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October 8, 2015

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**AND FAMILY LAW**  
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MINDY VASSER  
**PERSONAL INJURY**  
ROBIN B. MODLIN, CP  
TERRI L. VLASSICK  
**REAL ESTATE**  
JUDY D. MONTEIRO  
DENISE B. PAOLUCCI

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 2015-32 and FINAL Assessment Roll for 17053 N FEDERAL HWY LPSS

Dear Albrey & Clint:

Attached to this letter is Transfer of Property Lien, Resolution 2015-32, Exhibit "A" Final Assessment Roll, Exhibit A Map, and the most recent Exhibit "B" list of property owners, as part of the Resolution.

A SUGGESTED MOTION for the Board at the OCTOBER 15, 2015 meeting is as follows:

"THAT THE GOVERNING BOARD approve Resolution 2015-32 adopting the 17053 N FEDERAL HWY LPSS FINAL Assessment Roll and Exhibits."

Sincerely,

*Curtis L. Shenkman*

Curtis L. Shenkman

RESOLUTION NO. 2015-32

A RESOLUTION OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT RELATING TO THE **17053 N FEDERAL HWY LPSS** ASSESSMENT AREA IMPROVEMENTS; ADOPTING THE ASSESSMENT ROLL FOR **17053 N FEDERAL HWY LPSS** ASSESSMENT AREA IMPROVEMENTS; CONFIRMING SAID SPECIAL ASSESSMENT ROLL AS ATTACHED HERETO AS EXHIBITS "A" AND "B"; PROVIDING FOR ELLIS RULE COMPLIANCE; PROVIDING FOR DECLARING LINE AVAILABLE FOR CONNECTION; PROVIDING THE SPECIAL ASSESSMENTS SHALL BE COLLECTED AS NON-AD VALOREM SPECIAL ASSESSMENTS ON THE REAL ESTATE TAX BILL; AUTHORIZING THE DISTRICT CLERK TO PREPARE AND DELIVER THE NON-AD VALOREM SPECIAL ASSESSMENT ROLL TO THE PALM BEACH COUNTY AND MARTIN COUNTY PROPERTY APPRAISERS, TAX COLLECTORS, AND FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR CONSISTENCY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Governing Board of the Loxahatchee River Environmental Control District (hereinafter called the "District") has authorized the sewer improvements constructed in the **17053 N FEDERAL HWY LPSS** Assessment Area; and

WHEREAS, The District's previous Resolutions **2015-10 & 2015-28** were approved by the District's Governing Board and directed the preparation of the Assessment Roll.

WHEREAS, the Governing Board, on the 15th day of OCTOBER, 2015 at 6:52 P.M., sat as Board of Adjustment as provided in District Rule 31-11.005, and held the Public Hearings under Florida Statutes Chapter 197.

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

Section 1. The Governing Board confirms the Special Assessment Roll attached hereto as Exhibits "A" and "B" without further modification. The unit of measurement for each assessment area is that each parcel is assessed equally.

Section 2. The Special Assessment is in compliance with the "Ellis Rule" requirement of District Rule 31-10.011, and Resolution Nos. **2015-10 & 2015-28** of the District.

Section 3. In accordance with District Rule Chapter 31-11, and Florida Statutes Chapter 197, said Special Assessment Liens shall remain liens co-equal with the lien of all State, County, District and Municipal taxes, superior in dignity to all other liens, titles, and claims, until paid. Any failure to so pay these non-ad valorem Special Assessments shall be a default hereunder and will cause a tax certificate to be issued against the property which may result in a loss of title.

**RESOLUTION 2015-32**

Loxahatchee River Environmental Control District

Section 4. Availability for Connection and Required Connection.

The waste water and sewerage system was “Available” for connection in accordance with District Rule 31-3.003(3) and Florida Statutes 381.0065(2)(a) when the Loxahatchee River Environmental Control District released the system for service on August 8, 2014, which is the date of actual “Availability”. In accordance with Florida Statutes 381.00655, the affected property owners shall be required to connect to the sewerage system within one (1) year of the actual Availability.

