

**RESOLUTION NO. 19-12-18**

**A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“KLWTD”) BOARD OF COMMISSIONERS APPROVING THE REQUEST OF RICHARD COLE AND RITA GILMORE FOR THE EXCLUSION OF ONE TAX PARCEL FROM THE 2009 NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Richard Cole and Rita Gilmore, husband and wife, are the owners of real property having Parcel Identification Number 00491920-000000, legally described in Exhibit “A” attached hereto and made a part hereof by reference (“the Subject Tax Parcel”); and

**WHEREAS**, the Subject Tax Parcel was assessed a System Development Charge (“SDC”) as reflected in the 2009 Final Assessment Resolution No. 20-05-09 adopted on May 19, 2009; and

**WHEREAS**, In accordance with the provisions of Section 10.04(a) of KLWTD’s General Rules and Regulations (“KLWTD R&R’S”), the owners have submitted a request that the subject tax parcel be excluded from the 2009 Final Assessment and classified as Exempt on the ground that it cannot be improved consistent with existing zoning or other legal constraints, pursuant to KLWTD R&R Section 10.05(c); and

**WHEREAS**, pursuant to Section 10.04(d) of the KLWTD R&Rs, the owners have certified and agreed that if they or any subsequent owner later desire wastewater service to the Subject Tax Parcel, they must pay the full direct and indirect District costs of providing the same.

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

- Section 1. *Recitals.* The above recitals are true and correct and incorporated into this Resolution by reference.
- Section 2. *Approve Exemption.* The Board finds that there is good and sufficient cause to approve the owner’s request to exclude the Subject Tax Parcel from the 2009 Final Assessment Roll.
- Section 3. *Exempt Tax Parcel.* As of the effective date of this Resolution, the SDC imposed on the Subject Tax Parcel shall be removed and the property classified as Exempt.
- Section 4. *Effective Date.* This Resolution shall be effective upon adoption by the Board.
- Section 5. *Implementation.* The General Manager and/or his designee is authorized to take all actions necessary to implement the terms of this Resolution.

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

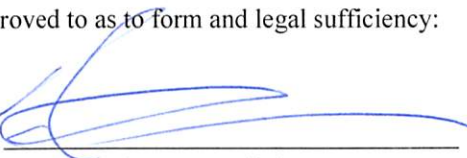
	AYE	NAY
Chairman Asdourian	<u>✓</u>	___
Commissioner Gibbs	<u>✓</u>	___
Commissioner Heim	<u>✓</u>	___
Commissioner Majeska	<u>✓</u>	___
Commissioner Tobin	<u>absent</u>	___

The Chairman thereupon declared this Resolution duly passed and adopted the 4<sup>th</sup> day of December, 2018

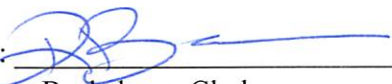
KEY LARGO WASTEWATER TREATMENT DISTRICT

By:   
David Asdourian, Chairman

Approved to as to form and legal sufficiency:

By:   
Nicholas W. Mulick,  
General Counsel

ATTEST:

By:   
Diane Bockelman, Clerk

SEAL



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**RE NO. 00491920-000000**

**AK NO. 1608131**

**EXHIBIT "A"**

**The Southeasterly one-half (1/2) of the Northwesterly one-half (1/2) of the Southeasterly 200.0 feet of Lot 26 and 27, Block 1, SEASIDE, according to the Plat thereof, as recorded in Plat Book 1, at Page 97, of the Public Records of Monroe County, Florida. Subject to an Easement over the Southwesterly 11 feet, 3 inches (11.25) thereof.**