

**CITY OF MARATHON, FLORIDA
RESOLUTION 2007-168**

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 LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Marathon Florida (the “City”) is contemplating the imposition of special assessments for the cost of providing wastewater treatment systems; and

WHEREAS, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing wastewater treatment systems 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 2008, 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 the 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, THAT:

Section 1. Commencing with the Fiscal Year beginning on October 1, 2008, 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 systems. 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 2. The City hereby determines that the levy of the assessments is needed to fund the cost of providing wastewater treatment systems within the incorporated area of the City.

Section 3. Upon adoption, the City Clerk is hereby directed to send a 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 January 10, 2008.

Section 4. This resolution shall be effective upon adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 27th day of November, 2007.


THE CITY OF MARATHON, FLORIDA



Edward P. Worthington, Mayor

AYES: Vasil, Bull, Cinque, Tempest, Worthington
NOES: None
ABSENT: None
ABSTAIN: None


ATTEST:



Diane Clavier
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

10045-55 Overseas Highway, Marathon, Florida 33050
Phone: (305) 743-0033 Fax: (305) 743-3667
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NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

City of Marathon, Florida (the City) hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied within the incorporated area of the City for the cost of providing wastewater treatment systems commencing for the Fiscal Year beginning on October 1, 2008. The City will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 5:30 PM on November 27, 2007, at the Marathon Government Center/Monroe County Emergency Operations Center, 2nd floor, 2798 Overseas Highway, Marathon, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the 10045-55 Overseas Highway, Marathon, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the City with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City of Marathon at 305-289-5020, 2 days prior to the date of hearing.

DATED this 27th day of October, 2007.

By Order of: Marathon City Council

CITY OF MARATHON, FLORIDA

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EXHIBIT "B"

CITY OF MARATHON, FLORIDA

MORE PARTICULARLY DESCRIBED

AS

. Land description.--The corporate boundaries of the city shall be as follows: from the East end of the Seven Mile Bridge (approximately Mile Marker 47) to the West end of the Tom's Harbor Bridge (approximately Mile Marker 60), including, but not limited to, the entire islands of Knight Key; Hog Key; Vaca Key; Stirrup Key; Boot Key; Crawl Key; East Sister's Island; West Sister's Island; Fat Deer Key; Long Point Key; Deer Key; Little Deer Key; Little Crawl Key; Grassy Key; the unincorporated areas of Monroe County commonly known as Marathon and Coco Plum; all land filled in between the islands, including all islands connected by U.S. 1, Overseas Highway and roadways connecting thereto; and all adjacent islands not connected by roadways within the boundaries of Monroe County between Mile Marker 47 and Mile marker 60, specifically excluding all areas within the boundaries of the City of Key Colony Beach, all of the above being within the boundaries of Monroe County, Florida.