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*Attorney*

**BROOKEGROGAN**  
*Attorney*



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JUDY D. MONTEIRO  
DENISE B. PAOLUCCI

May 12, 2015

D. Albrey Arrington, Ph.D., Executive Director  
Clint Yerkes, Deputy Executive Director  
Loxahatchee River Environmental Control District  
2500 Jupiter Drive  
Jupiter, Florida 33458-8964

Re: **Resolution 2015-15 and Preliminary Assessment Roll for FOX RUN**

Dear Albrey & Clint:

Please attach to this letter Resolution 2015-15, Exhibit "A" Preliminary Assessment Roll (1 for Simplex & 1 for Duplex), Map & most recent Exhibit "B" list of property owners (labeled "Simplex" and "Duplex"), as part of the Resolution.

In the Resolution, Sections 2 and 7, the "Board of Adjustment" public hearing and "Governing Board" meeting to confirm the "final" assessment roll is proposed for JUNE 18, 2015. Preparation is necessary of the Notice to be published and mailed out by **Friday, June 5, 2015.**

A **SUGGESTED MOTION** for the Board at the MAY 21, 2015 meeting is as follows:  
"THAT THE GOVERNING BOARD approve Resolution **2015-15** adopting the **FOX RUN** Preliminary Assessment Roll."

Sincerely,

*Curtis L. Shenkman*

Curtis L. Shenkman

## **LRECD RESOLUTION NO. 2015-15**

A RESOLUTION OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT RELATING TO THE **FOX RUN** ASSESSMENT AREA IMPROVEMENTS; ADOPTING THE PRELIMINARY ASSESSMENT ROLL FOR **FOX RUN** ASSESSMENT AREA IMPROVEMENTS AS PREPARED BY THE DISTRICT CLERK AND ATTACHED HERETO AS EXHIBITS "A" AND "B"; AUTHORIZING THE DISTRICT GOVERNING BOARD TO ACT AS THE BOARD OF ADJUSTMENT; PROVIDING FOR THE FURNISHING OF TEN DAYS' WRITTEN NOTICE TO ALL PROPERTY OWNERS AFFECTED; DIRECTING THAT AN AFFIDAVIT OF PUBLICATION BE OBTAINED; REQUIRING THE FILING OF THE PROOF OF PUBLICATION AND OF THE WRITTEN NOTICE; MAKING REFERENCE TO RESOLUTION NO. **2013-21** PROVIDING FOR THE PUBLICATION OF THE NOTICE OF THE MEETING TO CONSIDER CONFIRMATION OF THE PRELIMINARY ASSESSMENT ROLL; DIRECTING THAT AN AFFIDAVIT OF PUBLICATION BE OBTAINED; REQUIRING THE FILING OF THE PROOF OF PUBLICATION; PROVIDING FOR CONSISTENCY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Governing Board of the Loxahatchee River Environmental Control District (hereinafter called the "District" has authorized the sewer improvements to the **FOX RUN** Assessment Area in **PALM BEACH** County, Florida.

WHEREAS, the Governing Board has considered the presentation of the District Engineer and considered such recommendations to be in accordance with the requests and the best interests of the citizens of the District.

WHEREAS, the Governing Board has considered the improvements to be in accordance with the best interests of the citizens of the **FOX RUN** Assessment Area.

WHEREAS, the District's previous Resolution **2013-21** was approved by the District's Governing Board and directed the preparation of the Assessment Roll.

WHEREAS, the District Clerk has prepared the Preliminary Assessment Roll attached hereto as Exhibits "A" and "B".

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE DISTRICT, THAT:

Section 1. The District adopts the Preliminary Assessment Roll in the form as attached hereto as Exhibits "A" and "B".

