

# Key Largo Wastewater Treatment District Board of Commissioners Meeting Agenda Item Summary

Meeting Date:  
February 3, 2026

Agenda Item Number: O-1

Action Required:  
Yes

Department: Legal  
Sponsor: Nick Mulick

Subject:  
**Reversal of Waiver - AK# 1681857**

Summary of Discussion:

Wastewater service and assessment was waived in 2009. The current owner has requested reinstatement of wastewater service.

The parcel owner has provided payment to KLWTD for the System Impact Charge.

<u>Reviewed / Approved</u>	<u>Financial Impact</u>	<u>Attachments</u>
Operations: _____	\$ 8,040.00	1. Resolution 01-2026
Administration: _____	Income	2. Customer Request
Finance: _____	Funding Source:	3. Notice of intent to impose a System Impact Charge
District Counsel: _____	Assessment Revenue	4. Original Assessment Waiver
District Clerk: _____	Budgeted:	5. Map
Engineering: _____	No	

Approved By: \_\_\_\_\_

General Manager

Date: \_\_\_\_\_

1-29-26

## **RESOLUTION NO. 01-2026**

**A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT ("THE DISTRICT") APPROVING THE REQUEST BY 116 OCEAN VIEW INVESTMENTS LLC ("THE OWNER") FOR REVERSAL OF WAIVER AND REINSTATEMENT OF WASTEWATER SERVICE TO TAX PARCEL AK NO. 1681857; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the District assessed the vacant parcel listed below in Section 1 ("the Subject Tax Parcel") via Resolution No. 20-05-09, dated May 19, 2009; and

**WHEREAS**, in accordance with Section 10.06(a)(i) of the previous Rules and Regulations of 2014, the District is authorized to remove from its non-ad valorem wastewater assessment vacant tax parcel(s) in common ownership with an adjacent improved tax parcel assessed by the District, provided that the vacant tax parcel is subsidiary to the use of the improved tax parcel and will not be improved with structures or facilities capable of generating wastewater that will enter the District's wastewater facilities; and

**WHEREAS**, having determined that the Subject Tax Parcel satisfied the criteria set forth in Section 10.06(a)(i) of the previous Rules and Regulations 2014, the District excluded the Subject Tax Parcel from the non-ad valorem wastewater assessment roll; and

**WHEREAS**, Key Largo Wastewater Treatment District's Waiver of Wastewater Service and Acknowledgement of Potential Costs, removing the Subject Tax Parcel from the District's 2009 Non-ad Valorem Wastewater Assessment Roll was recorded in the Office of the Monroe County Clerk of Court, in Official Records Book 2418, at Page 2181 on June 22, 2009; and

**WHEREAS**, the Owner of the Subject Tax Parcel has requested that wastewater service be restored to the Subject Tax Parcel; and

**WHEREAS**, the District finds good and sufficient cause to approve the request of the Owner to restore wastewater service to the Subject Tax Parcel.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT:**

### **Section 1.**

PARCEL ID: 00555520-000000

AK NO.: 1681857

LEGAL DESCRIPTION: Lot 11, Block 4, TAVERNIER HEIGHTS, according to the Plat thereof, recorded in Plat Book 1, Page 180, of the Public Records of Monroe County, Florida.

**Section 2.** REQUEST FOR SERVICE. The owner certified that they desire wastewater service to the Tax Parcel and agree to pay the current full direct and indirect District costs to restore wastewater services.

**Section 3.** PAYMENT OF SIC. For the Reversal of Waiver, the owners have paid the SIC in the amount of **\$8,040.00**.

**Section 4.** APPLICABILITY AND EFFECTIVE DATE. This Resolution shall take effect upon adoption by the Board of Commissioners.

**Section 5.** AUTHORIZATION OF DISTRICT OFFICIALS. The General Manager and/or his designee(s) are authorized to take all actions necessary to implement the terms and conditions of this Resolution.

**RESOLVED AND ADOPTED THIS 3<sup>rd</sup> DAY OF FEBRUARY 2026.**

The foregoing RESOLUTION was offered by Commissioner \_\_\_\_\_, who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
Chairman Rodriguez	_____	_____
Commissioner Heim	_____	_____
Commissioner Maloney	_____	_____
Commissioner Majeska	_____	_____
Commissioner Schwartz	_____	_____

The Chairman thereupon declared this Resolution duly passed and adopted this 3<sup>rd</sup> day of February 2026.

