

265

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



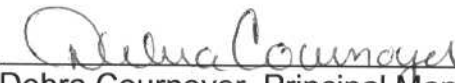
**FROM:** EXECUTIVE OFFICE

**SUBMITTAL DATE:**  
July 17, 2006

**SUBJECT:** Initiation of Proceedings to form Community Facilities District No. 05-4 (Winchester Hills) of the County of Riverside.

**RECOMMENDED MOTION:** That the Board: (1) approve and authorize the Chairman to execute the attached Fee Deposit and Reimbursement Agreements; (2) adopt Resolution No. 2006-304 of its Intention to Establish Community Facilities District No. 05-4 (Winchester Hills) of the County of Riverside, to Designate Improvement Areas, and to Authorize the Levy of a Special Tax; (3) adopt Resolution No. 2006-305 to Incur Bonded Indebtedness; and, (4) set the Public Hearing consistent with the resolutions, for October 3, 2006 at 9:30 or as soon thereafter as the Board may reach the matter.

Continued on Page 2

  
Debra Cournoyer, Principal Management Analyst

FORM APPROVED  
COUNTY COUNSEL

AUG 14 2006

BY  Departmental Concurrence

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$	In Current Year Budget:	
	Current F.Y. Net County Cost:	\$	Budget Adjustment:	
	Annual Net County Cost:	\$	For Fiscal Year:	05/06
<b>SOURCE OF FUNDS:</b> CFD Bond Proceeds			Positions To Be Deleted Per A-30	<input type="checkbox"/>
			Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION: APPROVE**

County Executive Office Signature



Dep't Recomm.:  Policy

Per Exec. Ofc.:  Policy

Prev. Agn. Ref.:

District: 3

Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

3.16

**BACKGROUND:** Property owners in the vicinity of the Winchester Corridor have requested that the County form a community facilities district to fund public improvements in the Winchester / Menifee area in order to finance items consistent with Board Policy B-12.

A deposit in the amount of \$25,000 has been deposited to be applied to pay, in part, those professional services, which must be contracted for by the County in evaluating the Developer's application and establishing the District. The Formation Act provides that incidental costs associated with the establishment of a district may be advanced and the amounts advanced may be included as costs to be supported by the special taxes to be levied if bonds are sold and issued. This agreement will establish the framework by which the Developer is to advance additional fees for professional services necessary to evaluate the application and establish the District and to reimburse the Developer for monies advanced should the District be established and bonds be sold and issued.

It is the intent of the County that the proposed CFD will issue bonds to fund public improvements including recreational facilities for Valley Wide Improvements and school sites for Hemet Unified School District. The proposed district contains six improvement areas (numbered 'A' through 'F'). It is a Participant CFD to the proposed CFD No. 05-1 (Salt Creek Bridges).

Winchester Hills is south of Salt Creek and west of Winchester Road. It is generally located in the Menifee / Winchester Valley area, in an unincorporated area of southern Riverside County.

It is estimated that \$78 million in Special Tax Bonds will be issued to finance the improvements of the six improvement areas. Principal and interest payments on the bonds will be made to the bondholders until 2036. The special tax rates are sufficient to support the bonded indebtedness to be incurred by the proposed district and are consistent with Board Policy B-12 regarding overlapping debt limitations for residential development.

There are approximately 1,159 single-family and 378 multifamily dwelling units approved within the boundaries of the proposed CFD. Sufficient funds will be generated by the developed property to pay the annual debt service. The assigned annual special tax for developed property will escalate annually. Below is a table of the initial assigned annual special tax range for a single family unit and the maximum annual special tax is approximately per acre for undeveloped property:

Improvement Area	Land Use Category	Taxable Parcel/Acre	Special Tax Rate
A	Single Family Property	Parcel	\$2,895 - \$3,936
A	Undeveloped	Acre	\$16,161
B	Single Family Property	Parcel	\$2,574 - \$3,378
B	Undeveloped	Acre	\$16,356
C	Single Family Property	Parcel	\$2,271 - \$3,151
C	Undeveloped	Acre	\$15,872
D	Single Family Property	Parcel	\$2,656 - \$3,696
D	Undeveloped	Acre	\$19,997
E	Single Family Property	Parcel	\$2,895 - \$4,087
E	Undeveloped	Acre	\$19,732
F	MultiFamily Property	Parcel	\$1,726 - \$1,935
F	Undeveloped	Acre	\$70,105

The value to lien ratio is anticipated to be sufficient to meet the County's 3 to 1 requirement. The proposed project is not requesting any waivers of County policy.

2 RESOLUTION NO. 2006-304

3 A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
4 THE COUNTY OF RIVERSIDE OF INTENTION TO  
5 ESTABLISH A COMMUNITY FACILITIES DISTRICT, TO  
6 DESIGNATE IMPROVEMENT AREAS AND TO  
7 AUTHORIZE THE LEVY OF SPECIAL TAXES AND  
8 SETTING A DATE AND TIME FOR A PUBLIC HEARING  
9 THEREON

10 **Community Facilities District No. 05-4 (Winchester Hills)**

11 **WHEREAS**, the Board of Supervisors (the "Board of Supervisors") of the County of  
12 Riverside (the "County") has received written petitions (the "Petitions") from Lennar Homes of  
13 California, Inc., BSC Winchester Hills 260, LLC, TMC Menifee, LLC, Rancon Winchester  
14 Valley 85, LLC, Rancon Winchester Valley 200, LLC, Ashbrook West Prairie Crossing, L.P., SF  
15 150, LLC, A.C. Newport, LLC and Barratt American Incorporated (collectively, the  
16 "Landowners"), requesting the institution of proceedings for the establishment of a community  
17 facilities district (the "Community Facilities District");

18 **WHEREAS**, each Landowner's Petition also requests that proceedings be instituted to  
19 designate an improvement area within the Community Facilities District, the boundaries of which  
20 improvement area would include such Landowner's property that is within the proposed  
21 boundaries of the Community Facilities District;

22 **WHEREAS**, in total, the Petitions request that proceedings be instituted to designate six  
23 improvement areas within the Community Facilities District (each, an "Improvement Area");

24 **WHEREAS**, each of certain of the Landowners has represented and warranted to the  
25 Board of Supervisors that such Landowner is the owner of not less than 10% of the area of land  
26 proposed to be included within the Community Facilities District;

27 **WHEREAS**, each Landowner has represented and warranted to the Board of Supervisors  
28 that such Landowner is the owner of not less than 10% of the area of land proposed to be included  
within the Improvement Area, the institution of proceedings to designate which is requested in  
such Landowner's Petition;

1           **WHEREAS**, under the Mello-Roos Community Facilities Act of 1982 (the “Act”), the  
2 Board of Supervisors is authorized to establish the Community Facilities District and designate  
3 the Improvement Areas within the Community Facilities District;

4           **WHEREAS**, Section 53314.9 of the California Government Code (the “Government  
5 Code”) provides that, at any time either before or after the formation of a community facilities  
6 district, the legislative body may accept advances of funds from any source, including, but not  
7 limited to, private persons or private entities and may provide, by resolution, for the use of those  
8 funds for any authorized purpose, including, but not limited to, paying any cost incurred by the  
9 local agency in creating a community facilities district;