RESOLUTION 2015-15  
OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

Section 2. The District Clerk is directed to publish a Notice stating that the District's Governing Board shall act as the **Board of Adjustment** at a hearing to be held on the **18th day of June, 2015** at the District's Governing Board meeting chambers, Jupiter, Florida. Such Notice shall be published at least ten (10) days in advance of such hearing, once in a newspaper published in Martin County and once in a newspaper published in Palm Beach County. Such Notice shall state that at the hearing, the Governing Board will hear objections of all interested persons to the confirmation of such resolution. Such Notice shall state in brief and general terms a description of the improvements with the location thereof and shall also state that plans, specifications, estimates, and the tentative apportionment of cost thereof are on file in the office of the District. The District Clerk is directed to mail a copy of such Notice to each of the affected property owners at least ten (10) days in advance of the hearing.

Section 3. During the Board of Adjustment hearing, such affected property owner may present information to the Governing Board in relation to his Special Assessment and the project, provided that such property owners must submit in writing to the District either prior to or at the time of said meeting of the Board of Adjustment their objections to the Special Assessment.

Section 4. The District Clerk is directed to obtain from the publisher of the newspaper(s) used for publication herein an affidavit confirming the publication of the Notice of the Hearing of the Governing Board as the Board of Adjustment as set forth herein.

Section 5. The District Clerk shall file Proof of Publication and Proof of Written Notice to the affected property owners at the Board of Adjustment hearing.

Section 6. Resolutions No. **2013-21 and 2015-15** of the District shall be a part of the record to be considered by the Governing Board at the aforescribed hearing when the Governing Board sits as the Board of Adjustment.

Section 7. The District Clerk is directed to publish a Notice stating that at the meeting of the Governing Board to be held on **June 18, 2015** at the District Governing Board meeting chambers, Jupiter, Florida, all interested persons may appear and file written objections to the confirmation of the Final Assessment Roll. Such Notice shall be published at least twelve (12) days in advance of such meeting, once in a newspaper published in Martin County and once in a newspaper published in Palm Beach County. Such Notice shall state the class of the improvement and the location thereof by terminal points and route. Such Notice shall also be mailed to those interested parties requesting such in writing.

Section 8. The District Clerk is directed to obtain from the publisher of the newspaper(s) used for publication herein an affidavit confirming the publication of the Notice of the Meeting of the Governing Board to confirm the Final Assessment Roll.

Section 9. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

RESOLUTION 2015-15  
OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

Section 10. In the event that any portion of this Resolution is found to be unconstitutional or illegal, it shall be severed herefrom without affecting the validity or enforceability of the remaining portions of this Resolution.

Section 11. This Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE GOVERNING BOARD OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, THIS 21<sup>st</sup> DAY OF MAY, 2015.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
VOTE

\_\_\_\_\_  
STEPHEN ROCKOFF, Chairman

\_\_\_\_\_  
GORDON M. BOGGIE

\_\_\_\_\_  
HARVEY M. SILVERMAN

\_\_\_\_\_  
JAMES D. SNYDER

\_\_\_\_\_  
DR. MATT H. ROSTOCK  
(DISTRICT SEAL)

**EXHIBIT “A” - SIMPLEX**  
**PRELIMINARY ASSESSMENT ROLL – SIMPLEX SYSTEMS**  
**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT**  
**FOX RUN ASSESSMENT AREA**

TOTAL COSTS AND EXPENSES RELATED TO THE IMPROVEMENTS. The District shall consider the **total** costs and expenses related to the improvements in the **FOX RUN** Assessment Area shall be **\$8,082.02** per parcel of property in the **FOX RUN** Area (**SIMPLEX SYSTEMS**).

APPORTIONMENT OF COSTS BETWEEN THE DISTRICT AND THE PROPERTY OWNERS. The District shall pay from the District’s general funds ten percent (10%) of the total cost to the District of construction, reconstruction, labor, materials, acquisition, or property rights, surveys, design, engineering, and legal fees, administration expenses, and all other expenses necessary or incidental to completion of the specially assessed improvement and each lot or parcel of land subject to this special assessment shall be responsible for ninety percent (90%) of the total cost.

