



MEMORANDUM

Agenda Item No. 15(A)(11)

TO: Honorable Chairman Jose “Pepe” Diaz and
Members, Board of County Commissioners

DATE: May 3, 2022

FROM: Honorable Harvey Ruvlin, Clerk
Circuit and County Courts

SUBJECT: Resolution Authorizing
Intergovernmental
Cooperation Agreement
with the Village of
Indian Creek

Basia Pruna, Director
Clerk of the Board Division

Section 2-70(6) of the Miami-Dade County Code provides that the Property Appraiser may submit resolutions, ordinances, or reports related to his duties to the Clerk of the Board for placement on the next available agenda of the Miami-Dade County Board of County of Commissioners.

Attached for your consideration is a proposed resolution submitted by the Property Appraiser authorizing an Intergovernmental Cooperation Agreement with the Village of Indian Creek.

BP/dmc


Attachment

Memorandum



Date: May 3, 2022

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Pedro J. Garcia, MNAA
Property Appraiser 

Subject: Resolution Authorizing Intergovernmental Cooperation Agreement with the Village of Indian Creek

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize execution of the attached Intergovernmental Cooperation Agreement (Agreement) by and among Miami-Dade County on behalf of the Tax Collector (Collector), Miami-Dade County Office of the Property Appraiser (Appraiser) and the Village of Indian Creek (Village) to utilize the uniform method for the levy, collection and enforcement of non-ad valorem assessments, as prescribed in Section 197.3632, Florida Statutes.

Scope

The Village is located within County Commission District 4, represented by Commissioner Sally A. Heyman. The Village has requested that the Appraiser and Collector include its proposed or adopted non-ad valorem assessments for roadway improvements of the Village on the notice of proposed taxes as specified in Section 200.069, Florida Statutes, and on the combined notice of ad valorem and non-ad valorem assessments provided for in Sections 197.3632 and 197.3635, Florida Statutes.

Delegation of Authority

This item authorizes the County Mayor or County Mayor's designee to execute the agreement approved by this item on behalf of the Tax Collector, following approval by the County Attorney's Office as to legal sufficiency.

Fiscal Impact/Funding Source

The Village agrees that the County shall be entitled to retain two percent on the amount of special assessments collected and remitted to cover all the County's associated costs. There is no negative fiscal impact to the County because of this Agreement.

Track Record/Monitor

The Village agrees that all certified assessment rolls will be maintained and transmitted to the Appraiser and Collector on compatible electronic medium as defined in Section 197.3632(1), Florida Statutes. The Agreement is managed by the Office of the Property Appraiser.

Background

In accordance with Sections 197.3632 and 197.3635, Florida Statutes, and the Agreement, the Village will charge separate non-ad valorem assessments for roadway improvements of the Village. The Agreement affords the City the convenience and financial savings of utilizing the TRIM notice and combined tax bill for collection of its non-ad valorem assessments. Use of the ad valorem method for collection of these

assessments could result in issuance of tax certificates, tax deeds and the loss of title to the property, if said assessments are not paid by the property owners. The term of this Agreement commences with special assessments collected in 2022 and continues until cancelled by either party.



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 3, 2022

FROM: 
Gen. Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 15(A)(11)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 15(A)(11)
5-3-22

RESOLUTION NO. _____

RESOLUTION APPROVING THE INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE VILLAGE OF INDIAN CREEK, MIAMI-DADE COUNTY, AND THE MIAMI-DADE COUNTY OFFICE OF THE PROPERTY APPRAISER TO PROVIDE SERVICES TO THE VILLAGE OF INDIAN CREEK IN ACCORDANCE WITH THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENT CONTAINED IN SECTIONS 197.3632 AND 197.3635 OF THE FLORIDA STATUTES; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN, INCLUDING CANCELLATION

WHEREAS, the Village of Indian Creek (“the Village”) has adopted resolution number 2021-829, a copy of which is attached hereto as Exhibit A, setting forth the Village ’s intent to use the uniform method for the levy and collection of certain non-ad valorem assessments; and

WHEREAS, prior to the public hearing at which Resolution 2021-829 was adopted, the Village published notice of its intent to consider utilization of the uniform method of levy, collection and enforcement of non-ad valorem assessment, a copy of which notice is attached hereto as Exhibit B; and

