

RESOLUTION NO. 16-01 IC

A RESOLUTION OF THE INDIAN CREEK COMMON FACILITIES DISTRICT OF OSCEOLA COUNTY, FLORIDA, RELATING TO THE IMPOSITION OF SPECIAL ASSESSMENTS TO FUND MAINTENANCE OF THE DISTRICT'S COMMON FACILITIES; ESTABLISHING THE ASSESSMENT FOR FISCAL YEAR 2016-2017; IMPOSING THE ASSESSMENTS AGAINST PROPERTY WITHIN THE DISTRICT; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the assessment roll, as herein approved, together with the correction of any errors or omissions shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by law. The assessment roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll for the Indian Creek Common Facilities District, in substantially the form attached hereto as Appendix B.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE INDIAN CREEK COMMON FACILITIES DISTRICT OF OSCEOLA COUNTY, AS FOLLOWS:

SECTION 1. DEFINITIONS. This is the Annual Assessment Resolution as defined in Ordinance No. 06-44 which has been amended by Ordinance Nos. 07-27, 08-10, 08-13, 11-03, 12-17 and 2014-124 (collectively, the "Master Ordinance") All capitalized terms in this Resolution shall have the meanings defined in the Master Ordinance.

SECTION 2. FINDINGS.

(A) The Master Ordinance authorizes the District to impose Assessments to fund the Maintenance Cost of its Common Facilities.

(B) As required by the terms of the Master Ordinance, notice of a public hearing has been published in a newspaper generally circulated within the County; the proof of publication is attached hereto as Appendix A.

(C) A public hearing has been duly held and comments and objections of all interested persons have been heard and considered as required by the terms of the Master Ordinance.

SECTION 3. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.
The Initial Assessment Resolution is hereby confirmed.

SECTION 4. ASSESSMENTS.

(A) The Single Family Residential Units within the District are hereby found to be specially benefited by the Maintenance Services. An Assessment of \$400 for each Single Family Residential Unit within the District is hereby imposed for Fiscal Year 2016-2017, which shall be the maximum Assessment for any future Fiscal Year unless the District provides published and mailed notice to the owners of property within the District and conducts a public hearing in the manner described in the Master Ordinance prior to adoption of the Annual Assessment Resolution for such Fiscal Year.

(B) The Assessment Roll, which is currently on file in the office of the District Clerk and incorporated herein by reference, is hereby approved. Upon adoption of this Resolution for any future Fiscal Year, the Assessments shall constitute a lien against the property listed on the Assessment Roll equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption of this Resolution or the Annual Assessment Resolution for any future Fiscal Year and shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

SECTION 5. COLLECTION OF ASSESSMENTS. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act. Upon adoption of the Annual Assessment Resolution for each Fiscal Year, the District Clerk shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act.

SECTION 6. EFFECT OF ANNUAL ASSESSMENT RESOLUTION. The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented herein and in the Initial Assessment Resolution (including, but not limited to, the method by which the Assessments will be computed, the Assessment Roll, the maximum annual Assessment, and the levy and lien of the Assessments) unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty days from the effective date of this Final Assessment Resolution.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 4th day of May, 2016

**INDIAN CREEK
COMMON FACILITIES DISTRICT**

By: Neal Kaplan
President, Neal Kaplan
Board of Supervisors

ATTEST:

By: Alan Jones
Secretary/Treasurer, Alan Jones
Board of Supervisors

APPENDIX A

PROOF OF PUBLICATION

Orlando Sentinel

1216 E. Donegan Ave.
Kissimmee, FL 34744

April 8, 2016

This is to certify that the attached advertisement did publish in The Orlando Sentinel, Osceola Edition on Thursday, April 7th, 2016.



Anne Cappiello
Client Services Coordinator
The Orlando Sentinel

STATE OF FLORIDA
COUNTY OF OSCEOLA

I, the undersigned authority, hereby certify that the foregoing is a true and correct copy of the instrument presented to me by Anne Cappiello as the original of such instrument.