ASSESSMENT BASED ON PARCEL OF PROPERTY. Each Parcel of Property in the **FOX RUN** Assessment Area identified on EXHIBIT “B” - SIMPLEX shall be currently assessed in the amount of **\$7,273.82**.

PAYMENT OF ASSESSMENT. As to Parcels of **FOX RUN** Assessment Area Property in EXHIBIT “B” - SIMPLEX, the **\$7,273.82** assessment may be paid, interest free, at the office of the District on or before May 1, 2016.

**Owners who do not pay the \$7,273.82 assessment on or before May 1, 2016 shall have the \$7,273.82 principal added to the tax roll as a non-ad valorem assessment to accrue interest at six and seven eights percent (6.875%) per annum, to be collected in twenty (20) equal annual installments of \$679.94, commencing with the November 1, 2016 Real Estate Tax Bill.**

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

By: \_\_\_\_\_  
D. Albrey Arrington, District Clerk, Executive Director

**EXHIBIT “A” - DUPLEX**  
**PRELIMINARY ASSESSMENT ROLL – DUPLEX SYSTEMS**  
**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT**  
**FOX RUN ASSESSMENT AREA**

TOTAL COSTS AND EXPENSES RELATED TO THE IMPROVEMENTS. The District shall consider the **total** costs and expenses related to the improvements in the **FOX RUN** Assessment Area shall be **\$14,887.41** per parcel of property in the **FOX RUN** Area (**DUPLEX SYSTEMS**).

APPORTIONMENT OF COSTS BETWEEN THE DISTRICT AND THE PROPERTY OWNERS. The District shall pay from the District’s general funds ten percent (10%) of the total cost to the District of construction, reconstruction, labor, materials, acquisition, or property rights, surveys, design, engineering, and legal fees, administration expenses, and all other expenses necessary or incidental to completion of the specially assessed improvement and each lot or parcel of land subject to this special assessment shall be responsible for ninety percent (90%) of the total cost.

ASSESSMENT BASED ON PARCEL OF PROPERTY. Each Parcel of Property in the **FOX RUN** Assessment Area identified on EXHIBIT “B” – DUPLEX shall be currently assessed in the amount of **\$13,398.67**.