WHEREAS, the Village wishes to enter into an agreement with the Miami-Dade County Office of the Property Appraiser (the “Property Appraiser”) and Miami-Dade County (the “County”), in substantially the form attached hereto as Exhibit C, to collect these non-ad valorem assessments by placing them on the TRIM notice and tax bill; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that, in accordance with sections 197.3632 and 197.3635 of the Florida Statutes, the uniform method for the levy, collection and enforcement of non-ad valorem assessments, this Board hereby approves the attached Intergovernmental Cooperation Agreement between the Village, the County, and the Property Appraiser to provide services to the Village (“Agreement”). This Board hereby further authorizes the Mayor or designee to execute the Agreement on behalf of the County, in substantially the form attached hereto, and to exercise the provisions contained therein, including cancellation.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of May, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

DPL

Jorge Martinez-Esteve
Daija Page Lifshitz

RESOLUTION NO. 2021-829

A RESOLUTION OF THE VILLAGE OF INDIAN CREEK, FLORIDA, PROVIDING FOR THE UNIFORM METHOD OF LEVYING, COLLECTING AND ENFORCING NON-AD VALOREM ASSESSMENTS FOR ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 197.3632, F.S. THROUGHOUT THE INCORPORATED AREA OF THE VILLAGE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING AND TRANSMITTAL OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 20 of the Code of Ordinances and the Charter of the Village of Indian Creek, Florida (the "Village"), the Village has the authority to construct roadway improvements, as more particularly described in the plans and specifications on file with the Village (the "Roadway Improvements") and to defray the cost of constructing such capital improvements in whole or in part by the imposition of non-ad valorem special assessments on the properties benefitted by such Roadway Improvements; and

WHEREAS, the Village Council of the Village hereby determines that the construction of the Roadway Improvements are necessary for the health, safety and welfare of the residents of the Village; and

WHEREAS, Section 197.3632, Florida Statutes establishes a uniform method for the levy, collection and enforcement of non-ad valorem assessments (the "Uniform Method"); and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the Village to elect to utilize the Uniform Method; and

WHEREAS, the Village Council desires to use the Uniform Method for the purpose of collecting special assessments to be levied on those properties benefitted by the construction of the Roadway Improvements; and

WHEREAS, the Village Council has advertised and conducted a public hearing, as shown on the advertisement and proof of publication attached hereto and incorporated herein as Exhibits "A" and "B," respectively, prior to the adoption of this Resolution; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the legal description of the boundaries of the properties which may be subject to the levy of non-ad valorem assessments is attached hereto and incorporated herein as Exhibit "C;" and

WHEREAS, the Village Council finds that the adoption of this Resolution is in the best interest and welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF INDIAN CREEK, FLORIDA AS FOLLOWS:

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

Section 2. Intent. Commencing with the fiscal year beginning October 1, 2022, the Village of Indian Creek intends to use the Uniform Method of collecting non-ad valorem assessments as authorized by Section 197.3632, Florida Statutes, as amended from time to time to fund the costs of the Roadway Improvements. Such non-ad valorem assessments will be levied within the island area of the incorporated area of the Village (the "Island"). A legal description of the Island area subject to the non-ad valorem assessment is attached hereto and incorporated herein as Exhibit "C." The non-ad valorem assessments and the Village's use of the Uniform Method of collecting such non-ad valorem assessments may continue for more than one year.

Section 3. Need for Levy. The Village Council hereby determines that the levy of the non-ad valorem assessments is needed to fund the cost of designing and rebuilding the existing 1.6-mile roadway within the 70-feet of existing right-of-way, which traverses the Island located


within the Village and includes, but is not limited to, realignment of the existing roadway, all paving, drainage, storm water, potable water and a new sanitary sewer grinded/system, also includes lighting, landscaping and a pedestrian pathway as well as the relocation of utilities such as telecommunication lines within the incorporated Island area of the Village.

Section 4. Authorization. The Village Council hereby authorizes the Village Manager to implement the intent and purpose of this Resolution by, including but not limited to, notifying the Miami-Dade County Property Appraiser's office, the Tax Collector and the Department of Revenue for the State of Florida of the Village's intent to collect such non-ad valorem assessments by using the uniform method of collection and entering into a written agreement with the Property Appraiser and Tax Collector for this purpose, subject to the approval of the Village Attorney as to form, content, and legal sufficiency.

