

This document prepared by
and after recording return to:

Key Largo Wastewater Treatment District
103355 Overseas Highway
Key Largo, FL 33037

RESOLUTION NO. 04-05-18

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“KLWTD”) ADOPTING THE KLWTD STAFF’S RECOMMENDATION TO RECLASSIFY FROM RESIDENTIAL TAX PARCEL TO MIXED-USE TAX PARCEL THE PROPERTY LOCATED AT 2 THURMOND STREET, KEY LARGO, FLORIDA, WITH PARCEL IDENTIFICATION NUMBER 00088160-000100; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Thurmond Street Partners, LLC, is the owner of the property located at 2 Thurmond Street, Key Largo, Florida, with Parcel Identification Number 00088160-000100, legally described in Exhibit “A” attached hereto and made a part hereof by reference (“the Subject Tax Parcel”); and

WHEREAS, the Subject Tax Parcel is currently classified as Residential Tax Parcel, pursuant to Article XIII entitled, *Definitions and Construction of Terms of the Key Largo Wastewater Treatment District’s General Rules and Regulations* (“KLWTD R&Rs”); and

WHEREAS, KLWTD staff has been informed that the Subject Tax Parcel is currently being used for both residential and commercial purposes; and

WHEREAS, the staff has recommended that the KLWTD Board of Commissioners (“the Board”) adopt a Resolution reclassifying the Subject Tax Parcel from Residential Tax Parcel to Mixed-use Tax Parcel to more accurately reflect its current use, pursuant to Article XIII of the KLWTD R&Rs; and

WHEREAS, the Board has considered the staff’s recommendation at a regular meeting of the Board held on April 17, 2018.

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

Section 1. *Recitals.* The above recitals are true and correct and incorporated into this Resolution by reference.

Section 2. *Adoption of Recommendation.* The Board finds that there is good and sufficient cause to adopt the staff’s recommendation to reclassify the subject property from Residential Tax Parcel to Mixed-use Tax Parcel so that the classification of the subject parcel more accurately reflects its current use.

- Section 3. *Reclassification.* As of the effective date of this Resolution, the subject parcel shall be classified as a Mixed-use Tax Parcel, as defined in Article XIII of the District's R&Rs.
- Section 4. *EDU Increase.* The EDUs assigned to the subject parcel are hereby increased from 1.0 EDU to 11.3 EDUs.
- Section 5. *Effective Date.* This Resolution shall be effective upon adoption by the Board.
- Section 6. *Implementation.* The General Manager and/or his designees are authorized to take all actions necessary to implement the terms of this Resolution.


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

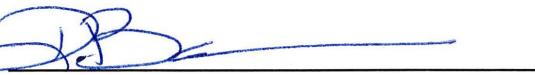
	AYE	NAY
Chairman Asdourian	✓	_____
Commissioner Gibbs	✓	_____
Commissioner Heim	✓	_____
Commissioner Majeska	✓	_____
Commissioner Tobin	_____	_____

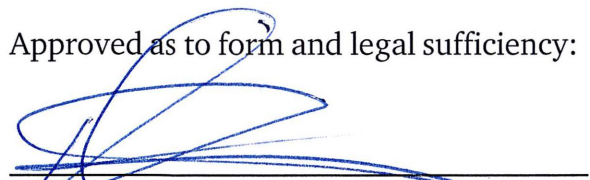
Absent

The Chairman thereupon declared this Resolution duly passed and adopted the 15 day of May 2018.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: 
 David Asdourian, Chairman

ATTEST:

 Diane Bockelman, Clerk

Approved as to form and legal sufficiency:

 Nicholas W. Mulick, General Counsel



RESOLUTION NO. 04-05-18
RE NO. 00088160-000100
AK NO. 1097080

EXHIBIT "A"

PARCEL A:

Lots 17 through 29, inclusive, Block 2, EL DORADO HEIGHTS, according to the Plat thereof, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida, vacated by the Monroe County Board of County Commissioners' Resolution No. 17-1968, dated February 27, 1968. Together with the East one-half of Bay View Boulevard adjacent to and parallel with Lots 20 through 29, Block 2, as shown on said Plat of EL DORADO HEIGHTS, said Bay View Boulevard vacated by the Monroe County Board of County Commissioners' Resolution No. 87-1973, dated July 17, 1973. Said parcel being more particularly described by metes and bounds, as follows:

A parcel of land in Section 32, Township 61 South, Range 39 East on Key Largo, Monroe County, Florida, and being further described as portions of Lots 9, 11 and 15 of MODEL LAND COMPANY, according to the Plat thereof, as recorded in Plat Book 1, at Page 68, of the Public Records of Monroe County, Florida, as shown on the Plat of EL DORADO HEIGHTS, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida. Beginning at the intersection of the centerline of Bay View Boulevard with the Northwesterly right-of-way line of Florida Avenue, as shown on the Plat of EL DORADO HEIGHTS, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida; thence run North along said centerline for a distance of 588.35 feet to a point 25.00 feet West of the Northwest corner of Lot 29, Block 2, of said Plat of EL DORADO HEIGHTS; thence East, along a Westerly projection of the North line of said Lot 29, for a distance of 150.05 feet to the Northeast corner of said Lot 29, Block 2; thence South, along the Easterly line of Lots 21 through 29, Block 2, of said Plat of EL DORADO HEIGHTS for a distance of 440.32 feet to a point on the aforementioned Northwesterly right-of-way line of Florida Avenue; thence run Southwesterly along said Northwesterly right-of-way line of Florida Avenue, deflecting 45° 20' 11" to the right from the previous course, for a distance of 210.59 feet to the Point of Beginning of the parcel herein described.