10           **WHEREAS**, Section 53314.9 of the Government Code further provides that the  
11 legislative body may enter into an agreement, by resolution, with the person or entity advancing  
12 the funds, to repay all or a portion of the funds advanced, as determined by the legislative body,  
13 with or without interest, under all the following conditions: (a) the proposal to repay the funds is  
14 included in both the resolution of intention to establish a community facilities district adopted  
15 pursuant to Section 53321 of the Government Code and in the resolution of formation to establish  
16 a community facilities district pursuant to Section 53325.1 of the Government Code, (b) any  
17 proposed special tax is approved by the qualified electors of the community facilities district  
18 pursuant to the Act, and (c) any agreement shall specify that if the qualified electors of the  
19 community facilities district do not approve the proposed special tax, the local agency shall return  
20 any funds which have not been committed for any authorized purpose by the time of the election  
21 to the person or entity advancing the funds;

22           **WHEREAS**, the County and the Landowners expect to enter into a Fee Deposit and  
23 Reimbursement Agreement, dated as of June 1, 2006 (the “Deposit Agreement”), that provides for  
24 the advancement of funds by the Landowners to be used to pay costs incurred in connection with  
25 the establishment of the Community Facilities District and the issuance of special tax bonds  
26 thereby, and provides for the reimbursement to the Landowners of such funds advanced, without  
27 interest, from the proceeds of any such bonds issued by the Community Facilities District; and  
28

1           **WHEREAS**, the County desires to include in this Resolution, in accordance with Section  
2 53314.9 of the Government Code, the proposal to repay funds pursuant to the Deposit Agreement;

3           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
4 **RIVERSIDE**, in regular session assembled on August 29, 2006, does hereby resolve, find,  
5 determine and order as follows:

6           **Section 1.** The Board of Supervisors hereby finds that the Petitions are signed by the  
7 requisite number of owners of land proposed to be included in the Community Facilities District.

8           **Section 2.** The Board of Supervisors proposes to establish a community facilities district  
9 under the terms of the Act. For purposes of contributing to the financing of the public facilities to  
10 be financed by the Community Facilities District, the Board of Supervisors proposes to designate  
11 portions of the Community Facilities District as six improvement areas. The boundaries of the  
12 territory proposed for inclusion in the Community Facilities District, and each portion of the  
13 Community Facilities District proposed to be designated as an Improvement Area, are described  
14 in the map showing the proposed Community Facilities District and each proposed Improvement  
15 Area (the "Boundary Map") on file with the Clerk to the Board of Supervisors (the "Clerk"),  
16 which boundaries are hereby preliminarily approved and to which map reference is hereby made  
17 for further particulars. The Clerk is hereby directed to sign the original Boundary Map and  
18 record, or cause to be recorded, the Boundary Map with all proper endorsements thereon in the  
19 office of the Riverside County Recorder within 15 days of the date of adoption of this Resolution,  
20 all as required by Section 3111 of the California Streets and Highways Code.

21           **Section 3.** The name proposed for the Community Facilities District is "Community  
22 Facilities District No. 05-4 (Winchester Hills) of the County of Riverside." The Improvement  
23 Areas designated within the Community Facilities District are proposed to be known as  
24 "Improvement Area A of Community Facilities District No. 05-4 (Winchester Hills) of the  
25 County of Riverside" ("Improvement Area A"), "Improvement Area B of Community Facilities  
26 District No. 05-4 (Winchester Hills) of the County of Riverside" ("Improvement Area B"),  
27 "Improvement Area C of Community Facilities District No. 05-4 (Winchester Hills) of the  
28 County of Riverside" ("Improvement Area C"), "Improvement Area D of Community Facilities

1 District No. 05-4 (Winchester Hills) of the County of Riverside” (“Improvement Area D”),  
2 “Improvement Area E of Community Facilities District No. 05-4 (Winchester Hills) of the County  
3 of Riverside” (“Improvement Area E”) and “Improvement Area F of Community Facilities  
4 District No. 05-4 (Winchester Hills) of the County of Riverside” (“Improvement Area F”).