Section 5. Direction to Village Clerk. The Village Clerk is hereby directed to send certified copies of this Resolution to the Miami-Dade County Property Appraiser, Miami-Dade County Tax Collector, and the Florida Department of Revenue.


Section 6. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 8th day of December, 2021.



BERNARD KLEPACH
MAYOR

ATTEST:



MARILANE LIMA, CMC
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



WEISS SEROTA HELFMAN BIERMAN & COLE, P.L.
VILLAGE ATTORNEY

LEGAL DESCRIPTION OF AREAS SUBJECT TO ASSESSMENT

The all residential properties located in the following corporate limits of Indian Creek Village:

Beginning at a point marking the southeast corner of fractional section 34, Township 52 South, Range 42 East, Dade [Miami-Dade] County, Florida, which said point is 1,633.04 feet west of a concrete monument located in the southern boundary of the aforesaid Township 52 South, Range 42 East (the true bearing of the aforesaid southern boundary of township 52 South, Range 42 East, is North 87 degrees 22 minutes 30 seconds East); thence North 1 degree 49 minutes 55 seconds West along the east line of the aforesaid section 34 for a distance of 2,816.38 feet to a point; thence due west for a distance of 361.01 feet to the point of beginning of the tract of land and the waters herein described; thence North 49 degrees 19 minutes 57 seconds West for a distance of 812.80 feet to the beginning of a curve; thence northwesterly along the curve with a radius of 3,380.12 feet and a central angle of 24 degrees 2 minutes 59 seconds for an arc distance of 1,418.79 to the end of the curve; thence North 73 degrees 22 minutes 56 seconds West for a distance of 1,771.69 feet to a point on a curve to which curve the last aforesaid line is radial; thence in a southerly direction along a curve described by a radius of 12,130.51 feet for an arc distance of 3,823.28 feet to a point of compound curve; thence in a southerly, southeasterly and easterly direction along a curve described by a radius of 911.03 feet for an arc distance of 1,432.87 feet to a point of compound curve; thence in an easterly and northeasterly direction along a curve described by a radius of 3,227.21 feet for an arc distance of 2,380.75 feet to a point of compound curve; thence in a northeasterly and northerly direction along a curve described by a radius of 2,102.85 feet for an arc distance of 1,398.56 feet to a point of reverse curve; thence in a northerly and northeasterly direction along a curve described by a radius of 1,466.79 feet for an arc distance of 809.51 feet to the point of beginning of the tract of land herein described; together with all waters and submerged land within fifteen (15) feet beyond the lands hereinabove described;

All as shown on the plat of Indian Creek Golf Club Island recorded in Plat Book 34, at page 33, of the Public Records of Dade [Miami-Dade] County, Florida;

And including also Lots "V," "W" and "X" of the Amended Plat of a portion of Altos Del Mar No. 4, according to the plat thereof recorded in Plat Book 34, at page 7, of the Public Records of Dade [Miami-Dade] County, Florida; and the bridge between said Lots "V," "W" and "X" and the above described "Indian Creek Golf Club Island";

Provided, however, that the said bridge and the street leading therefrom to Indian Creek Drive [Indian Creek Island Road] and the said roadway designated Indian Creek Drive [Indian Creek Island Road] which are shown on the aforesaid plat of Indian Creek Golf Club Island recorded in Plat Book 34 at page 33, of the Public Records of Dade [Miami-Dade] County, Florida, shall

not be regarded as public highways and that the dedication of the said privately owned street and drive as shown on the said plat is hereby recognized, ratified and approved.

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

VILLAGE OF INDIAN CREEK - PUBLIC HEARING - INTENT TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTION OF A NON-AD VALOREM ASSESSMENT - DEC. 8, 2021

in the XXXX Court,
was published in said newspaper in the issues of

11/17/2021 11/24/2021 12/01/2021 12/07/2021

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she 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.