WITNESS my hand and official seal, this 8th day of April, 2016.



Notary Public
State of Florida at Large



My commission expires _____

Ad Number: 4080182-1
 Client Name: CF/D/Special Assessments
 Advertiser: Osceola Zone/G007/OSC
 Section/Page/Zone: Indian Creek CFD FY17 Budget Hearin
 Size: 2 x 3
 Description: B&W
 Color Type: B&W

Orlando Sentinel
 Publication Date: 04/07/2016
 This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

WHAT'S HAPPENING

Spotlight event

Youth fishing tournament Sponsored by St. Cloud Parks and Recreation for youth ages 15 or younger. Registration is required. All participants must bring fishing poles and tackle, bait will be provided. Registration at the Civic Center is encouraged. 10 a.m.-1 p.m. Saturday, Barrow Pit Pond across the street from St. Cloud Elementary School, 2101 Bostinger Ave., St. Cloud. \$7.50 per child, 407-957-7243.

Listings are subject to change. Please call in advance.

Class

Beekkeeping: Is it for me?? Taught by a backyard beekeeper, the presentation covers the basic considerations for potential beekeepers: legal aspects, space needs, risks, startup costs, time requirements for hive maintenance. There will also be a question-and-answer session. Registration required. 6 p.m., Tuesday, UF/IFAS Osceola County Extension Services, 1921 Kissimmee Valley Lane, Kissimmee, free, 321-697-3000.

Water safety instructor: This class is for ages 16 or older. A successful skills assessment must be completed when the class begins. Participants must have a Level 6 swimming ability. 9 a.m.-5 p.m. April 23, 24, 30 and May 1, Chris Lyle Aquatic Center, 3001 17th St., St. Cloud. \$300, 407-957-7243.

Money management: Learn how to establish financial goals, discover financial potential and develop a plan to make your money work for you. Registration required. 2 p.m., Wednesday, 2 p.m. April 27, UF/IFAS Osceola County Extension Services, 1921 Kissimmee Valley Lane, Kissimmee, free, 321-697-3000.

Lifeguard instructor: This class is for ages 17 or older. Students must have three years of experience as a lifeguard. A successful skills assessment must be completed when the class begins. Advance registration required. 9 a.m.-5 p.m. April 9, 10 and 17, Chris Lyle Aquatic Center, 3001 17th St., St. Cloud. \$300, 407-957-7243.

A Home of Your Own: This class addresses the ups and downs of buying/selling a home. Participants will learn how to prepare financially, select a home, negotiate price, review contract and what to expect at closing. Registration required. 6-9 p.m., Thursday, May 5-26, UF/IFAS Osceola County Extension Services, 1921 Kissimmee Valley Lane.

Kissimmee, \$10, 321-697-3000.

Tree give-away program: Sponsored by Osceola County, UF/IFAS Extension and the Department of Agriculture and Consumer Services Forestry Division, Osceola County residents. In order to get a free tree, residents must attend a class on tree selection, planting and care. After attending the class the participant will be given a voucher to pick up a tree. Proof of residency required. One tree per household. Individuals will be responsible to pick up and transport their own tree when the trees are available. Registration required. 2-5 p.m. April 8, 10 a.m.-1 p.m. April 14, 6-9 p.m. April 15 (English programs) 6-9 p.m. April 22, 2-5 p.m. April 15 (Spanish programs), UF/IFAS Osceola County Extension Services, 1921 Kissimmee Valley Lane, Kissimmee, free, 321-697-3000.

Community

City-wide garage sale: The St. Cloud City Council has designated the April 22-24 weekend for a city-wide garage sale under the auspices of a city-wide permit issued by the City Council. This means any citizen with in-city limits may have a garage sale on their property on any of the three designated days without possessing a permit. Details: 407-957-7224.