KEY LARGO WASTEWATER TREATMENT DISTRICT

\_\_\_\_\_  
Nicolas Rodriguez, Chairman

*Approved to as to form  
and legal sufficiency:*

ATTEST:

\_\_\_\_\_  
Shannon McCully, District Clerk

By: \_\_\_\_\_  
Nicholas W. Mulick, General Counsel

SEAL



## Key Largo Wastewater Treatment District

103355 Overseas Highway, Key Largo, FL 33037

Post Office Box 491, Key Largo, FL 33037

Phone (305) 451-4019 • www.klwtd.com

### Request for Reversal of Waiver of Wastewater Service

*ALL fields must be completed, unless indicated as optional, before the request will be reviewed.*

**Property Owner of Record:** 116 Ocean View Investments LLC

**Name of Request Initiator:** 116 Ocean View Investments LLC

**Email (optional):** \_\_\_\_\_ **Phone:** office: (305)265-3271

#### PARCEL

**RE/Parcel ID:** 00555520-000000 **Alternate Key:** 1681857

#### Parcel Legal Description:

BK 4 LT 11 TAVERNIER HEIGHTS PB1-180 KEY LARGO D2-572 OR724-126 OR822-1808 OR833-2412 OR833-2414 OR833-2416 OR1195-6 OR1268-1101/04 OR1268-1105 OR1597-163 OR1860-1001 OR1860-1002/03 OR1860-1004 OR1860-1005/1026 OR1860-1027 OR1860-1030 OR1860-1028 OR1910-2144 OR3060-1143 OR3194-1130 OR3292-0244

#### ORIGINAL WAIVER

**Resolution No#:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_

**Date Filed:** 06/22/2009 **Doc No:** 1747465 **Book:** 2418 **Page:** 2181



I request a **REVERSAL of WAIVER** of wastewater assessment. I understand that after reversal of waiver is approved I will be required to pay:

\$3,489.00 Costs to provide parcel with wastewater service, if any, will be determined by KLWTD.

\$4,551.00 System Development Charge (SDC) – Due in full.

**\$8,040.00** Total Reversal of Waiver charge

Prior to scheduling a hearing on your request, you will be required to deposit the Reversal of Waiver charge with KLWTD, which will be returned to you if your request is denied.

Additional Notes or Requests:



**Signature**

1/12/26

**Date**

The completed request may be mailed to PO Box 491, Key Largo, FL 33037 or hand delivered to the District office located at 103355 Overseas Hwy, Key Largo, FL 33037.

#### To be Completed by KLWTD

Survey conducted by: Rudy Perez

☐ Parcel HAS wastewater service available. No additional costs will be incurred.

☒ Parcel does NOT have a wastewater connection provided.



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### NOTICE OF INTENT TO IMPOSE A SYSTEM IMPACT CHARGE

January 13, 2026

To: 116 OCEAN VIEW INVESTMENT LLC  
4735 SW 74th Ave  
Miami FL 33155

RE: System Impact Charge – 116 Ocean View Dr – AK# 1681857

You have submitted a request for reversal of waiver of wastewater service. Please be advised that the Key Largo Wastewater Treatment District's ("District") Board of Commissioners ("Board") will consider your request and impose a System Impact Charge ("SIC") for the above-referenced parcel at the next regularly scheduled meeting following the District's receipt of your payment of the SIC.

The SIC is a charge to customers who construct facilities that impose an increased demand on the District's wastewater facilities, or request that exclusions be removed and wastewater service provided. It is the sum of the System Development Charge ("SDC") plus any additional direct or indirect fees incurred by the District to extend service to your parcel.

**Reason for imposition of SIC:** You requested that an exclusion be removed from the parcel and wastewater service reinstated.

If the Board approves imposition of the SIC, the following changes will be made to your account:

**EDU Assignment:** Your parcel's EDU assignment will be 1.0 EDUs.

**Connection Fee:** You will be charged a connection fee for the wastewater service connection that was provided.

**Additional Fees:** There are no additional fees.

**Wastewater Base Charge:** Once connected to the District's central wastewater system, the wastewater base charge, billed monthly by the Florida Keys Aqueduct Authority (FKAA), will be \$30.60 a month.



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The SIC comes to a total of **\$8,040.00**. This charge is **due in full** prior to the Board's decision to reinstate service and impose an SIC.

**Your Rights:** You have a right to appear at the meeting, present evidence, and have witnesses testify on your behalf. If you choose to appear or present evidence, please notify the Clerk and submit copies of any documents you would like the Board to consider.

