

RESOLUTION NO. 33-10-13

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REMOVAL OF 1 TAX PARCEL (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 Parcel shown in Section 1; and

WHEREAS, the District has previously levied Non-Ad Valorem Assessments for various Tax years for the Parcel shown in Section 1; 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 the Parcel for certain tax years as shown in Section 1; and

WHEREAS, the Tax Parcel listed in Section 1 is designated by the Monroe County Property Appraiser as "Marina"; and

WHEREAS, the Tax Parcel listed in Section 1 is being used as boat slip; and

WHEREAS, the Tax Parcel listed in Section 1 does not have 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 rack minimum;" 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.

PARCEL ID: 00090401-000405
AK NO.: 8861397
PARCEL DESCRIPTION: UNIT 5 KEY LARGO YACHT CLUB A CONDOMINIUM MARINA
OR1346-1542/43 OR1603-1987 OR1603-1988AFF OR1915-1924/25
OR2151-2330/31 OR2317-2288/91 OR2480-1243/44 OR2636-1915/16

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 2008 Non-ad Valorem Assessment, provided that if the District in its sole discretion later provides Wastewater Services 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 the later

connection is expecting to be significantly greater than the 2008 non-ad valorem assessment.

Section 3.

The District hereby removes and reverses all non-ad valorem assessments imposed by the District against the Tax Parcel shown above in Section 1.

Section 4.

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 Parcel shown above in Section 1.

Section 5.

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 6.

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

RESOLVED AND ADOPTED THIS 1st DAY OF OCTOBER 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner David Asdourian	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Steve Gibbs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Norman Higgins	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Andrew Tobin	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Chairman thereupon declared Resolution No. 33-10-13 duly passed and adopted the 1st day of October 2013.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: [Signature]
Chairman Robby Majeska

ATTEST:
[Signature]
Carol Walker, District Clerk

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