5 **Section 4.** The public facilities (the “Facilities”) proposed to be financed by the  
6 Community Facilities District, and to the financing of which each Improvement Area is proposed  
7 to contribute, pursuant to the Act are described under the caption “Facilities” on Exhibit A hereto,  
8 which is by this reference incorporated herein. Those Facilities proposed to be purchased as  
9 completed public facilities are described under the caption “Facilities to be Purchased” on Exhibit  
10 A hereto. The incidental expenses proposed to be incurred are identified under the caption  
11 “Incidental Expenses” on Exhibit A hereto. All or any portion of the Facilities may be financed  
12 through a financing plan, including, but not limited to, a lease, lease-purchase or installment-  
13 purchase arrangement.

14 **Section 5.** Except where funds are otherwise available, a special tax sufficient to pay for  
15 all Facilities will be annually levied within the Improvement Areas, secured by recordation of a  
16 continuing lien against all nonexempt real property in each Improvement Area.

17 The rate and method of apportionment of the special tax for Improvement Area A (the  
18 “Improvement Area A Rate and Method”), in sufficient detail to allow each landowner within the  
19 proposed Improvement Area A to estimate the maximum amount that he or she will have to pay,  
20 is described in Exhibit B attached hereto, which is by this reference incorporated herein. The  
21 conditions under which the obligation to pay the special tax for Improvement Area A may be  
22 prepaid and permanently satisfied are specified in the Improvement Area A Rate and Method.  
23 The special tax for Improvement Area A will be collected in the same manner as ordinary *ad*  
24 *valorem* property taxes or in such other manner as the Board of Supervisors shall determine,  
25 including direct billing of the affected property owners. The tax year after which no further  
26 special tax will be levied against any parcel within Improvement Area A used for private  
27 residential purposes is specified in the Improvement Area A Rate and Method. Under no  
28 circumstances shall the special tax levied against any parcel within Improvement Area A used for

1 private residential purposes be increased as a consequence of delinquency or default by the owner  
2 of any other parcel or parcels within Improvement Area A by more than 10%.

3 The rate and method of apportionment of the special tax for Improvement Area B (the  
4 "Improvement Area B Rate and Method"), in sufficient detail to allow each landowner within the  
5 proposed Improvement Area B to estimate the maximum amount that he or she will have to pay,  
6 is described in Exhibit C attached hereto, which is by this reference incorporated herein. The  
7 conditions under which the obligation to pay the special tax for Improvement Area B may be  
8 prepaid and permanently satisfied are specified in the Improvement Area B Rate and Method.  
9 The special tax for Improvement Area B will be collected in the same manner as ordinary *ad*  
10 *valorem* property taxes or in such other manner as the Board of Supervisors shall determine,  
11 including direct billing of the affected property owners. The tax year after which no further  
12 special tax will be levied against any parcel within Improvement Area B used for private  
13 residential purposes is specified in the Improvement Area B Rate and Method. Under no  
14 circumstances shall the special tax levied against any parcel within Improvement Area B used for  
15 private residential purposes be increased as a consequence of delinquency or default by the owner  
16 of any other parcel or parcels within Improvement Area B by more than 10%.

17 The rate and method of apportionment of the special tax for Improvement Area C (the  
18 "Improvement Area C Rate and Method"), in sufficient detail to allow each landowner within the  
19 proposed Improvement Area C to estimate the maximum amount that he or she will have to pay,  
20 is described in Exhibit D attached hereto, which is by this reference incorporated herein. The  
21 conditions under which the obligation to pay the special tax for Improvement Area C may be  
22 prepaid and permanently satisfied are specified in the Improvement Area C Rate and Method.  
23 The special tax for Improvement Area C will be collected in the same manner as ordinary *ad*  
24 *valorem* property taxes or in such other manner as the Board of Supervisors shall determine,  
25 including direct billing of the affected property owners. The tax year after which no further  
26 special tax will be levied against any parcel within Improvement Area C used for private  
27 residential purposes is specified in the Improvement Area C Rate and Method. Under no  
28 circumstances shall the special tax levied against any parcel within Improvement Area C used for

1 private residential purposes be increased as a consequence of delinquency or default by the owner  
2 of any other parcel or parcels within Improvement Area C by more than 10%.

