

RESOLUTION NO. 33-12-14

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF DOROTHY AND LARRY WOLFE FOR REMOVAL OF ONE TAX PARCEL FROM THE 2008 PRELIMINARY NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Key Largo Wastewater Treatment District ("District") approved the request of the property owners, Dorothy and Larry Wolfe to waive the provision of wastewater service to the parcel described in Section 1 ("Tax Parcel"); and

WHEREAS, The District has determined that the Tax Parcel cannot be improved due to physical conditions of the property that preclude improvement; and

WHEREAS, the owners of said Tax Parcel have made an application for a waiver of wastewater service and have certified that if they later desire that wastewater service be provided to the waived Tax Parcel, they agree to pay the full direct and indirect District costs of providing the same; and

WHEREAS, Pursuant to Section 10.05(d) of the KLWTD General Rules and Regulations, upon application by the owners, the District will exempt the Tax Parcel from the System Development Charges ("SDC"), or all future assessments of the SDC.

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

The lot designated in Section 1 below be excluded from the Preliminary Key Largo Wastewater Treatment District 2008 Non Ad-Valorem Assessment.

Section 1.

PARCEL ID: 00495160-000100
AK NO. 8697392
PARCEL DESCRIPTION: BK 16 PT LT 10 FIRST ADDITION TO PIRATES COVE
PB3-87 KEY LARGO OR952-1804/05 OR1059-1452/53
OR1195-2035/36 OR2666-221/23

Section 2.

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

RESOLVED AND ADOPTED THIS 2ND DAY OF DECEMBER 2014

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 Asdourian	/	—
Commissioner Gibbs	/	—
Commissioner Higgins	/	—
Commissioner Majeska	/	—
Commissioner Tobin	/	—

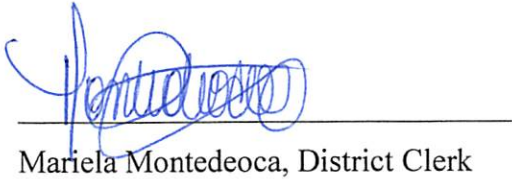
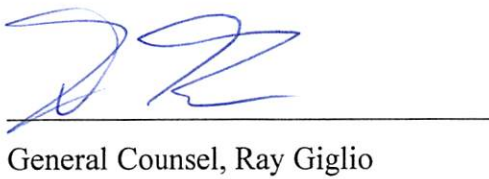
The Chairman thereupon declared Resolution No. 33-12-14 duly passed and adopted the 2nd day of December, 2014.

KEY LARGO WASTEWATER TREATMENT DISTRICT

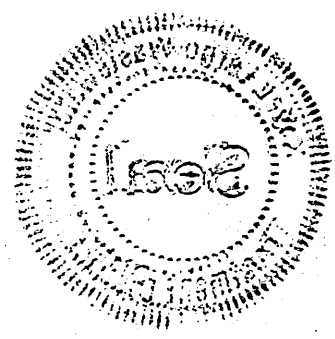

Chairman Asdourian

ATTEST:

Approved to as to form and legal sufficiency


Mariela Montedeoca, District Clerk
General Counsel, Ray Giglio

1952



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) Exempt AK# 8697392

KEY LARGO WASTEWATER TREATMENT DISTRICT
WAIVER OF WASTEWATER SERVICE
AND
ACKNOWLEDGEMENT OF POTENTIAL COSTS

THIS WAIVER of wastewater service and acknowledgement of potential costs is executed on the date(s) shown below:

WHEREAS, on June 17, 2008, the Key Largo Wastewater Treatment District ("District") adopted a Final Assessment Resolution levying non-ad valorem assessments against each of the Tax Parcels listed in Attachment A under and in accordance with Chapter 197.3632, Florida Statutes; and

WHEREAS, the purpose of the non-ad valorem assessments is to recover a portion of the costs of providing wastewater service to the Tax Parcels listed in Attachment A; and

WHEREAS, the undersigned are all of the owners of the Tax Parcels listed in Attachment A; and

WHEREAS, in order to induce the District to waive the non-ad valorem assessment against one or more of the Tax Parcels listed in Attachment A ("Excluded Parcels"), (1) the undersigned are certifying that the Excluded Parcels listed in Attachment A cannot be improved due to physical conditions of the property that preclude improvement, and (2) the undersigned are waiving their right to receive wastewater service to the Excluded Parcels; and

WHEREAS, even though the Excluded Parcels will not receive wastewater service at this time, the Excluded Parcels are nevertheless subject to assessment, because they will receive a special benefit from construction by the District of wastewater collection, transmission, and treatment facilities, which assessment the District is willing to forego at this time in reliance upon the representations above; and

WHEREAS, the District has advised the undersigned that, if they or their successors subsequently desire to have wastewater service provided to any of the Excluded Parcels, the cost to the District, and the cost to the undersigned persons or their successors, of providing the service will be significantly greater than the costs of providing service at this time;

NOW, THEREFORE, in consideration of the premises and in further consideration of the promises below, the undersigned agree:

1. The undersigned certify that they are all of the owners, or legal representatives of all of the owners, of the Tax Parcels, as shown in the records of the Monroe County Property Appraiser, listed in Attachment A and have full authority.
2. The undersigned certify that the Excluded Parcels listed in Attachment A cannot be improved due to physical conditions of the property that preclude improvement.
3. If the District later provides Wastewater Service to an Excluded Parcel, the then-current owner(s) shall be required to pay to the District an amount fairly representing the special benefit that the Tax Parcel will receive, as determined by the District. The undersigned understand and acknowledge that the amount charged at the time of later connection is expected to be significantly greater than the non-ad valorem assessment.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
5708 SOUTH CAMPUS DRIVE
CHICAGO, ILLINOIS 60637

MEMORANDUM FOR THE RECORD
DATE: 10/15/68
SUBJECT: [Illegible]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

4. In reliance on the certifications and statements of the undersigned, the District will forego its right to impose the non-ad valorem assessment on the Excluded Parcel(s).
5. The District will advise the Monroe County Tax Collector to remove the current year's assessment(s) against the Excluded Parcel(s) if unpaid. The Monroe County Tax Collector will issue an amended tax bill reflecting the removal of the assessment from the Excluded Parcels.
6. The undersigned hereby consents to this waiver of wastewater service and acknowledgement of potential costs, and all of its terms.
7. This waiver and all of its terms shall be binding upon, and inure to the benefit of, the signatories, their successors and assigns, and all subsequent owners of the Tax Parcels listed in Attachment A, and each of them.

IN WITNESS WHEREOF, the undersigned, comprising all of the owners of the Tax Parcels listed in Attachment A have executed this waiver of wastewater service and acknowledgement of potential costs on the dates shown opposite their names.

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

Sign: *Larry Wolfe*
Owner or Co-Owner

Sign: *Dorothy Wolfe*
Owner or Co-Owner

Sign: _____
Owner or Co-Owner

Sign: _____
Owner or Co-Owner

Sign: _____
Witness

Sign: _____
Witness

STATE OF: Florida

COUNTY OF: Monroe Dade

The foregoing instrument was acknowledged before me this 11/10/14 (date), by LARRY WOLFE AND DOROTHY WOLFE (name(s)), who is personally known to me or who has produced _____ (type of identification) as identification.

Carl M Sugarman
Notary Public

(NOTARY SEAL)



Bond through National Notary Assn
Commission # EE 12402
My Comm. Expires Oct 2, 2018
Name: Patrick - State of Florida
CARL M. SUBARMA

WAIVER OF WASTEWATER SERVICE
AND
ACKNOWLEDGEMENT OF POTENTIAL COSTS

Attachment A

Excluded Parcels:

Alternate Key Number:	8697392
RE Number:	00495160-000100
Physical Location:	VACANT LAND
Legal Description:	BK 16 PT LT 10 FIRST ADDITION TO PIRATES COVE PB3- 87 KEY LARGO OR952-1804/05 OR1059- 1452/53 OR1195-2 035/36 OR2666-221/23