TOGETHER WITH:

A parcel of land comprised of Lot 1 and part of Lot 2, Block 2, EL DORADO HEIGHTS, according to the Plat thereof, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida, and vacated by the Monroe County Board of County Commissioners' Resolution No. 17-1968 dated February 27, 1968, and part of a 20-foot wide alley, according to said Plat, and vacated by the Monroe County Board of County Commissioners' Resolution No. 28-1967, dated May 23, 1967, and part of the Easterly one-half of Bay View Boulevard, according to said Plat and vacated by the Monroe County Board of County Commissioners' Resolution No. 87-1973, dated July 17, 1973, said parcel being more particularly described, as follows:

Begin at the intersection of a Westerly prolongation of the Northerly line of Lot 29, Block 2, EL DORADO HEIGHTS, according to the Plat thereof, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida, and vacated by the Monroe County Board of County Commissioners' Resolution No. 17-1968, dated February 27, 1968, with the centerline of Bay View Boulevard according to said Plat, and vacated by the Monroe County Board of County Commissioners' Resolution No. 87-1973, dated July 17, 1973; from said Point of Beginning, thence Easterly, along said prolongation of and along the Northerly line of said Lot 29 for a distance of 150.00 feet to the Northeasterly corner of said Lot 29; thence Northwesterly on an angle of 79° 45' 50" to the right of the preceding course, a distance of 234.40 feet, more or less, to the shoreline of Florida Bay; thence meander said shoreline in a Southwesterly direction for a distance of 228.00 feet, more or less, to an intersection with the said centerline of the said vacated Bay View Boulevard; thence Southerly along said centerline for a distance of 62.00 feet, more or less, to the Point of Beginning.

PARCEL B:

Part of a 20-foot wide, vacated alley, part of Lot 2, and all of Lots 3 through 16, inclusive, Block 2, EL DORADO HEIGHTS, according to the Plat thereof, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida, and vacated by the Monroe County Board of County Commissioners' Resolution No. 17-1968, dated February 27, 1968, being more particularly described as follows:

Commence at the intersection of the centerline of Bay View Boulevard with the Northwesterly right-of-way line of Florida Avenue as shown on the Plat of EL DORADO HEIGHTS, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida; thence run Northeasterly along said right-of-way line for 212.16 feet, more or less, to the most Easterly corner of Lot 17, Block 2, of said Plat and the Point of Beginning of the following described parcel; from said Point of Beginning, thence deflect 45.00 feet to the left and run Northerly along the Westerly line of Lots 8 through 14, and of Lot 16, all in Block 2 of said Plat, for a distance of 440.00 feet, more or less, to the Northwest corner of Lot 8, Block 2 of said Plat; thence deflect 10° 14' 10" to the left and proceed Northwesterly for a distance of 234.40 feet, more or less, to the shoreline of Florida Bay; thence meander Northeasterly along said shoreline for 565.00 feet, more or less, to a point and a Northerly prolongation of the Westerly right-of-way line of Thurmond Street, according to said Plat; thence run South along said right-of-way line for distance of 673.00 feet, more or less, to an intersection with said Northwesterly right-of-way line of Florida Avenue, according to said Plat, for a distance of 169.70 feet, more or less, to the Point of Beginning.

SUPPLEMENTAL PROPERTY:

Lots 1 through 11, inclusive, Square 1, EL DORADO HEIGHTS, according to the Plat thereof, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida, which property was returned to acreage by Resolution of the Board of County Commissioners of Monroe County, Florida, recorded in Official Records Book 409, at Page 427, of the Public Records of Monroe County, Florida.

AND

A parcel of submerged land in the Bay of Florida in Section 32, Township 61 South, Range 39 East, Key Largo, fronting Lots 1 and 2, Block 1, EL DORADO HEIGHTS, as recorded in Plat Book 1, at Page 203, of the Public Records of Monroe County, Florida, more particularly described, as follows:

From the Southwest corner of said Lot 1, Block 1 of EL DORADO HEIGHTS, run North along the West side of said Lot 1, a distance of 175.00 feet to the mean high tide line on the shore of the Bay of Florida and the Point of Beginning of the parcel hereinafter described; thence North 29° 00' 00" West, a distance of 200.00 feet; thence North 51° 26' 00" East, a distance of

148.70 feet; thence South 31° 10' 00" East, a distance of 215.00 feet, more or less, to the said mean high tide line at the East line of Lot 2, said Block 1, EL DORADO HEIGHTS; thence Southwesterly meandering said mean high tide line, a distance of 157.00 feet, more or less, to the Point of Beginning.

AND

That part of the closed street, Bay View Boulevard, lying West of the centerline of Bay View Boulevard, and contiguous to the Eastern boundary lines of Lots 2 through 12, inclusive, SQUARE 1, EL DORADO HEIGHTS, according to the Plat thereof, as recorded in Plat Book 1, at Page 203; the same being closed, vacated and abandoned by the Monroe County Board of County Commissioners' Resolution No. 87-1973, dated July 17, 1973, and recorded on August 9, 1973, in Official Records Book 548, at Page 777, of the Public Records of Monroe County, Florida.