Breakfast for teens awareness about child abuse: Hosted by Children's Advocacy Center Florida, a program of Community Initiatives Inc., to promote awareness of child abuse and neglect in Osceola County, and encourage students to take action against it. Jenna Quinn, a child abuse survivor, will share her powerful story and stress the critical need for kindness like C.Osceola In-Central Florida. Registration begins at 8 a.m. Breakfast begins at 8:30 a.m. June 2, Celebration Golf Club, 701 Golf Park Drive, Celebration, free, 321-44-2322.

Card Bingo and lunch: Hosted by the Osceola County Home and Community Educators. Lunch will be served, followed by Card Bingo. Proceeds will benefit for scholarships for Osceola County youth to attend college. 11:30 a.m.-2 p.m. April 15, UF/IFAS Osceola County Extension Services, 1921 Kissimmee Valley Lane, Kissimmee, \$7, 321-697-3000.

Osceola County Master Gardeners' spring plant sale: Featuring annuals, perennials, herbs, landscape plants, shrubs and trees. Master Gardeners will be available for advice on planting, care and maintenance. Proceeds benefit the Master Gardeners' educational programming and scholarship fund. 9 a.m.-2 p.m. April 16, Narcossee Elementary School, 2690 N Narcossee Road, St. Cloud. Admission is free, 407-595-6727.



STAFF FILE PHOTO
 St. Cloud Parks and Recreation will sponsor a fishing tournament for youth ages 3-15 Saturday at Barrow Pit Pond across the street from St. Cloud Elementary School.

Festival/Show

Flower show: The Florida Federation of Garden Clubs presents the 2016 Advanced Standard State Flower Show "Seeds of Sunshine" in conjunction with its 90th annual convention. The show includes floral design, horticulture, and educational exhibits. 4-7:30 p.m. April 17, 10 a.m.-5 p.m. April 18, 10 a.m.-3 p.m. April 19, Embassy Suites Hotel, 4955 Kyrgas Health Road, Kissimmee, free, 407-399-8230.

Fundraiser

Narcossee Arts and Crafts Festival: Hosted by The Narcossee Area Chapter of the Osceola County Historical Society. There will also be a Farmers Market. All funds raised go toward restoration of the circa 1880 Narcossee Schoolhouse. 9 a.m.-2 p.m. April 16, Narcossee Elementary School, 2690 N Narcossee Road, St. Cloud. Admission is free, 407-595-6727.

sent by the City of St. Cloud Public Services staff. Proceeds will benefit the St. Cloud Citizens Foundation. 8 a.m., Lane 4, Royal St. Cloud Golf Links, 530 Michigan Ave., St. Cloud. \$60 includes lunch, refreshments, raffle tickets and prizes. 407-957-7326.

Health
Breast cancer education: Presented by Polina Medical Center, Dr. Jessica Gielow, general surgeon with the Medical Specialty Group at Polina, will discuss breast cancer education and treatment options. Reservations are required. 3:30 p.m. April 28, Polina Medical Center, 320 Cypress Parkway, Kissimmee, free, 888-253-087.

Toots to quit smoking class: Sponsored by the Florida Area Health Education Center Network and the Department of Health. Free carbon monoxide testing, materials, and nicotine patches for participants (while supplies last). Advance registration required. 10 a.m. (English), 2 p.m. (Spanish) April 22, WellMet at Oak Commons, 591 Oak Commons Blvd, Kissimmee, free, 877-252-6094.

Kids & Family

Little Ladies Tea Party: The St. Cloud Parks and Recreation Department's annual event is a fancy dress-up day for mothers and daughters ages 3 or older. Tickets go on sale April 25 at the Civic Center and must be purchased in advance. Snacks and tea will be available and attendees will enjoy arts and crafts, story time, games and music. 1-3 p.m. May 7, St. Cloud Marina Building, 104 Lakeshore Blvd., St. Cloud, \$10 per person, 407-957-7243.