3 The rate and method of apportionment of the special tax for Improvement Area D (the  
4 "Improvement Area D Rate and Method"), in sufficient detail to allow each landowner within the  
5 proposed Improvement Area D to estimate the maximum amount that he or she will have to pay,  
6 is described in Exhibit E attached hereto, which is by this reference incorporated herein. The  
7 conditions under which the obligation to pay the special tax for Improvement Area D may be  
8 prepaid and permanently satisfied are specified in the Improvement Area D Rate and Method.  
9 The special tax for Improvement Area D will be collected in the same manner as ordinary *ad*  
10 *valorem* property taxes or in such other manner as the Board of Supervisors shall determine,  
11 including direct billing of the affected property owners. The tax year after which no further  
12 special tax will be levied against any parcel within Improvement Area D used for private  
13 residential purposes is specified in the Improvement Area D Rate and Method. Under no  
14 circumstances shall the special tax levied against any parcel within Improvement Area D used for  
15 private residential purposes be increased as a consequence of delinquency or default by the owner  
16 of any other parcel or parcels within Improvement Area D by more than 10%.

17 The rate and method of apportionment of the special tax for Improvement Area E (the  
18 "Improvement Area E Rate and Method"), in sufficient detail to allow each landowner within the  
19 proposed Improvement Area E to estimate the maximum amount that he or she will have to pay,  
20 is described in Exhibit F attached hereto, which is by this reference incorporated herein. The  
21 conditions under which the obligation to pay the special tax for Improvement Area E may be  
22 prepaid and permanently satisfied are specified in the Improvement Area E Rate and Method.  
23 The special tax for Improvement Area E will be collected in the same manner as ordinary *ad*  
24 *valorem* property taxes or in such other manner as the Board of Supervisors shall determine,  
25 including direct billing of the affected property owners. The tax year after which no further  
26 special tax will be levied against any parcel within Improvement Area E used for private  
27 residential purposes is specified in the Improvement Area E Rate and Method. Under no  
28 circumstances shall the special tax levied against any parcel within Improvement Area E used for

1 private residential purposes be increased as a consequence of delinquency or default by the owner  
2 of any other parcel or parcels within Improvement Area E by more than 10%.

3 The rate and method of apportionment of the special tax for Improvement Area F (the  
4 "Improvement Area F Rate and Method"), in sufficient detail to allow each landowner within the  
5 proposed Improvement Area F to estimate the maximum amount that he or she will have to pay, is  
6 described in Exhibit G attached hereto, which is by this reference incorporated herein. The  
7 conditions under which the obligation to pay the special tax for Improvement Area F may be  
8 prepaid and permanently satisfied are specified in the Improvement Area F Rate and Method. The  
9 special tax for Improvement Area F will be collected in the same manner as ordinary *ad valorem*  
10 property taxes or in such other manner as the Board of Supervisors shall determine, including  
11 direct billing of the affected property owners. The tax year after which no further special tax will  
12 be levied against any parcel within Improvement Area F used for private residential purposes is  
13 specified in the Improvement Area F Rate and Method. Under no circumstances shall the special  
14 tax levied against any parcel within Improvement Area F used for private residential purposes be  
15 increased as a consequence of delinquency or default by the owner of any other parcel or parcels  
16 within Improvement Area F by more than 10%.

17 For purposes of this Section, a parcel shall be considered "used for private residential  
18 purposes" not later than the date on which an occupancy permit for private residential use is  
19 issued.