Please contact the District Clerk at 305-451-4019 ext. 210 or [Shannon.mccully@klwtd.com](mailto:Shannon.mccully@klwtd.com) for more information concerning how the proposed action will impact your parcel or for confirmation of the meeting date.

Sincerely,

By:   
Peter Rosasco, General Manager



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### 116 Ocean View Dr – AK# 1681857

#### Calculations

**EDU Assignment:** KLWTD Rules and Regulations provide residential tax parcel shall be assigned 1 EDU for 167 gallons per day (GPD).

#### System Impact Charge:

- Capacity Fee: Charge for capacity at the wastewater treatment plant and force main pipes for 1.0 EDU is \$4,551.00.
- Connection Fee: The cost to provide and install a wastewater connection to extend wastewater service to your parcel is \$3,489.00.

Capacity Fee	\$4,551.00
Connection Fee	\$3,489.00
<b>SIC Charge</b>	<b>\$8,040.00</b>

**Wastewater Base Charge:** Once connected to the District's central wastewater system the District collects a monthly base charge at the rate of \$30.60 per EDU. This charge does not include the monthly volumetric charge at the rate of \$4.80 per 1,000 of water consumed.

This document prepared by (and after recording  
return to):

Name: Key Largo Wastewater  
Treatment District  
Address: P.O. Box 491  
City, State, Zip: Key Largo, FL 33037-0491  
Phone: 305-453-5804

Doc# 1747465 06/22/2009 12:13PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1747465  
Bk# 2418 Pg# 2181

-----Above This Line Reserved For Official Use Only-----

Property Appraiser Parcel Identification Number(s) = SERVE 1681865 DELETE 1681881,  
1681873, 1681890, 1681857

KEY LARGO WASTEWATER TREATMENT DISTRICT  
WAIVER OF WASTEWATER SERVICE  
AND  
ACKNOWLEDGEMENT OF POTENTIAL COSTS

THIS WAIVER of wastewater service and acknowledgement of potential costs is executed on the date(s) shown below:

WHEREAS, on May 19, 2009, the Key Largo Wastewater Treatment District ("District") adopted a Final Assessment Resolution levying non-ad valorem assessments against each of the Tax Parcels listed in Attachment A under and in accordance with Chapter 197.3632, Florida Statutes; and

WHEREAS, the purpose of the non-ad valorem assessments is to recover a portion of the costs of providing wastewater service to the Tax Parcels listed in Attachment A; and

WHEREAS, the undersigned are all of the owners of the Tax Parcels listed in Attachment A; and

WHEREAS, in order to induce the District to waive the non-ad valorem assessment against one or more of the Tax Parcels listed in Attachment A ("Excluded Parcels"), (1) the undersigned are certifying that the Tax Parcels listed in Attachment A are being utilized as a single parcel for development purposes, and that the undersigned do not intend to separate the parcels for development, and (2) the undersigned are waiving their right to receive wastewater service to the Excluded Parcels; and

WHEREAS, even though the Excluded Parcels will not receive wastewater service at this time, the Excluded Parcels will nevertheless receive a special benefit from construction by the District of wastewater collection, transmission, and treatment facilities, but relying on the representations above, the District is willing to forego an assessment against the Excluded Parcels at this time; and

WHEREAS, the District has advised the undersigned that, if they or their successors desire to have wastewater service provided to any of the Excluded Parcels the cost to the District, and the cost to the undersigned persons or their successors, of providing the service will be significantly greater than the costs of providing service at this time;

NOW, THEREFORE, in consideration of the premises and in further consideration of the promises below, the undersigned agree:

1. The undersigned certify that they are all of the owners, or legal representatives of all of the owners, of the Tax Parcels, as shown in the records of the Monroe County Property Appraiser, listed in Attachment A.
2. The undersigned certify that they desire to receive wastewater service to the Tax Parcel listed in Attachment A and designated as the Tax Parcel receiving wastewater service, and further hereby waive their right to receive wastewater to the Tax Parcel(s) listed in Attachment A and designated as Excluded Parcel(s).
3. The undersigned certify that the Tax Parcels listed in Attachment A are being utilized as a single parcel for development purposes, and that the undersigned do not intend to separate the parcels for development.
4. If the District later provides Wastewater Service to an Excluded Parcel, the then-current owner(s) shall be required to pay to the District an amount fairly representing the special benefit that the Tax Parcel will receive, as determined by the District. The undersigned understand and acknowledge that the amount charged at the time of later connection is expected to be significantly greater than the 2009 non-ad valorem assessment.
5. In reliance on the certifications and statements of the undersigned, the District will forego its right to impose the non-ad valorem assessment on the excluded parcels.
6. The District will advise the Monroe County Tax Collector to remove the assessment(s) against the Excluded Parcel(s). The District has been advised by the Monroe County Tax Collector that upon receipt of such advice, the Monroe County Tax Collector will issue amended tax bills reflecting the removal of the assessment(s) from the Excluded Parcels. If the assessment(s) have already been paid, the District will take steps to refund the amount(s) received by the District to the then-current owner(s) of the Excluded Parcels. However, the District will not be obligated to refund any amounts charged by the Monroe County Tax Collector for collecting the assessment(s).
7. The District acknowledges receipt of an administrative fee of \$200.00.
8. The undersigned mortgagee(s) hereby consent to this waiver of wastewater service and acknowledgement of potential costs. and all of its terms.
9. This waiver and all of its terms shall be binding upon, and inure to the benefit of, the signatories, their successors and assigns, and all subsequent owners of the Tax Parcels listed in Attachment A, and each of them.

[This Space Intentionally Left Blank.]

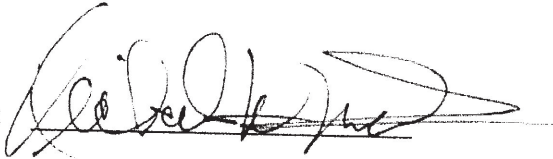
IN WITNESS WHEREOF, the undersigned, comprising all of the owners of the Tax Parcels listed in Attachment A have executed this waiver of wastewater service and acknowledgement of potential costs on the dates shown opposite their names.

Signed, Sealed and Delivered in the presence of these Witnesses (one of whom may be the Notary):

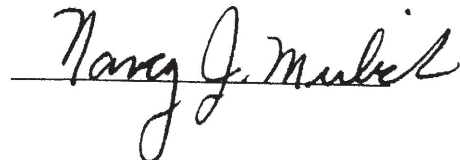
Nicholas W. Mulick, Owner

Nancy J. Mulick, Owner

Sign:



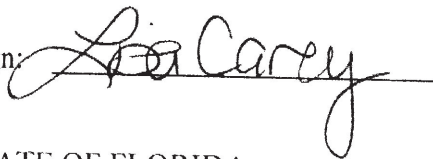
Sign:



Lisa Carey, Witness

Anna Izquierdo, Witness

Sign:



Sign:



STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of June 2009, by Nicholas W. Mulick and Nancy J. Mulick, who are personally known to me or who have produced \_\_\_\_\_ as identification.

  
Notary Public

Printed Name: Lisa Carey



My Commission Expires:

7-12-2010

WAIVER OF WASTEWATER SERVICE  
AND  
ACKNOWLEDGEMENT OF POTENTIAL COSTS

Attachment A

**Tax Parcel receiving wastewater Service:**

**Doch 1747465  
Bk# 2418 Pg# 2184**

Alternate Key Number: 1681865

RE Number: 0055530-000000

Physical Location: 91645 OVERSEAS HIGHWAY

Legal Description: BK 4 LT 12 TAVERNIER HEIGHTS PB1-180

**Excluded Parcels:**

Excluded Parcel No. 1:

Alternate Key Number: 1681881

RE Number: 00555550-000000

Physical Location: TAVERNIER HEIGHTS

Legal Description: BK 4 LT 14 TAVERNIER HEIGHTS PB1-180

Excluded Parcel No. 2:

Alternate Key Number: 1681873

RE Number: 00555540-000000

Physical Location: TAVERNIER HEIGHTS

Legal Description: BK 4 LT 13 TAVERNIER HEIGHTS PB1-180

Excluded Parcel No. 3:

Alternate Key Number: 1681890

RE Number: 00555560-000000

Physical Location: TAVERNIER HEIGHTS

Legal Description: BK 4 LT 15 TAVERNIER HEIGHTS PB 1-180

Excluded Parcel No. 4:

Alternate Key Number: 1681857

RE Number: 00555520-000000

Physical Location: TAVERNIER HEIGHTS

Legal Description: BK 4 LT 11 TAVERNIER HEIGHTS PB 1-180

**MONROE COUNTY  
OFFICIAL PUBLIC RECORD**

