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**CITY OF MARATHON, FLORIDA
RESOLUTION 2005-169**

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 LEVIED ON CERTAIN PROPERTIES LOCATED ALONG AVENUE K FOR AVENUE K ROAD IMPROVEMENTS; STATING A NEED FOR SUCH LEVY

WHEREAS, the City Council (the "Council") of The City of Marathon (the "City") is contemplating the imposition of special assessments for the provision of Avenue K roadway improvements and utilities; and

WHEREAS, the Council intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing Avenue K roadway improvements and utilities to property within the incorporated area of the City as authorized by Section 197.3632, Florida Statutes, as amended; and

WHEREAS, this method will allow such special assessments to be collected annually commencing in November 2006 and each subsequent year thereafter, 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 as required by Section 197.3632, Florida Statutes 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 each subsequent 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 Avenue K roadway improvements and utilities. Such non-ad valorem assessments shall be levied on certain properties located along Avenue K. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

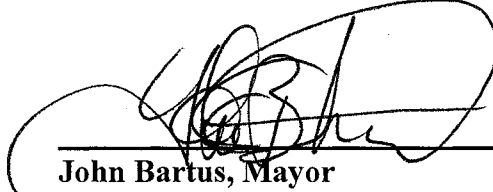
Section 3. The City hereby determines that the levy of the assessments it needed to fund the cost of Avenue K roadway improvements and utilities, which are located within the incorporated area of the City.

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

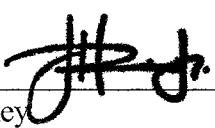
ATTEST:



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

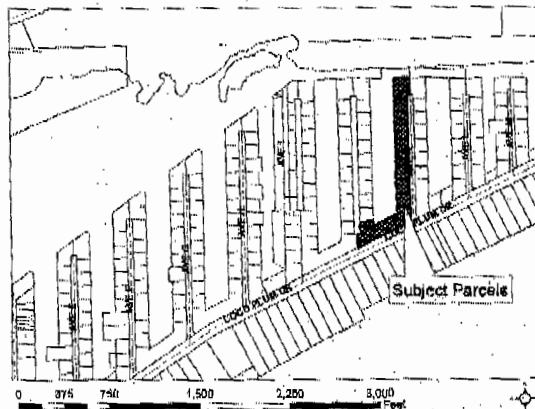


CITY OF MARATHON, FLORIDA

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 Special Taxing Unit for parcels along Avenue K. The Special Taxing Unit will cover the costs to install Avenue K. Each lot owner would be charged a proportionate share of the road improvement costs.



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.



The Florida Keys Only Daily Newspaper, Est. 1878
Cooke Communications, LLC
Florida Keys

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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 Meeting to Consider Special Taxing Unit

In the _____ Court, was published in said newspaper in the issues of November 19, 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 _____



EB-0006656

"Excellence in Engineering"

September 13, 2005

Ms. Susie Thomas
City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Re: Avenue K Improvements
WEC Project #04100.013

Dear Susie:

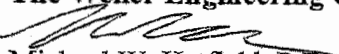
As requested, we have reviewed potential impacts and cost for developing Avenue K as a City Street. The Right-of Way (R-O-W) is approximately 1,100 feet long and 50 feet wide. Approximately 12 feet of the existing R-O-W is upland and the remaining 38 feet is wetland with a dense mangrove population. In order to design this R-O-W to City standards the wetlands within the R-O-W would have to be mitigated and filled in.

The following is a rough estimate of the cost to design permit and construct the project:

Survey	\$4,500
Environmental Permitting.....	\$40,000
Mitigation.....	\$40,000
Road Design.....	\$20,000
Fill.....	\$270,500
Roadway construction.....	\$115,000

These are estimates only. If the City elects to proceed with this project, a detailed cost analysis will be prepared. If you need any additional information, please feel free to contact me.

Sincerely,
The Weiler Engineering Corporation


Michael W. Hatfield, P.E.
Project Manager