20 **Section 6.** Pursuant to Section 53344.1 of the Government Code, the Board of  
21 Supervisors hereby reserves to itself the right and authority to allow any interested owner of  
22 property within an Improvement Area, subject to the provisions of said Section 53344.1 and to  
23 those conditions as it may impose, and any applicable prepayment penalties as prescribed in the  
24 bond indenture or comparable instrument or document for that Improvement Area, to tender to the  
25 Community Facilities District treasurer in full payment or part payment of any installment of the  
26 special taxes or the interest or penalties thereon which may be due or delinquent, but for which a  
27 bill has been received, any bond or other obligation of the Community Facilities District for such  
28

1 Improvement Area secured thereby, the bond or other obligation to be taken at par and credit to be  
2 given for the accrued interest shown thereby computed to the date of tender.

3 **Section 7.** The Board of Supervisors hereby fixes Tuesday, October 3, 2006, at 9:30 a.m.,  
4 or as soon thereafter as the Board of Supervisors may reach the matter, at the Board of  
5 Supervisors Chambers, 4080 Lemon Street, 1st Floor, Riverside, California, as the time and place  
6 when and where the Board of Supervisors will conduct a public hearing on the establishment of  
7 the Community Facilities District and the designation of the Improvement Areas.

8 **Section 8.** The Clerk is hereby directed to publish, or cause to be published, a notice of  
9 said public hearing, as prepared and approved by bond counsel, one time in *The Press-Enterprise*,  
10 a newspaper of general circulation published in the area of the Community Facilities District. The  
11 publication of said notice shall be completed at least seven days prior to the date herein fixed for  
12 said hearing. Said notice shall contain the information prescribed by Section 53322 of the  
13 Government Code.

14 The Clerk is hereby further directed to give notice of said public hearing, as prepared and  
15 approved by bond counsel, by first-class mail to each registered voter and to each landowner  
16 within the Community Facilities District. Said notice shall be mailed at least 15 days prior to the  
17 date of said hearing and shall contain the same information as is required to be contained in the  
18 notice published pursuant to Section 53322 of the Government Code.

19 **Section 9.** The levy of said proposed special tax in each Improvement Area shall be  
20 subject to the approval of the qualified electors of such Improvement Area at a separate special  
21 election. The proposed voting procedure for the election in each Improvement Area shall be by  
22 mailed or hand-delivered ballot among the landowners in such Improvement Area, with each  
23 owner within such Improvement Area having one vote for each acre or portion of an acre such  
24 owner owns in such Improvement Area.

25 **Section 10.** Each officer of the County who is or will be responsible for providing one or  
26 more of the proposed types of Facilities is hereby directed to study, or cause to be studied, the  
27 proposed Community Facilities District and, at or before said public hearing, file a report with the  
28 Board of Supervisors containing a brief description of the public facilities by type which will in

1 his or her opinion be required to adequately meet the needs of the Community Facilities District,  
2 and his or her estimate of the cost of providing the Facilities. Such officers are hereby also  
3 directed to estimate the fair and reasonable cost of completed public facilities proposed to be  
4 purchased and the incidental expenses proposed to be paid. Such report shall be made a part of  
5 the record of said public hearing.

6 **Section 11.** In the opinion of the Board of Supervisors, the public interest will not be  
7 served by allowing the property owners within the proposed Community Facilities District to  
8 enter into a contract in accordance with subdivision (a) of Section 53329.5 of the Government  
9 Code and, accordingly, the Board of Supervisors hereby provides that such property owners may  
10 not enter into a contract in accordance with said subdivision.

11 **Section 12.** The Landowners have heretofore advanced certain funds, and may advance  
12 additional funds, to the County, which have been or may be used to pay costs incurred in  
13 connection with the creation of the Community Facilities District and the issuance of special tax  
14 bonds thereby. The Board of Supervisors proposes to repay all or a portion of such funds  
15 expended for such purpose, from the proceeds of such bonds, pursuant to the Deposit Agreement.  
16 The Deposit Agreement is hereby incorporated herein as though set forth in full herein.

