHORES VILLAS, A CONDOMINIUM OR1732-20/23 OR1854-127/29 OR2161-1512/14 OR2567-1393/95C/T