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October 8, 2015

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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 2015-35 and FINAL Assessment Roll for Palmwood Rd Ph II

Dear Albrey & Clint:

Attached to this letter is Transfer of Property Lien, Resolution 2015-35, 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 2015-35 adopting the Palmwood Rd Ph II FINAL Assessment Roll and Exhibits."

Sincerely,

Curtis L. Shenkman

Curtis L. Shenkman

RESOLUTION NO. 2015-35

A RESOLUTION OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT RELATING TO THE **PALMWOOD RD PH II** ASSESSMENT AREA IMPROVEMENTS; ADOPTING THE ASSESSMENT ROLL FOR **PALMWOOD RD PH II** 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 **PALMWOOD RD PH II** Assessment Area; and

WHEREAS, The District's previous Resolutions **2015-17 & 2015-31** 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 6:58 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 as serviced by a simplex and assessed equally as serviced by a duplex.**

Section 2. The Special Assessment is in compliance with the "Ellis Rule" requirement of District Rule 31-10.011, and Resolution Nos. **2015-17 & 2015-31** 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 2015-35

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 Florida Department of Health released the system for service on August 21, 2015, 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" - SIMPLEX
FINAL ASSESSMENT ROLL – SIMPLEX SYSTEMS
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
PALMWOOD RD. PH II 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 **PALMWOOD RD. PH II** Assessment Area shall be **\$5,940.23** per parcel of property in the **PALMWOOD RD. PH II** 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 **PALMWOOD RD. PH II** Assessment Area identified on EXHIBIT "B" – SIMPLEX shall be currently assessed in the amount of **\$5,346.21**.

PAYMENT OF ASSESSMENT. As to Parcels of **PALMWOOD RD. PH II** Assessment Area Property in EXHIBIT "B" - SIMPLEX, the **\$5,346.21** assessment may be paid, interest free, at the office of the District on or before May 1, 2017.

Owners who do not pay the \$5,346.21 assessment on or before May 1, 2017 shall have the \$5,346.21 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 \$499.75, commencing with the November 1, 2017 Real Estate Tax Bill.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

By: _____
D. Albrey Arrington, District Clerk, Executive Director

EXHIBIT "A" - DUPLEX
FINAL ASSESSMENT ROLL – DUPLEX SYSTEMS
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
PALMWOOD RD. PH II 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 **PALMWOOD RD. PH II** Assessment Area shall be **\$11,595.23** per parcel of property in the **PALMWOOD RD. PH II** 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 **PALMWOOD RD. PH II** Assessment Area identified on EXHIBIT "B" – DUPLEX shall be currently assessed in the amount of **\$10,435.71**.

PAYMENT OF ASSESSMENT. As to Parcels of **PALMWOOD RD. PH II** Assessment Area Property in EXHIBIT "B" - DUPLEX, the **\$10,435.71** assessment may be paid, interest free, at the office of the District on or before May 1, 2017.

Owners who do not pay the \$10,435.71 assessment on or before May 1, 2017 shall have the \$10,435.71 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 \$975.51, 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 PALMWOOD RD PH II 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 2015-35 which is attached hereto, approving the non-ad valorem tax bill, AND TRANSFERRING THE RECORDED LIEN ON PROPERTIES IDENTIFIED AS BEING PART OF THE **PALMWOOD RD PH II** AREA LISTED IN THE FOLLOWING DOCUMENTS, as recorded in the Public Records of **PALM BEACH** County, Florida:

1. Pending Lien Notice of Intent to Assess, and Resolution 2015-17, recorded on **JUNE 19, 2015 in Official Record Book 27615, Pages 359 through 365, in the Public Records of PALM BEACH 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

SIMPLEX

Mr. & Mrs. Cecil Balderson
re: 15028 Palmwood Rd
15028 Palmwood Rd
Palm Bch Grdns FL 33410
00-43-41-17-00-000-7020

Mr. & Mrs. Albert Gamot Jr
re: 15052 Palmwood Rd
15052 Palmwood Rd
Palm Bch Grdns FL 33410
00-43-41-17-00-000-7030

Mr. & Mrs. Jyoti Mohanty
re: 15105 Palmwood Rd
15105 Palmwood Rd
Palm Bch Grdns FL 33410
00-43-41-17-00-000-7150

J Robo/M Trim
re: 2947 Jamaica Dr
15100 Palmwood Rd
Palm Bch Grdns FL 33410
00-43-41-17-00-000-7160

RMG Mgmt Inc
re: 15053 Palmwood Rd
120 S Village Way
Jupiter FL 33458
00-43-41-17-00-000-7170

Mr. William Crane
re: 15185 Palmwood Rd
15185 Palmwood Rd
Palm Bch Grdns FL 33410
00-43-41-17-00-000-7180

DUPLEX

J Robo/M Trim
re: 15100 Palmwood Rd
15100 Palmwood Rd
Palm Bch Grdns FL 33410
00-43-41-17-00-000-7230

EXHIBIT "B"

PALMWOOD ROAD - PHASE II LOW PRESSURE SEWER SYSTEM ASSESSMENT AREA



LEGEND

 NOT IN ASSESSMENT AREA

JUPITER, FLORIDA