Luanu splash: The featured movie will be "Lo and Stitch" (rated PG). 6:30-10 p.m. April 16, Chris Lyle Aquatic Center, 3001 17th St., St. Cloud. \$2 for Osceola County residents, \$4 for non residents includes dinner, 407-957-7243.

Library

Book sale: Presented by Osceola Friends of the Library. 9 a.m.-5 p.m. April 21-22, 9 a.m.-3 p.m. April 23, Hart Memorial Central Library, 21 E. Dr. Ina Ave., Kissimmee, admission is free, 407-742-8888.

Other

Document shredding: This is the Kiwanis Club of Kissimmee's annual document shredding service to the public. 9 a.m.-noon April 23, FDOT bus and meet behind the Speedway station on Shady Lane at the Turnpike entrance, Kissimmee, free, 407-891-7893.

Kissimmee Night Out "Wine and Canvas" event: Hosted by the City of Kissimmee. A professional artist will guide patrons in recreating a work of art throughout the evening. Advance registration required. Wine and light refreshments will be available for purchase. 7 p.m. April 19, Betty's Community House, 300 E. Main Street, Kissimmee. \$25 per person includes a 16 x 20 inch canvas and all painting supplies. 407-580-2503.

Kissimmee Night Out "Wine and Canvas" event: Hosted by the City of Kissimmee. A professional artist will guide patrons in recreating a work of art throughout the evening. Advance registration required. Wine and light refreshments will be available for purchase. 6-9 p.m. May 13, Kissimmee Civic Center, 201 E. Dinkin Ave., Kissimmee. \$40 per person, 407-580-2503.

Lake watch is needed: Florida LakeWatch is looking for residents of Osceola County who are ready to roll up their sleeves and make a contribution to the future of Florida lakes. The University of Florida group, authorized by the Legislature, monitors

for non residents includes dinner, 407-957-7243.

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The Indian Creek Common Facilities District is conducting a public hearing for the purpose of hearing public comment regarding its proposed special assessment rate and budget for the fiscal year. The public hearing will be conducted at the Osceola County Administration Building, 1 Courthouse Square, Suite 4722, Kissimmee, Florida 34741, on May 4, 2016, beginning at 12:00 PM or soon thereafter.

In accordance with Chapter 286, Florida Statutes, the public is advised that if a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at this hearing, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. All meeting facilities are accessible in accordance with the Americans with Disabilities Act. Any additional necessary accommodations will be provided with a 48 hour notice. For more information call the Clerk of the Board at 407-742-2100.

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA, IN AND FOR OSCEOLA COUNTY, FLORIDA
 GENERAL CIVIL DIVISION
 CASE NO. 2016 CA 00203

TOWN OF KISSIMMEE COMMUNITY DEVELOPMENT DISTRICT, a local unit of special purpose government organized and existing under the laws of the State of Florida.
 Plaintiff.

THE STATE OF FLORIDA, AND THE TAXPAYERS, PROPERTY OWNERS AND CITIZENS OF TOWN OF KISSIMMEE COMMUNITY DEVELOPMENT DISTRICT, INCLUDING NON-RESIDENTS OWNING PROPERTY OR SUBJECT TO TAXATION THEREIN, AND OTHERS HAVING OR CLAIMING ANY RIGHTS, TITLE OR INTEREST IN PROPERTY TO BE AFFECTED BY THE ISSUANCE OF THE BONDS HEREIN DESCRIBED, OR TO BE AFFECTED IN ANY WAY THEREBY.
 Defendants.

