

Sponsored by: Hernstadt

CITY OF MARATHON, FLORIDA
RESOLUTION 2012-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE RELEASES OF LIENS IMPOSED BY THE FLORIDA KEYS AQUEDUCT AUTHORITY ON PROPERTIES WITHIN THE LITTLE VENICE WASTEWATER DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Prior to City's purchase of the Little Venice Wastewater Collection, Transmission, Treatment and Disposal System from the Florida Keys Aqueduct Authority ("FKAA") in 2008, the FKAA's capital improvement costs were secured by liens recorded against each property benefiting from the improvement; and

WHEREAS, when the City acquired the Little Venice Wastewater Collection, Transmission, Treatment and Disposal System the FKAA liens were conveyed; and

WHEREAS, the City replaced the liens with annual assessments in accordance with Chapter 24 of the Marathon Code; and therefore, upon the re-financing or sale of properties encumbered by the FKAA liens it is appropriate for the City to release the lien if the property owner is current on all annual wastewater assessments (i.e., City and FKAA assessments); and

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.

Section 2. The City Manager is hereby authorized to execute releases of liens imposed by the FKAA on properties within the Little Venice Wastewater District upon the re-financing or sale of properties encumbered by the FKAA liens, providing as the property owner is current on all annual wastewater assessments (i.e., City and FKAA assessments).

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 9th DAY OF OCTOBER, 2012.

THE CITY OF MARATHON, FLORIDA



Pete Worthington, Mayor

AYES: Cinque, Keating, Ramsay, Snead, Worthington
NOES: None
ABSENT: None
ABSTAIN: None

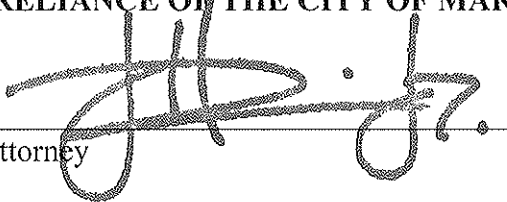
ATTEST:



Diane Clavier, City Clerk

(City Seal)

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



City Attorney