

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2005-168**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS FOR WASTEWATER LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY**

**WHEREAS**, The City of Marathon (the "City") is contemplating the imposition of special assessments for the provision of wastewater treatment services and facilities; and

**WHEREAS**, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing wastewater treatment services and facilities to property within the incorporated area of the City as authorized by Section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2006, in the same manner as provided for ad valorem taxes; and

**WHEREAS**, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** Commencing with the Fiscal Year beginning on October 1, 2006, and with the tax statement mailed for such Fiscal Year, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing wastewater treatment services and facilities. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

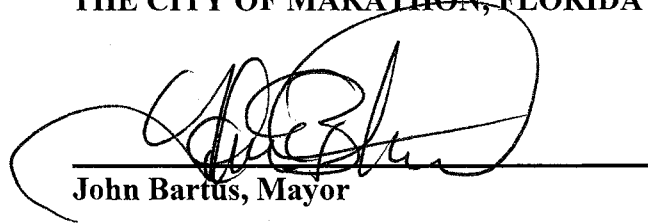
**Section 3.** The City hereby determines that the levy of the assessments it needed to fund the cost of wastewater treatment services and facilities within the incorporated area of the City.

**Section 4.** Upon adoption, the City Clerk is hereby directed to send of copy of this Resolution by United States mail to the Florida Department of Revenue, the Monroe County Tax Collector, and the Monroe County Property Appraiser by March 1, 2006.

**Section 5.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the city of Marathon, Florida, this 13th day of December, 2005.

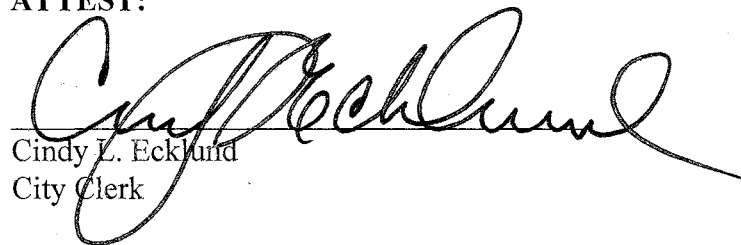
**THE CITY OF MARATHON, FLORIDA**



\_\_\_\_\_  
**John Bartus, Mayor**

AYES: Bull, Mearns, Miller, Pinkus, Bartus  
NOES: None  
ABSENT: None  
ABSTAIN: None

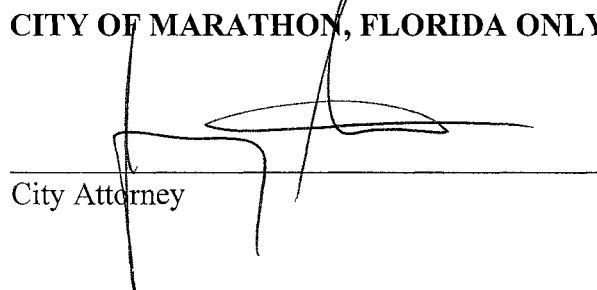
**ATTEST:**



\_\_\_\_\_  
Cindy L. Ecklund  
City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



\_\_\_\_\_  
City Attorney

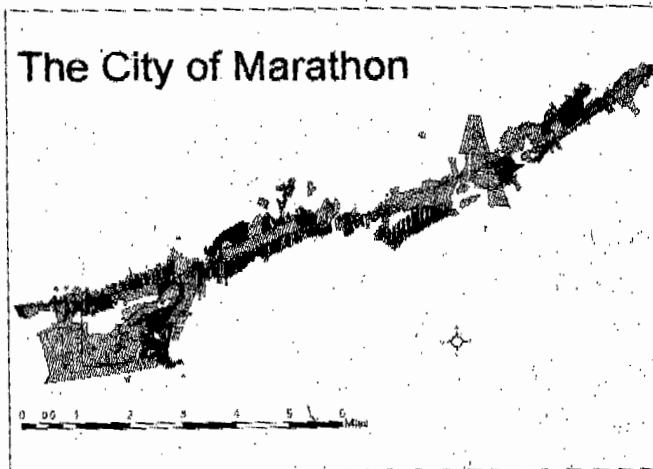


# CITY OF MARATHON, FLORIDA NOTICE OF PUBLIC HEARING

The Marathon City Council will hold a public hearing on Tuesday, **December 13, 2005** at 6:30 p.m., at the Marathon Government Center, 2798 Overseas Highway.

The purpose of the public hearing is to consider and establish a Waste Water Utility. The Waste Water Utility collects funds to construct and maintain wastewater systems throughout the City. These funds will be collected as a non-ad valorem assessment on the property tax bill. Failure to pay the assessment will cause a tax certificate to be issued against the property, which may result in loss of title.

All property owners in the City of Marathon have a right to appear at this Public Hearing and to file written objections with the City of Marathon within 20 days of the date of this notice.



Interested parties may appear at the public hearing(s) and be heard with respect to the proposed item. Information is available from the City of Marathon Planning Department located at 10045-55 Overseas Highway, Marathon, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Council with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: Anyone needing special assistance at the City Council hearing due to disability should contact the City of Marathon at (305) 743-3000 at least two days prior thereto.

November 13, 20, 27 / A December 4, 2005

228008

Dec. 08 2005 12:31PM P1

FAX NO. : 30529440768

FROM :



Marsha F. Kirkwood  
Advertising Coordinator

PO Box 1800  
Key West FL 33041  
Office.....305-292-7777  
Extension.....x219  
Fax.....305-294-0768  
[legals@keynews.com](mailto:legals@keynews.com)

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Key West, FL  
33040-3328  
Tel 305-292-1880  
Fax 305-294-1699  
[sales@keywest.com](mailto:sales@keywest.com)

**Middle Keys Office**  
8363 Overseas Hwy  
Marathon, FL (MM 52.5)  
33060-3342  
Tel 305-743-8788  
Fax 305-743-8977  
[navigator@floridakeys.com](mailto:navigator@floridakeys.com)

**Upper Keys Office**  
81549 Old Hwy  
PO Box 469  
Islamorada, FL (MM01.5)  
33036-0469  
Tel 305-864-2266  
Fax 305-864-8411  
[freepress@floridakeys.com](mailto:freepress@floridakeys.com)

**Ocean Reef Office**  
3A Barracuda Lane  
Key Largo, FL 33037

STATE OF FLORIDA  
COUNTY OF MONROE

Before the undersigned authority personally appeared Randy G. Erickson, who on oath says that he is Vice-President of Advertising Operations of the Key West Citizen, a daily newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of Public Hearing to Consider and Establish Waste Water Utility  
In the \_\_\_\_\_ Court, was published in said newspaper in the issues of November 13, 20, 27 & December 4, 2005

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida every and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Randy G. Erickson*  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 6 day of December, 2005

Notary Public: Marsha F Kirkwood

*Marsha F Kirkwood*

Expires: September 15, 2009



Notary Seal

Personally Known   x   Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_