

3 **RESOLUTION NO. CFD 2005-13**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 88-4 (WINCHESTER RANCH)**
5 **OF THE COUNTY OF RIVERSIDE AUTHORIZING THE LEVY**
6 **AND ENROLLMENT OF A SPECIAL TAX**
7 **FOR FISCAL YEAR 2005-2006**

8 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and
9 the "County") by the adoption of Resolution No. 88-334 on, July 5, 1988, as amended by Resolution No.
10 88-383 adopted on July 26, 1988, established Community Facilities District No. 88-4 (Winchester Ranch)
11 of the County of Riverside, California (the "CFD"), pursuant to the Mello-Roos Community Facilities
12 District Act of 1982, as amended, Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of
13 Title 5 of the California Government Code (the "Act"); and

14 **WHEREAS**, pursuant to the provisions of the Act, proceedings to amend the Rate and Method of
15 Apportionment of Special Tax (respectively, the "Rate and Method" and the "Special Tax") for the CFD
16 were concluded by the Board's adoption of Ordinance No. 661.2 on March 5, 2002, that amended
17 Ordinance No. 661, adopted August 30, 1988 and Ordinance No. 661.1 adopted on October 3, 1989
18 (collectively, the "Ordinance"); and

19 **WHEREAS**, the Board, acting *ex-officio* as the Legislative Body of the CFD (the "Legislative
20 Body"), adopted Resolution No. 89-012 on March 14, 1989 to provide for the sale and issuance of
21 \$30,000,000 in Special Tax Improvement Bonds (the "Series 1989 Bonds"); and

22 **WHEREAS**, the Legislative Body by the adoption of Resolution No. 97-197 on July 15, 1997
23 authorized the sale and issuance of \$28,000,000 of Special Tax Refunding Bonds (the "Series 1997
24 Refunding Bonds") to refund the Series 1989 Bonds; and

25 **WHEREAS**, all conditions precedent to the levy of the Special Tax in accordance with the
26 Ordinance have been satisfied;

27 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
28 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body
for Community Facilities District No. 88-4 (Winchester Ranch) of the County of Riverside, in regular

1 session assembled on July 26, 2005, as follows:

2 **Section 1.** Each of the above recitals is true and correct.

3 **Section 2.** Pursuant to the provisions of Resolution No. 97-197 and the Ordinance, the Special
4 Tax is to be levied up to an aggregate amount not to exceed \$4,100,000 for Fiscal Year 2005-2006 that is
5 to be apportioned among the parcels which comprise the CFD consistent with the Rate and Method as set
6 forth on a magnetic tape to be provided by Albert A. Webb Associates to the Auditor-Controller of the
7 County (the "Auditor-Controller").

8 **Section 3.** The amount of Special Tax to be levied for fiscal year 2005-2006 does not exceed
9 the amount authorized by the Ordinance and approved by the qualified electors of the CFD.

10 **Section 4.** The proceeds of the Special Tax levy shall be used to pay, in whole or in part, the
11 costs of the following:

- 12 A. Payment of principal and interest on the outstanding Series 1997 Refunding Bonds;
- 13 B. Replenishment of the required bond reserve fund, if any, or other reserve funds, if
14 necessary.
- 15 C. Payment of the administrative expenses of the CFD, as provided in the Act, Resolution No.
16 88-334, the Ordinance and the Fiscal Agent Agreement pursuant to which the Series 1997
17 Refunding Bonds were issued.

18 The proceeds of the Special Tax levy shall be used as set forth above, and shall not be used for any
19 other purpose.

20 **Section 5.** The Auditor-Controller is hereby directed to enter the levy of the Special Tax for
21 fiscal year 2005-2006 as apportioned pursuant to the Rate and Method on all taxable parcels within the
22 CFD in accordance with this Resolution in a space marked "CFD 88-4 (Winchester Ranch)" on the
23 equalized secured tax roll for fiscal year 2005-2006.

24 **Section 6.** The Auditor-Controller shall, at the close of the tax collection period, promptly
25 render to the CFD a detailed report showing the amount of Special Tax, penalties, interest and fees
26 collected, and from which parcels each was collected. Any expenses to be paid to the Auditor-Controller
27 for carrying out the foregoing responsibilities shall be collected in accordance with a contract entered into
28 between the CFD and the Auditor-Controller, pursuant to Section 29304 of the California Government

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