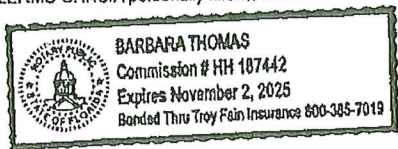
Guillermo Garcia

Sworn to and subscribed before me this
7 day of DECEMBER, A.D. 2021

Barbara Thomas

(SEAL)

GUILLERMO GARCIA personally known to me



**NOTICE BY THE VILLAGE OF INDIAN CREEK,
FLORIDA
OF INTENT TO USE
THE UNIFORM AD VALOREM METHOD
OF COLLECTION OF A NON-AD
VALOREM ASSESSMENT**

Notice is hereby given to all residential owners of lands located within the island area boundaries of the Village of Indian Creek, Florida (the "Village") that the Village intends to use the uniform ad valorem method for collecting the non-ad valorem assessments levied by the Village as set forth in Section 197.3632, F.S., and that the Village Council of the Village (the "Village Council") will hold a public hearing on December 8, 2021, at 5:00 p.m. or as soon as practicable thereafter, at the Village Hall at 9080 Indian Creek Drive, Indian Creek, Florida.

The purpose of the public hearing is to consider the adoption of a Resolution authorizing the Village to use the uniform ad valorem method of collecting non-ad valorem assessments levied by the Village as provided in Section 197.3632, F.S.

The Village is considering adopting a non-ad valorem assessment within the Island area for more than one year for the purpose of paying capital and/or infrastructure improvements, including but not limited to, the design and complete rebuilding of the existing roadway that encompasses 1.6-mile roadway within the 70-foot of existing right-of-way, and includes, but is not limited to, realignment of the existing roadway, all paving, drainage, storm water, potable water and a new sanitary sewer grinded/system, lighting, landscaping and a pedestrian pathway as well as the relocation of utilities such as telecommunication lines.

This non-ad valorem assessment is levied for the first time.

Interested parties may appear at the public hearing to be heard regarding the use of the uniform ad valorem method of collecting such non-ad valorem assessments.

If any person decides to appeal any decision made with respect to any matter considered at this public hearing such person will need a record of proceedings and for such purpose such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is 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 Village Clerk, at (305) 865-4121, with request for auxiliary aids or services at least two (2) business days before the meeting.

If you have any questions, please contact the Village Clerk.

Dated this 17th day of November, 2021.

VILLAGE OF INDIAN CREEK, FLORIDA

11/17-24 12/1-7

21-47/0000563689M

**INTERGOVERNMENTAL COOPERATION AGREEMENT
BY AND AMONG
MIAMI-DADE COUNTY PROPERTY APPRAISER
AND
MIAMI –DADE COUNTY TAX COLLECTOR
AND
VILLAGE OF INDIAN CREEK**

EXHIBIT C

THIS INTERGOVERNMENTAL COOPERATION AGREEMENT (the “Agreement”) is made and entered into as of the ____ day of _____, 2022, by and among Miami-Dade County Office of the Property Appraiser (hereinafter referred to as (“Property Appraiser”), Florida, Miami-Dade County on behalf of the Tax Collector (hereinafter referred to as “Tax Collector”), Florida, and the Village of Indian Creek, Florida (hereinafter referred to as “Village”).

WITNESSETH:

WHEREAS, the Village intends to adopt non-ad valorem assessments or special assessments for roadway improvements within the Village of Indian Creek; and

WHEREAS, the Village intends to utilize the uniform method of collection, as outlined in Sections 197.3632 and 197.3635, Florida Statutes, for collecting the above-referenced non-ad valorem special assessments for the aforementioned services; and

WHEREAS, the Village has requested that the Property Appraiser include its adopted non-ad valorem assessments for roadway improvements on the Notice of Proposed Property Taxes as specified in Section 200.069, Florida Statutes (“TRIM Notice”); and

WHEREAS, the Village has requested that the Tax Collector include its adopted non-ad valorem assessments for roadway improvements on the Combined Notice of Ad Valorem and Non-Ad Valorem Assessments provided for in Section 197.3635, Florida Statutes; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the Village, the Property Appraiser, and the Tax Collector must enter into a written agreement evidencing the Property Appraiser's and the Tax Collector's agreement to place the Village's herein specified non-ad valorem assessments on the TRIM Notice and tax bill; and

WHEREAS, the Village represents that it has duly complied with the Notice provisions and adopted Resolution No. 2021-829 in compliance with the required resolutions set forth in Section 197.3632 Florida Statutes, so as to entitle the Village to utilize the non-ad valorem method of collection, and the Tax Collector and Property Appraiser have relied on these representations, and