Section 5. The **District Clerk, as the designee of the chairman** of the Governing Board, is directed to certify the non-ad valorem assessment roll, on a compatible electronic medium tied to the property identification number and deliver it to the tax collector by September 15 of each year, or as otherwise provided for in the agreements with the tax collector. The certification shall be made on **Form DR-408A**.

Section 6. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. 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 15th day of OCTOBER, 2015.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT:  
VOTE

\_\_\_\_\_  
STEPHEN B. ROCKOFF, Chairman

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

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

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

\_\_\_\_\_  
DR. MATT H. ROSTOCK

EXHIBIT "A"  
FINAL ASSESSMENT ROLL  
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
17053 N FEDERAL HWY LPSS 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 **17053 N FEDERAL HWY LPSS** Assessment Area shall be **\$5,127.00** per parcel of property in the **17053 N FEDERAL HWY LPSS** Area.

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 **17053 N FEDERAL HWY LPSS** Assessment Area identified on EXHIBIT "B" shall be currently assessed in the amount of **\$4,614.30**.

PAYMENT OF ASSESSMENT. As to Parcels of **17053 N FEDERAL HWY LPSS** Assessment Area Property in EXHIBIT "B", the **\$4,614.30** assessment may be paid, interest free, at the office of the District on or before May 1, 2017.

**Owners who do not pay the \$4,614.30 assessment on or before May 1, 2017 shall have the \$4,614.30 principal added to the tax roll as a non-ad valorem assessment to accrue interest, beginning October 1, 2016, at six and seven eights percent (6.875%) per annum, to be collected in twenty (20) equal annual installments of \$431.33, commencing with the November 1, 2017 Real Estate Tax Bill.**

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

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

PREPARED BY AND RETURN TO: WC-53  
Curtis L. Shenkman, Esquire  
DeSantis, Gaskill, Smith & Shenkman, P.A.  
11891 U.S. Highway One, Suite 100  
North Palm Beach, Florida 33408

**TRANSFER OF PROPERTY LIEN TO NON-AD  
VALOREM TAX BILL & CERTIFICATION OF SPECIAL  
ASSESSMENT ROLL FOR 17053 N FEDERAL HWY LPSS SPECIAL ASSESSMENTS**

THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida created and existing pursuant to Chapter 2002-358, Laws of Florida (the "District"), gives public notice that the District's Governing Board as of and effective on the 15th day of OCTOBER, 2015, passed Resolution 2015-32 which is attached hereto, approving the non-ad valorem tax bill, AND TRANSFERRING THE RECORDED LIEN ON PROPERTIES IDENTIFIED AS BEING PART OF THE **17053 N FEDERAL HWY LPSS** AREA LISTED IN THE FOLLOWING DOCUMENTS, as recorded in the Public Records of **MARTIN** County, Florida:

1. Pending Lien Notice of Intent to Assess, and Resolution 2015-10, recorded on **AUGUST 21, 2015 in Official Record Book 2803, Pages 2229 through 2235, in the Public Records of MARTIN County, Florida.**

Any inquiries as to payment of special assessments should be directed to:

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
2500 Jupiter Park Drive  
Jupiter, Florida 33458  
(561) 747-5700

IN WITNESS WHEREOF, the undersigned, Executive Director of the Loxahatchee River Environmental Control District, hereby certifies on October 15, 2015, the information contained herein is true and accurate.

WITNESSES:

