

**RESOLUTION NO. 27-08-14**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REMOVAL OF FIVE TAX PARCELS (DESIGNATED AS RIGHT OF WAY OR SUBMERGED LANDS) FROM THE 2008 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Tax Parcels listed in Exhibit "A" are designated by the Monroe County Property Appraiser as "Right of Way" or "Submerged Lands"; 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, 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 Key Largo Wastewater Treatment District General Rules and Regulations (hereinafter "KLWTD Rules and Regulations"), excludes Tax Parcels that cannot be improved due to physical conditions of the property that preclude improvement; 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 KLWTD Rules and Regulations, Section 10 directs refunds and/or credits to be made for all Non-Ad Valorem Assessments levied against parcels that cannot be improved due to physical conditions of the property that preclude improvement.

**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 19TH DAY OF AUGUST 2014

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

	AYE	NAY
Chairman Stephen Gibbs	<u>✓</u>	___
Commissioner David Asdourian	<u>✓</u>	___
Commissioner Norman Higgins	<u>✓</u>	___
Commissioner Robert Majeska	<u>✓</u>	___
Commissioner Andrew Tobin	<u>✓</u>	___

The Chairman thereupon declared Resolution No. 27-08-14 duly passed and adopted the 19th day of August 2014.

KEY LARGO WASTEWATER TREATMENT DISTRICT

[Signature]  
Chairman Gibbs

ATTEST:

Approved to as to form and legal sufficiency

[Signature]  
Melissa Cornelison, Deputy Clerk

[Signature]  
General Counsel, Ray Giglio



**Resolution 27-08-14**

**Exhibit A**

<b>Parcel ID</b>	<b>AK</b>	<b>Parcel Description</b>
00087740-000000	1096512	28 61 39 ISLAND OF KEY LARGO BTM ADJ LOT 11 BLK 3 BUTTONWOOD SHORES ADD PB3-52 OR439-66
00088100-000000	1097004	OR830-749 OR1378-168/69L/E OR1614-752/53 OR1614-2448ORD OR233
00088110-000000	1097021	32-61-39 ISLAND OF KEY LARGO PT LT 22 PB1-68 100 FT R/W ROCK HARBOR STATION G6-420
00453440-000000	1553131	32 61 39 ISLAND OF KEY LARGO BAY BOTTOM NW'LY & ADJ LOTS-1 & 2 BLK 1 EL DORADO HEIGHTS OR315-308 OR1264-2164AFF/DC OR1264-2333/34AFF/DC OR1270-271/83W
00090490-000280	9085418	PORT LARGO-KEY LARGO PB5-3 PART OF TRACT E (.59AC) (ROAD) OR1361-726/270
		5 62 39 ISLAND OF KEY LARGO PT GOV LOT 3 & ADJ BAY BOTTOM & SE'LY GOV LOT 3 II 22835 OR557-133
		OR588-240E OR592-225E OR573-230 OR574-717 OR663-171Q OR