17 **Section 13.** The officers of the County are, and each of them is, hereby authorized and  
18 directed to do any and all things, and to execute and deliver any and all documents which said  
19 officers may deem necessary or advisable in order to accomplish the purposes of this Resolution  
20 and not inconsistent with the provisions hereof.

21 **ADOPTED, SIGNED AND APPROVED** this 29th day of August, 2006, by the Board of  
22 Supervisors of the County of Riverside.

\_\_\_\_\_  
Chairman of the Board of Supervisors

25 ATTEST:  
26 Nancy Romero  
27 Clerk to the Board of Supervisors

28 By: \_\_\_\_\_  
Deputy

FORM APPROVED  
COUNTY COUNSEL  
AUG 14 2006  
BY 

2 **RESOLUTION NO. 2006-305**

3 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF**  
4 **THE COUNTY OF RIVERSIDE TO INCUR BONDED**  
5 **INDEBTEDNESS OF THE PROPOSED COMMUNITY**  
6 **FACILITIES DISTRICT NO. 05-4 (WINCHESTER HILLS)**  
7 **OF THE COUNTY OF RIVERSIDE**

8 **Community Facilities District No. 05-4 (Winchester Hills)**

9 **WHEREAS**, the Board of Supervisors (the “Board of Supervisors”) of the County of  
10 Riverside (the “County”) has this date adopted its Resolution entitled “A Resolution of the Board  
11 of Supervisors of the County of Riverside of Intention to Establish a Community Facilities  
12 District, to Designate Improvement Areas and to Authorize the Levy of Special Taxes and Setting  
13 a Date and Time for a Public Hearing Thereon,” stating its intention to establish Community  
14 Facilities District No. 05-4 (Winchester Hills) of the County of Riverside (the “Community  
15 Facilities District”) and to designate portions of the Community Facilities District as six  
16 improvement areas (each an “Improvement Area”) to be known as “Improvement Area A of  
17 Community Facilities District No. 05-4 (Winchester Hills) of the County of Riverside”  
18 (“Improvement Area A”), “Improvement Area B of Community Facilities District No. 05-4  
19 (Winchester Hills) of the County of Riverside” (“Improvement Area B”), “Improvement Area C  
20 of Community Facilities District No. 05-4 (Winchester Hills) of the County of Riverside”  
21 (“Improvement Area C”), “Improvement Area D of Community Facilities District No. 05-4  
22 (Winchester Hills) of the County of Riverside” (“Improvement Area D”), “Improvement Area E  
23 of Community Facilities District No. 05-4 (Winchester Hills) of the County of Riverside”  
24 (“Improvement Area E”) and “Improvement Area F of Community Facilities District No. 05-4  
25 (Winchester Hills) of the County of Riverside” (“Improvement Area F”), pursuant to the Mello-  
26 Roos Community Facilities Act of 1982 for the purpose of financing certain public facilities (the  
27 “Facilities”), as further provided in said Resolution;

28 **WHEREAS**, in order to finance the Facilities it is necessary to incur bonded indebtedness  
in the amount of up to \$78,000,000; and

1           **WHEREAS**, the portion of the Community Facilities District designated as Improvement  
2 Area A will pay for the bonded indebtedness in the amount of up to \$24,000,000, the portion of  
3 the Community Facilities District designated as Improvement Area B will pay for the bonded  
4 indebtedness in the amount of up to \$10,000,000, the portion of the Community Facilities District  
5 designated as Improvement Area C will pay for the bonded indebtedness in the amount of up to  
6 \$9,000,000, the portion of the Community Facilities District designated as Improvement Area D  
7 will pay for the bonded indebtedness in the amount of up to \$10,000,000, the portion of the  
8 Community Facilities District designated as Improvement Area E will pay for the bonded  
9 indebtedness in the amount of up to \$14,000,000 and the portion of the Community Facilities  
10 District designated as Improvement Area F will pay for the bonded indebtedness in the amount of  
11 up to \$11,000,000;

12           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
13 **RIVERSIDE**, in regular session assembled on August 29, 2006, does hereby resolve, find,  
14 determine and order as follows:

15           **Section 1.**     The Board of Supervisors hereby declares that in order to finance the  
16 Facilities, it is necessary to incur bonded indebtedness.

