

RESOLUTION NO. 14-05-14

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
APPROVING THE REQUEST OF GEORGE SCHOENROCK
FOR THE REINSTATEMENT OF ASSESSMENT OF ONE
TAX PARCEL TO THE 2013 NON-AD VALOREM
ASSESSMENT; AND PROVIDING FOR APPLICABILITY
AND AN EFFECTIVE DATE.**

WHEREAS, the Key Largo Wastewater Treatment District ("District") assessed the property listed below in Section 1 via Resolution 11-08-07 dated August 21, 2007, the Final Assessment Resolution for 2007; and

WHEREAS, at the request of the property owner and in accordance with the General Rules and Regulations, the District subsequently issued a waiver via Resolution 06-02-10 dated February 16, 2010, of the Parcel listed in Section 1; and

WHEREAS, subsequently, the District approved the request of the current property owner, George Schoenrock to reverse the waiver on the parcel described in Section 1.

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

Section 1.

PARCEL ID: 00510870-000000
AK NO. 1630187
PARCEL DESCRIPTION: BK 3 LT 35 REVISED AMENDED PLAT OF RIVIERA
VILLAGE PB2-80 KEY LARGO G57-181 OR532-719
OR921-847 OR921-847 OR1020-153 OR1090-2078
OR1358-446/47 OR1561-473/75 OR1999-748/49 OR2668-
2032

Section 2.

Resolution number 25-08-13 dated August 6, 2013 (The 2013 Final Assessment Resolution), Exhibit 3.01 (Assessment Roll) is hereby amended to include the Parcel listed in Section 1 above.

Section 3.

The System Development Charge (SDC) the owner is required to pay \$5,700, plus additional costs of \$0.00, plus an administrative fee of \$200 for a total of \$5,900. This amount is due and payable in full on the effective date of this Resolution.

Section 4.

Any unpaid portion of the amount listed in Section 3 in addition to any other reasonable fees associated with the collection of the amount listed in Section 3 shall be added to the following year's non Ad-Valorem Assessment Roll in its

entirety and shall constitute a lien upon the assessed parcel(s), equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. The lien shall be deemed perfected upon adoption of this Resolution.

Section 5.

APPLICABILITY AND EFFECTIVE DATE.

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

RESOLVED AND ADOPTED THIS 13th DAY OF MAY, 2014

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

	AYE	NAY
Chairman Gibbs	<u>✓</u>	___
Commissioner Asdourian	<u>✓</u>	___
Commissioner Higgins	<u>✓</u>	___
Commissioner Majeska	<u>✓</u>	___
Commissioner Tobin	<u>✓</u>	___

The Chairman thereupon declared Resolution No. 14-05-14 duly passed and adopted the 13th day of May, 2014

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: [Signature]
Chairman Gibbs

ATTEST:

Approved to as to form and legal sufficiency

[Signature]
Carol Walker, District Clerk

[Signature]
General Counsel, Ray Giglio



**Reversal of Waiver of Wastewater Service
and
Acknowledgement of Costs and Assessments
Attachment A**

Tax Parcel(s) receiving wastewater Service:

Parcel:

Alternate Key Number:	1630187
RE Number:	00510870-000000
Physical Location:	VACANT LAND KEY LARGO
Legal Description:	BK 3 LT 35 REVISED AMENDED PLAT OF RIVIERA VILLAGE PB2-80 KEY LARGO G57-181 OR532-719 OR921-847 OR921-847 OR1020-153 OR1090- 2078 OR1358-446/47 OR1561-473/75 OR1999- 748/49 OR2668-2032

Key Largo Wastewater Treatment District

98880 Overseas Highway – PO Box 491
Key Largo, FL 33037
Phone: (305) 451-4019 Fax: (305) 453-5807
www.klwtd.com



Request for Reversal of Waiver of Wastewater Service

ALL fields must be completed, unless indicated as optional, before the request will be reviewed.

Property Owner of Record: George Schoenrock

Name of Request Initiator: _____

Email (optional): _____ Phone: 305-776-1802

PARCEL
RE/Parcel ID: _____ Alternate Key: 1630187

Parcel Legal Description: 00510870-000000 Block 3 Lot 35 Riviera Village

ORIGINAL WAIVER
Date Approved: 2/16/2010 Doc No: 1795780 Book: 2472 Page: 2256

- I request a **REVERSAL of WAIVER** of wastewater assessment. I understand that after reversal of waiver is approved I will be required to pay:
- Costs to provide parcel with wastewater service (if applicable. Fees will be determined by survey conducted by KLWTD Engineering Department).
 - System Development Charge (SDC) – Due in full. \$5,700
 - Administrative fee of \$200.

Additional Notes or Requests:

George Schoenrock
Signature

5-2-14
Date

The completed request may be mailed to PO Box 491, Key Largo, FL 33037, faxed to 305-453-5807 or hand delivered to the District office located at 98880 Overseas Hwy, Key Largo, FL 33037.

To be Completed by KLWTD Engineering Department

Survey conducted by: Travis Hartwell & Suzi Rubio

- Parcel HAS wastewater service available. No additional costs will be incurred.
- Parcel does NOT have wastewater service available. Additional costs to provide parcel with wastewater service is \$_____. (Break down of costs is attached.)

