

## RESOLUTION NO. 21-12-18

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“THE BOARD”) APPROVING THE REQUEST OF DEBORAH M. AYOTTE AND JOHN POLIVICK FOR THE EXCLUSION OF ONE TAX PARCEL FROM THE 2008 NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Deborah M. Ayotte and John Polivick, husband and wife, are the owners of real property having Parcel Identification Number 00522140-000000, 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 2008 Final Assessment Resolution No. 12-06-08 adopted on June 17, 2008; and

**WHEREAS**, In accordance with the provisions of Section 10.04(a) of Key Largo Wastewater Treatment District’s General Rules and Regulations (“KLWTD R&Rs”), the owners have submitted a request that the Subject Tax Parcel be excluded from the 2008 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&Rs, 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 2008 Final Assessment Roll.
- Section 3. *Exempt Tax Parcel.* As of the effective date of this Resolution, the SDC assessment 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 Heim, who moved for its approval. The motion was seconded by Commissioner Gibbs, 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>✓</u>	___

The Chairman thereupon declared this Resolution duly passed and adopted the 18<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



# **EXHIBIT “A”**

**RESOLUTION NO. 21-12-18**

**RE NO. 00522140-000000**

**AK NO. 1641367**

**Lot 9, Block 5, HARBOR SHORES, according to the Plat thereof, as recorded in Plat Book 3, at Page 44, of the Public Records of Monroe County, Florida.**