17           **Section 2.**     The purpose for which the proposed debt is to be incurred is to provide the  
18 funds necessary to pay the costs of the Facilities, including construction costs and all costs  
19 incidental to, or connected with, the accomplishment of said purpose and of the financing thereof,  
20 as permitted by Section 53345.3 of the California Government Code.

21           **Section 3.**     The maximum amount of the proposed debt is \$78,000,000. The  
22 maximum amount of the proposed debt to be paid for by the portion of the Community Facilities  
23 District designated as Improvement Area A is \$24,000,000. The maximum amount of the  
24 proposed debt to be paid for by the portion of the Community Facilities District designated as  
25 Improvement Area B is \$10,000,000. The maximum amount of the proposed debt to be paid for  
26 by the portion of the Community Facilities District designated as Improvement Area C is  
27 \$9,000,000. The maximum amount of the proposed debt to be paid for by the portion of the  
28 Community Facilities District designated as Improvement Area D is \$10,000,000. The maximum

1 amount of the proposed debt to be paid for by the portion of the Community Facilities District  
2 designated as Improvement Area E is \$14,000,000. The maximum amount of the proposed debt  
3 to be paid for by the portion of the Community Facilities District designated as Improvement Area  
4 F is \$11,000,000.

5 **Section 4.** The Board of Supervisors hereby fixes Tuesday, October 3, 2006, at  
6 9:30 a.m., or as soon thereafter as the Board of Supervisors may reach the matter, at the Board of  
7 Supervisors Chambers, 4080 Lemon Street, 1st Floor, Riverside, California, as the time and place  
8 when and where the Board of Supervisors will conduct a public hearing on the proposed debt  
9 issue.

10 **Section 5.** The Clerk to the Board of Supervisors is hereby directed to publish, or  
11 cause to be published, a notice of said public hearing, as prepared and approved by bond counsel,  
12 one time in *The Press-Enterprise*, a newspaper of general circulation published in the area of the  
13 Community Facilities District. The publication of said notice shall be completed at least seven  
14 days prior to the date herein fixed for said hearing. Said notice shall contain the information  
15 prescribed by Section 53346 of the California Government Code.

16 **Section 6.** The officers of the County are, and each of them is, hereby authorized and  
17 directed to do any and all things, and to execute and deliver any and all documents which said  
18 officers may deem necessary or advisable in order to accomplish the purposes of this Resolution  
19 and not inconsistent with the provisions hereof.

20 **ADOPTED, SIGNED AND APPROVED** this 29th day of August, 2006, by the Board of  
21 Supervisors of the County of Riverside.

22  
23 \_\_\_\_\_  
Chairman of the Board of Supervisors

24  
25 ATTEST:  
Nancy Romero  
26 Clerk to the Board of Supervisors

27 By: \_\_\_\_\_  
28 Deputy

FORM APPROVED  
COUNTY COUNSEL

AUG 14 2006

BY 

1 STATE OF CALIFORNIA )  
2 COUNTY OF RIVERSIDE )

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I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California, do hereby certify that the foregoing Resolution No. 2006-305 was duly adopted by the Board of Supervisors of said County at a meeting of said Board held on the 29th day of August, 2006, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_, Deputy  
Clerk to the Board of Supervisors of the  
County of Riverside

1 STATE OF CALIFORNIA )  
2 COUNTY OF RIVERSIDE )

ss.

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I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. 2006-305 of the Board of Supervisors of said County, and that the same has not been amended or repealed.

Dated: \_\_\_\_\_

\_\_\_\_\_, Deputy  
Clerk to the Board of Supervisors of the  
County of Riverside