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)

---Above This Line Reserved For Official Use Only---

Property Appraiser Parcel Identification Number(s) = Insert AK 1630187

Key Largo Wastewater Treatment District
Reversal of Waiver of Wastewater Service
and
Acknowledgement of Costs and Assessments

THIS **Reversal of Waiver of Wastewater Service and Acknowledgement of Costs and Assessments** (the "Reversal of Waiver") is made this 13 day of May 20 14, by the Key Largo Wastewater Treatment District with respect to the Parcel listed in Attachment "A" (the "Parcel"):

WHEREAS, the undersigned, who are all of the Owners or are the legal representatives of all of the Owners (collectively, the "Owners") of the Parcel, previously requested that the District exclude the Parcel from the District's Assessment roll and waive the Assessments levied against the Parcel on the grounds that the Parcel cannot and/or will not receive Wastewater Service; and

WHEREAS, the Owners executed a *Waiver of Wastewater Service and Acknowledgement of Potential Costs* for the Parcel, which waiver was filed in the Office of the Clerk of the Circuit Court of Monroe County, State of Florida, in Official Records Book Number 2472, at Page 2256 on the 16 day of February, 20 10; and

WHEREAS, the Owners now request that the District reinstate, and again provide, wastewater service to the previously waived Parcel; and

WHEREAS, Owners of previously waived Parcels, who subsequently request that the District reinstate, and again provide, wastewater service to those Parcels, are required to pay a system development charge, in accordance with Resolution Number 25-08-13, the 20 13 *Final Assessment Resolution*, as well as all direct and indirect costs, expenses, and administrative fees.

NOW, THEREFORE, in consideration of the premises, the Key Largo Wastewater Treatment District finds and agrees:

1. That, as of the date first above written, based upon the information provided by the Owners and the records of the Monroe County Property Appraiser, the undersigned are all of the owners, or are the legal representatives of all of the Owners, of the Parcel.

2. That, in accordance with Resolution Number No. 25-08-13, *The 20 13 Final Assessment Resolution*, the Owners are required to pay to the District an amount fairly representing the special benefit that the Parcel has received and/or will receive, as determined by the District, which amount shall be equivalent to the original System Development Charge ("SDC") for the current year's assessment resolution or the last year's SDC adjusted for inflation in accordance with the Consumer Price Index
3. That the SDC the Owners are required to pay has been determined by the District to be the sum of \$ 5,700, plus additional costs of \$ 0.00, plus an administrative fee of \$200, for a total of \$ 5,900.
4. That the District will direct the Monroe County Tax Collector to, reinstate the District's Non-Ad Valorem Wastewater Assessment against the Parcel utilizing the method of collecting non-ad valorem assessments provided in Chapter 197.3632, Florida Statutes (the *Uniform Assessment Collection Act*).
5. That the Effective Date of this *Reversal of Waiver* shall be the date on which a resolution approving and accepting same is adopted by the Board of Commissioners of the Key Largo Wastewater Treatment District.
6. That wherever used herein, the terms "Owners" and "District" include all the parties involved and their respective heirs, legal representatives, successors and assigns; and, unless the context clearly indicates otherwise, words used in the singular include the plural, the plural includes the singular, and the neuter gender includes the masculine and the feminine.

IN WITNESS WHEREOF, on the day and date first above written, the Key Largo Wastewater Treatment District, acting by and through its General Manager, hereby accepts and agrees to this *Reversal of Waiver of Wastewater Service and Acknowledgement of Costs and Assessments*.

Key Largo Wastewater Treatment District:

Approved as to Form and Legal Sufficiency:



Margaret Blank, General Manager



Ray Giglio, District Counsel

Acknowledgement of Costs and Assessments

THE UNDERSIGNED, who are all of the Owners or are the legal representatives of all of the Owners of the Parcel(s) listed in Attachment "A" acknowledge, certify, and agree: (a) that they now desire to receive wastewater service to the previously waived Tax Parcel listed in Attachment "A" and have requested that the District make this Reversal of Waiver; (b) that, in connection with this Reversal of Waiver, they are required to pay to the District the amount listed in paragraph "4" above; (c) that if they fail or neglect to pay any or all of this sum, any such unpaid amount shall become a lien upon the Parcel; and (d) that this Reversal of Waiver and all of its terms and conditions shall be binding upon the signatories, their successors and assigns, and all subsequent owners of the Tax Parcels listed in Attachment "A".

Dated: 5-2-14

Owner George Schoenrock Owner _____

Print Name George Schoenrock Print Name _____

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

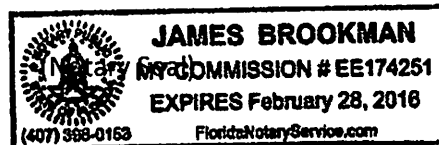
Witness [Signature]
Print Name James Brookman

Witness [Signature]
Print Name Preston Jennings

COUNTY OF MONROE
STATE OF FLORIDA

I HEREBY CERTIFY that on this 2 day of May 2014, before me, an officer duly authorized to take acknowledgments, personally appeared George Schoenrock, known to me to be the person(s) named in the foregoing instrument, who acknowledged executing same in the presence of two subscribing witnesses and who is/are personally known to me or who produced _____ as identification and who did/did not take an oath.

[Signature]
Notary Public
James Brookman
Printed Name of Notary



My Commission Expires: