

Doc# 2013885
Bk# 2722 Pg# 807
RESOLUTION NO. 34-12-14

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF TONI AND SCOTT BEAUCHAMP FOR REMOVAL OF ONE TAX PARCEL FROM THE 2009 PRELIMINARY NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, The Monroe County Building Department has determined that the Tax Parcel cannot be improved consistent with existing zoning regulations or other legal constraints; and

WHEREAS, the owners of the 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(c) 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 2009 Non Ad-Valorem Assessment.

Section 1.

PARCEL ID: 00517650-000000
AK NO. 1636908
PARCEL DESCRIPTION: BK 9 LT 1 BAY HAVEN SEC 3 PB2-41 KEY LARGO
G28-417/418 OR839-1592 OR1984-1841 OR2197-
1846/1870DEC OR2237-2344 OR2312-1281/83DEC

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 Gibbs, 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	<u>/</u>	—
Commissioner Gibbs	<u>/</u>	—
Commissioner Higgins	<u>/</u>	—
Commissioner Majeska	<u>/</u>	—
Commissioner Tobin	<u>Abstained</u>	—

The Chairman thereupon declared Resolution No. 34-12-14 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



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) = Excluded AK#: 1636908

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 August 9, 2006, 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 Tax Parcels listed in Attachment A cannot be improved consistent with existing zoning regulations or other legal constraints, 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 will nevertheless receive a special benefit from construction by the District of wastewater collection, transmission, and treatment facilities, but relying on the representations above, the District is willing to forego an assessment against the Excluded Parcels at this time; and

WHEREAS, the District has advised the undersigned that, if they or their successors 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 they desire to receive wastewater service to the Tax Parcel listed in Attachment A and designated as the Tax Parcel receiving wastewater service, and further hereby waive their right to receive wastewater service to the Tax Parcel(s) listed in Attachment A and designated as Excluded Parcel(s).
3. The undersigned certify that the Tax Parcels listed in Attachment A cannot be improved consistent with existing zoning regulations or other legal constraints.
4. 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.

5. 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 parcels.
6. 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.
7. The undersigned hereby consents to this waiver of wastewater service and acknowledgement of potential costs, and all of its terms.
8. 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.

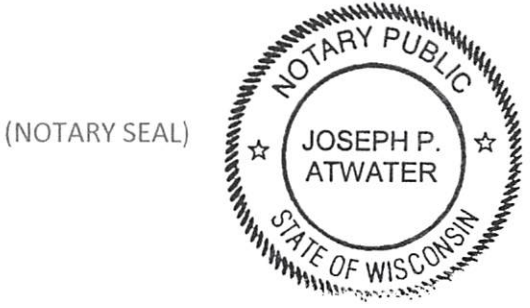
Signed, Sealed and Delivered in the presence of these Witnesses (one of whom may be the Notary):

Sign: <u>[Signature]</u> Owner or Co-Owner	Sign: _____ Owner or Co-Owner
Sign: <u>Joni Beauchamp</u> Owner or Co-Owner	Sign: _____ Owner or Co-Owner
Sign: <u>Lenn Peltgen</u> Witness	Sign: _____ Witness

STATE OF: Wisconsin
COUNTY OF: Waukesha

The foregoing instrument was acknowledged before me this 10/31/14 (date), by Scott & Toni Beauchamp (name(s)), who is personally known to me of who has produced Driver's license (type of identification) as identification.

[Signature]
Notary Public
Joseph P. Atwater
Printed Name
2/19/17
Commission Expiration Date



IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, at the City of Milwaukee, Wisconsin, this 15th day of August, 1915.

Notary Public in and for the State of Wisconsin.

My commission expires on the 15th day of August, 1916.

Witness my hand and the seal of my office, at the City of Milwaukee, Wisconsin, this 15th day of August, 1915.

Notary Public in and for the State of Wisconsin.

My commission expires on the 15th day of August, 1916.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, at the City of Milwaukee, Wisconsin, this 15th day of August, 1915.



WAIVER OF WASTEWATER SERVICE
AND
ACKNOWLEDGEMENT OF POTENTIAL COSTS

Attachment A

RECEIVED
NOV 14 2014

KEY LARGO WASTEWATER
TREATMENT DISTRICT

Excluded Parcels:

Alternate Key Number: 1636908
RE Number: 00517650-000000
Physical Location: VACANT LAND KEY LARGO
Legal Description: BK 9 LT 1 BAY HAVEN SEC 3 PB2-41 KEY LARGO G28-
417/418 OR839-1592 OR1984-1841 OR2197-
1846/1870DEC OR2237-2344 OR2312-1281/83DEC

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