NOTICE AND ORDER TO SHOW CAUSE

TO THE STATE OF FLORIDA, AND THE TAXPAYERS, PROPERTY OWNERS AND CITIZENS OF THE TOWN OF KISSIMMEE COMMUNITY DEVELOPMENT DISTRICT, INCLUDING NON-RESIDENTS OWNING PROPERTY OR SUBJECT TO TAXATION THEREIN, AND OTHERS HAVING OR CLAIMING ANY RIGHTS, TITLE OR INTEREST IN PROPERTY TO BE AFFECTED BY THE ISSUANCE OF THE BONDS HEREIN DESCRIBED, OR TO BE AFFECTED THEREBY:

The above cause comes to be heard upon the Complaint filed herein by the Town of Kissimmee Community Development District in the County of Osceola, State of Florida, seeking to determine the authority of said District to issue its Town of Kissimmee Community Development District Special Assessment Revenue Bonds ("Bonds"), in an aggregate amount not to exceed \$1,000,000, to determine the legality of the proceedings had and taken in connection therewith, and the legality of the provisions, covenants and agreements therein contained, and seek an injunction of this Court that the District has power to issue the Bonds and all fees thereon and to use the bonded debt as set forth in the Complaint. (In the proceedings captioned to the Bonds above, the term Bonds shall mean the Special Assessments, including without limitation, the Special Assessments pledged for the payment of the principal thereof, redemption premium, if any, and interest thereon, and the Bond Redemption are valid and in conformity with law. (b) upon due issuance of the Bonds in accordance with the Bond Resolution, the Bonds will constitute valid and enforceable obligations of the District and will be enforceable by their terms as established by the Bond Resolution and the Trust Indenture; and (c) this Court gives such other relief as is just and appropriate. The aforesaid Complaint having been presented to this Court, and this Court being fully advised in the premises:

NOW, THEREFORE,

IT IS ORDERED that all taxpayers, property owners and citizens of the District, including non-residents owning property or subject to taxation, and others having or claiming any rights, title or interest in property to be affected by the issuance of the Bonds or to be affected thereby, and the State of Florida, through the State Attorney of the Ninth Judicial Circuit, and for Osceola County, Florida, appear on the 17th day of May, 2016, at the hour of 10:00 a.m. at the Court of Judge Wiley at the Osceola County Courthouse, 2 Courthouse Square, Courtroom 5-C, Hearing Room E-E, Kissimmee, Florida 34741, County of Osceola in said Circuit, and show cause, if any there be, why the prayer of said Complaint for the validation of the Bonds should not be granted and the Bonds, the proceedings thereon, and other matters set forth in said Complaint, should not be validated as prayed for in said Complaint.

IT IS FURTHER ORDERED that prior to the above set for the hearing on said Complaint for validation, the Clerk of this Court shall cause a copy of this Notice and Order to be published in a newspaper of general circulation in Osceola County, being the County wherein said publication for validation is filed, at least once each week for two (2) consecutive weeks, commencing with the first publication which shall not be less than twenty (20) days prior to the date set for said hearing.

IT IS FURTHER ORDERED that by such publication of this Notice and Order, the State of Florida, and the several taxpayers, property owners and citizens of the District, including non-residents owning property or subject to taxation thereon, and others having or claiming any rights, title or interest in property to be affected by the issuance of the Bonds or to be affected thereby, shall be and are made party defendants to the proceedings, and that the Court shall have jurisdiction of them to the above extent, as specifically and personally named as defendants in said Complaint and personally served with process in this cause.

DONE AND ORDERED at the Courthouse in Osceola County, Florida, this 24th day of March, 2016.

Kevin B. White, Circuit Judge



NOW OPEN

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APPENDIX B
CERTIFICATE TO NON-AD VALOREM
ASSESSMENT ROLL

**CERTIFICATE
TO NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that I am the President of the Indian Creek Common Facilities District of Osceola County, Florida; as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for the Indian Creek Common Facilities District is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the attachment of the same to the herein described Non-Ad Valorem roll will be delivered to the Osceola County Tax Collector by September 15, 2016.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Osceola County Tax Collector and made part of the described Non-Ad Valorem Assessment roll this 4th day of May, 2016.

Total number of assessed parcels	462
Amount per parcel	\$ 400
Total assessment amount to be collected	\$ 184,800

**INDIAN CREEK COMMON FACILITIES
DISTRICT**

By: Neal Kaplan
Neal Kaplan, President
Board of Supervisors