LOXAHATCHEE RIVER ENVIRONMENTAL  
CONTROL DISTRICT

\_\_\_\_\_

By: \_\_\_\_\_

D. Albrey Arrington, Ph.D.  
Executive Director

STATE OF FLORIDA  
COUNTY OF PALM BEACH

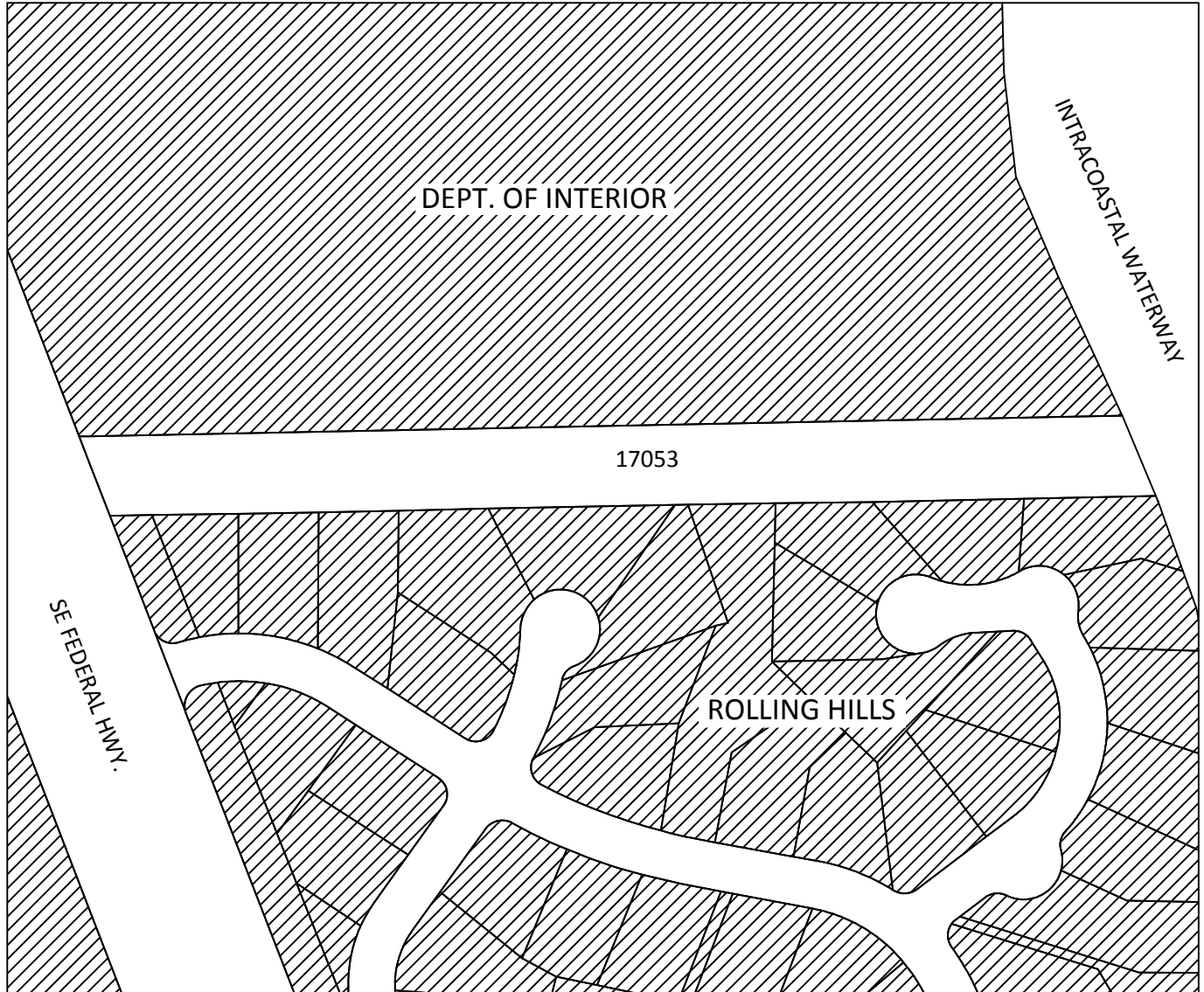
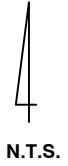
The foregoing instrument was acknowledged before me on October 15, 2015, by D. Albrey Arrington, Ph.D., EXECUTIVE DIRECTOR of the LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida, on behalf of the District, who is personally known to me.

(Notary Seal)

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

Messrs. George+Michael Waters  
re: 17053 SE Federal Hwy  
PO Box 3094  
Tequesta FL 33469  
13-40-42-000-000-00060-8

# EXHIBIT "A" 17053 N. FEDERAL HWY LOW PRESSURE SEWER SYSTEM ASSESSMENT AREA



## LEGEND

 NOT IN ASSESSMENT AREA

UNINCORPORATED MARTIN COUNTY