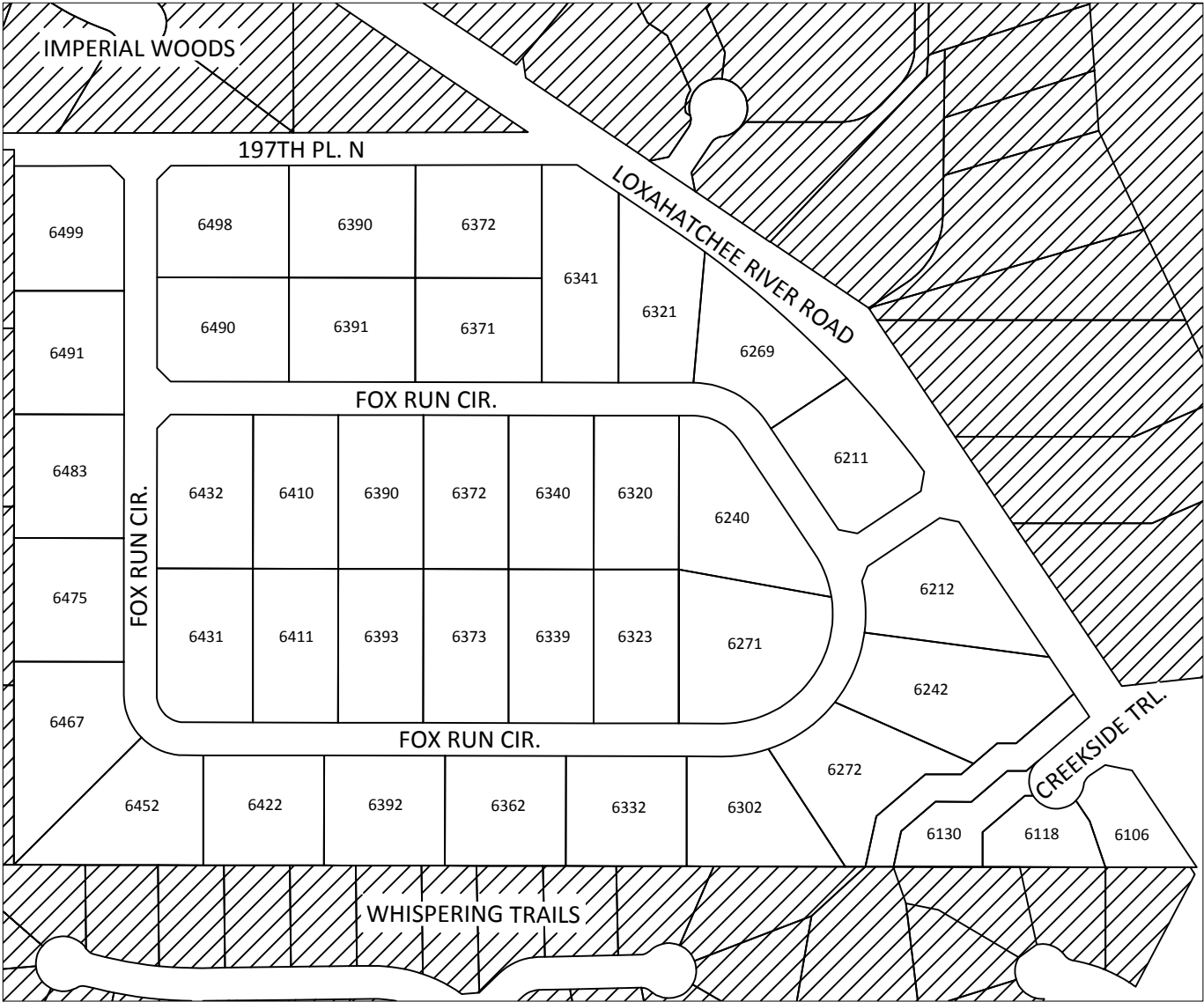
PAYMENT OF ASSESSMENT. As to Parcels of **FOX RUN** Assessment Area Property in EXHIBIT “B” - DUPLEX, the **\$13,398.67** assessment may be paid, interest free, at the office of the District on or before May 1, 2016.

**Owners who do not pay the \$13,398.67 assessment on or before May 1, 2016 shall have the \$13,398.67 principal added to the tax roll as a non-ad valorem assessment to accrue interest at six and seven eights percent (6.875%) per annum, to be collected in twenty (20) equal annual installments of \$1,252.48, commencing with the November 1, 2016 Real Estate Tax Bill.**

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

By: \_\_\_\_\_  
D. Albrey Arrington, District Clerk, Executive Director

**EXHIBIT "B"**  
**FOX RUN**  
**LOW PRESSURE SEWER SYSTEM**  
**ASSESSMENT AREA**



**LEGEND**

 NOT IN ASSESSMENT AREA

**JUPITER, FLORIDA**

Mr. Michael Langella  
re: 6499 Fox Run Cir  
6499 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0010

Mr. & Mrs. Paul Matheny  
re: 6491 Fox Run Cir  
PO Box 2836  
Jupiter FL 33468  
00-42-40-27-02-000-0020

Mr. & Mrs. Robert Preston  
re: 6483 Fox Run Cir  
6483 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0030

Ms. Lisa Troute  
re: 6475 Fox Run Cir  
6475 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0040

Mr. William Shea  
re: 6467 Fox Run Cir  
6467 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0050

Mr. & Mrs. William Shea  
re: 6452 Fox Run Cir  
6452 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0060

Mr. & Mrs. David Kidwell  
re: 6422 Fox Run Cir  
6422 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0070

Mr. & Mrs. Richard Holler  
re: 6362 Fox Run Cir  
6362 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0090

