

**CITY OF MARATHON, FLORIDA
RESOLUTION 2010-17**

**A RESOLUTION OF 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 provision of wastewater utility services and infrastructure within the City; and

WHEREAS, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing wastewater utility services and infrastructure 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 2010, 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” and incorporated herein by reference.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT:

Section 1. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Commencing with the Fiscal Year beginning on October 1, 2010, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, 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 utility services and infrastructure. 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 herein by reference.

Section 3. The City hereby determines that the levy of the assessments is needed to fund the cost of wastewater utility services and infrastructure within the incorporated area of the City.

Section 4. 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 March 1, 2010.

Section 5. This Resolution shall be effective upon adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 9th day of February 2010.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

AYES: Cinque, Ramsay, Keating, Worthington, Snead
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

PROOF OF PUBLICATION

**STATE OF FLORIDA
COUNTY OF MONROE**

Before the undersigned authority personally appeared **WAYNE MARKHAM** who on oath, says that he is **PUBLISHER of the FLORIDA KEYS KEYNOTER**, a twice weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: *(date(s) of publication)*

December 26, 2009

January 2, 9, 16, 2010

Affiant further says that the said FLORIDA KEYS KEYNOTER is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, twice each week (on Wednesday and Saturday) and has been entered as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The 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(s) and that The Florida Keys Keynoter is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Wayne Markham
Sworn to and subscribed before me
this 4th Day of February, 2010
(SEAL)

Beverly Traeger
Notary



CITY OF MARATHON, FLORIDA

9805 Overseas Highway, Marathon, Florida 33050
Phone: (305) 743-0033

**NOTICE OF INTENT TO USE UNIFORM
METHOD OF COLLECTING
NON-AD VALOREM ASSESSMENTS**

The 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 utility services and infrastructure commencing for the Fiscal Year beginning on October 1, 2010 and continuing until discontinued by the City. 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 p.m. on February 10, 2010 at the Marathon Government Center, EOC Room, 2798 Overseas Hwy., 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 office of the City Clerk, 9805 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 an 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 Clerk at (305) 289-5020, two (2) days prior to the date of the hearing.

DATED this 26 day of December 2010.

By Order of: City Manager

[Signature]

CITY OF MARATHON, FLORIDA

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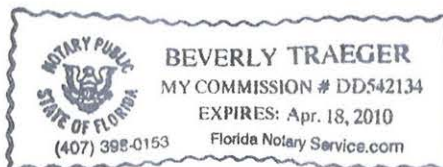


EXHIBIT A
PROOF OF PUBLICATION

[INSERT PROOF OF PUBLICATION]

EXHIBIT B
LEGAL DESCRIPTION
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.