NOW, THEREFORE, for good and valuable consideration and intending to be legally bound hereby, the Village, the Property Appraiser, the Tax Collector agree as follows:

1. The Village, Property Appraiser, and Tax Collector shall abide by all statutes, rules and regulations pertaining to the levy and collection of non-ad valorem assessments, including the provisions of sections 197.3632, 197.3635, Florida Statutes, as amended, and any applicable rules duly promulgated by the Department of Revenue.
2. The Property Appraiser agrees to place the Village's non-ad valorem assessments for roadway improvements within the Village of Indian Creek on the Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments prepared in accordance with Section 200.069, Florida Statutes.
3. The Tax Collector agrees to the Village's request to place its adopted non-ad valorem assessments for roadway improvements within the Village of Indian Creek on the Combined Notice of Ad Valorem Taxes and Non-Ad

Valorem Assessments in accordance with Section 197.3635, Florida Statutes.

4. The Village agrees that all certified assessment rolls will be maintained and transmitted to the Property Appraiser and the Tax Collector on compatible electronic medium as defined in Section 197.3632(1), Florida Statutes.
5. The Village agrees that, in consideration for services herein agreed to be performed by the Tax Collector, the Tax Collector shall be entitled to retain, in the Tax Collector's sole discretion, the actual costs of collection not to exceed two percent (2%) on the amount of special assessments collected and remitted.
6. **Duration of this Agreement.** This Agreement shall take effect upon signing and shall extend to the collection of special assessments for each fiscal year thereafter until canceled by any Party pursuant to Section 10 herein.
7. **Severability of the Provisions in this Agreement.** The provisions in this Agreement, except for Section 4, are intended to be severable. If any provision of this Agreement shall be held to be invalid or unenforceable in whole or in part, such provision shall be ineffective to the extent of such invalidity or unenforceability without in any manner affecting the validity or enforceability of the remaining provisions of this Agreement.
8. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.
9. **Amendments or Modifications of this Agreement.** It is anticipated by the parties that the terms and conditions of this Agreement will be

periodically amended or modified. Such amendments or modifications must be in writing and must be duly executed by all parties to this Agreement.

10. **Terms and Cancellation.** The Term of this Agreement shall commence upon the date first above written and shall run through the end of the calendar year and shall automatically be renewed thereafter, for successive terms, not to exceed one year each. Any party may cancel this Agreement at the end of the term upon written notice to the other parties prior to the end of the term.
11. **Intent to be Legally Bound.** By signing this Agreement, the Parties hereto confirm and state that they have carefully read this Agreement, that they know the contents hereof, that they fully expect to carry out each and every provision, and that they intend to be legally bound by the rights and obligations set forth herein.
12. **Indemnification and Hold Harmless** The Village shall indemnify and hold harmless, to the extent permitted by Florida law and without waiving its right of sovereign immunity, the Property Appraiser, Tax Collector and their respective officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the Property Appraiser, Tax Collector or their respective officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the negligent or intentional acts or omissions of the Village or its employees, agents, servants, partners principals, or subcontractors arising out of, relating to, or resulting from the performance of the Agreement. The Village shall pay all claims and losses

in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the Property Appraiser or Tax Collector where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorneys' fees which may issue thereon.

13. **Headings.** The headings for each paragraph in this Agreement are for the purposes of reference only and shall not limit or otherwise affect the meaning of any provision.

14. **Complete Agreement.** This document shall represent the complete agreement of the Parties.

IN WITNESS WHEREOF, the Parties hereto execute this Agreement, and they affirm that they have the power to do so on behalf of the Village, the Tax Collector, and the Property Appraiser.

(S E A L)

VILLAGE OF INDIAN CREEK,
FLORIDA

A municipal corporation of the
State of Florida

ATTEST:

By: _____



Roseann Prado
Village Clerk

By: _____



Guillermo Olmedillo
Village Manager

MIAMI-DADE COUNTY, FLORIDA
OFFICE OF THE PROPERTY APPRAISER

By: _____

Pedro J. Garcia
Property Appraiser

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

ATTEST:

By: _____
Harvey Ruvin
County Clerk

By: _____
Daniella Levine Cava
Mayor

Approved as to legal sufficiency for Miami-Dade County and the Office of the Property Appraiser:

By: _____
Assistant County Attorney