Mr. Clifford Budd  
re: 6332 Fox Run Cir  
6332 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0100

Mr. J Casanova/G Kristoferdottir  
re: 6302 Fox Run Cir  
6302 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0110

Mr. & Mrs. Steven Kravitz  
re: 6272 Fox Run Cir  
6272 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0120

Mr. & Mrs. Clarence Vogel  
re: 6242 Fox Run Cir  
6242 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0140

Ms. Monika Krumbock  
re: 6212 Fox Run Cir  
6212 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0150

Mr. & Mrs. Elliott Wilke  
re: 6271 Fox Run Cir  
6271 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0160

Mr. & Mrs. Scott Hoffman  
re: 6323 Fox Run Cir  
6323 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0170

Mr. & Mrs. Charles Venuti  
re: 6339 Fox Run Cir  
6339 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0180

Mr. & Mrs. Paul Fassler  
re: 6373 Fox Run Cir  
6373 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0190

Mr. & Mrs. Robert Allan  
re: 6393 Fox Run Cir  
6393 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0200

Mr. & Mrs. Richard Farmer  
re: 6411 Fox Run Cir  
6411 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0210

Mr. & Mrs. Terence McDowell  
re: 6431 Fox Run Cir  
6431 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0220

Mr. & Mrs. John Rothwell  
re: 6432 Fox Run Cir  
8 Karlton Cir  
Andover MA 01810  
00-42-40-27-02-000-0230



Ms. Catherine Devine  
re: 6410 Fox Run Cir  
6410 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0240

Ms. D Barboni/M Leone  
re: 6390 Fox Run Cir  
6390 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0250

Mr. William Lang  
re: 6372 Fox Run Cir  
6372 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0260

Mr. & Mrs. John Lurvey  
re: 6340 Fox Run Cir  
6340 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0270

Mr. J Cassells/L Passarella  
re: 6320 Fox Run Cir  
6320 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0280

Mr. & Mrs. David Sweet  
re: 6240 Fox Run Cir  
6240 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0290

Mr. J Weiss/M Tomer  
re: 6211 Fox Run Cir  
6211 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0300

Ms. Susan Grandey  
re: 6269 Fox Run Cir  
6269 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0310

Mr. & Mrs. Thomas Farnan  
re: 6321 Fox Run Cir  
6321 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0320

Mr. & Mrs. Russell Mills  
re: 6341 Fox Run Cir  
6341 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0330

Mr. & Mrs. Robert Fincham  
re: 6371 Fox Run Cir  
6371 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0340

Mr. & Mrs. Robert Brumwell  
re: 6391 Fox Run Cir  
6391 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0350

Mr. & Mrs. Paul Morgan  
re: 6490 Fox Run Cir  
6490 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0360

Mr. & Mrs. William Hinkelman  
re: 6498 Fox Run Cir  
6498 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0370

Mr. & Mrs. A J Dickerson  
re: 6390 197th Pl N  
6390 197th Pl N  
Jupiter FL 33458  
00-42-40-27-02-000-0380

Mr. & Mrs. Gardner Dickinson  
re: 6372 197th Pl N  
6372 197th Pl N  
Jupiter FL 33458  
00-42-40-27-02-000-0390

Mr. & Mrs. Bradford Brown  
re: 6106 Creekside Trl  
6106 Creekside Trl  
Jupiter FL 33458  
00-42-40-27-17-000-0010

Mr. David Kirkbride  
re: 6118 Creekside Trl  
6118 Creekside Trl  
Jupiter FL 33458  
00-42-40-27-17-000-0020

Mr. & Mrs. Adam Gumson  
re: 6130 Creekside Trl  
6130 Creekside Trl  
Jupiter FL 33458  
00-42-40-27-17-000-0030

Mr. & Mrs. Joseph Huertas  
re: 6392 Fox Run Cir  
6392 Fox Run Cir  
Jupiter FL 33458  
00-42-40-27-02-000-0080