

**SUBMITTAL TO THE BOARD OF SUPERVISORS,  
COMMUNITY FACILITIES DISTRICT'S LEGISLATIVE BODY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

419



**FROM:** COUNTY EXECUTIVE OFFICE

**SUBMITTAL DATE:**  
September 12, 2006

**SUBJECT:** Authorization of Judicial Foreclosure Action – Community Facilities Districts

**RECOMMENDED MOTION:** That the Board approve and adopt the following resolutions authorizing foreclosure action on certain real properties in certain Community Facilities Districts, such action being in accordance with resolutions previously approved by the Board regarding the formation of each District and collection of delinquent special taxes:

Res. No. CFD 2006-20 for CFD 84-2 (Lakehills)	1 <sup>st</sup> District
Res. No. CFD 2006-21 for CFD 86-1 (Menifee Villages)	3 <sup>rd</sup> District
Res. No. CFD 2006-22 for CFD 87-5 (Wild Rose)	1 <sup>st</sup> District
Res. No. CFD 2006-23 for CFD 03-1 (Newport Road)	3 <sup>rd</sup> District

**BACKGROUND:** The Board adopted resolutions establishing the formation of these Community Facilities Districts to provide specified infrastructure facilities, authorize the issuance of bonds to finance those facilities, and authorize the levy of special taxes to repay those bonds. The Board also adopted ordinances pertaining to the collection of the special taxes and the initiation of action in Superior Court to foreclose on any parcel for failure to pay the special taxes. For a list of the parcels being foreclosed, please review the Exhibit A's attached to each resolution.

  
Jerry Norris, Principal Management Analyst

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
Annual Net County Cost:	\$ 0	For Fiscal Year:	2006

**SOURCE OF FUNDS:** N/A

<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

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

County Executive Office Signature



Policy

Consent

Dep't Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 1<sup>st</sup> & 3<sup>rd</sup>

Agenda Number:

8 . 1

Departmental Concurrence

AUG 28 2006

FORM APPROVED  
COUNTY COUNSEL

3 **RESOLUTION NO. CFD 2006-20**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 84-2 (LAKEHILLS)**  
5 **OF THE COUNTY OF RIVERSIDE ORDERING THAT ACTION BE BROUGHT IN SUPERIOR**  
6 **COURT TO FORECLOSE ON CERTAIN REAL PROPERTY FOR DEFAULT OF PAYMENT**  
7 **OF SPECIAL TAX**

8 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the “Board” and  
9 the “County”), on behalf of Community Facilities District No. 84-2 (Lakehills) of the County (the  
10 “District”), by Resolution No. 99-039 that was adopted on January 26, 1999, authorized the issuance and  
11 sale of Series 1999 Special Tax Refunding Bonds (the “Bonds”) pursuant to the terms of the Indenture  
12 dated as of February 1, 1999, by and between the County and U.S. Bank Trust National Association, as  
13 Fiscal Agent, (the “Indenture”) to refund special tax improvement bonds that had previously been issued  
14 and sold to finance the construction of certain improvements within the District; and

15 **WHEREAS**, the County of Riverside, by the terms of the Indenture, covenants to timely initiate  
16 foreclosure proceedings against any parcel in the District for default of payment of the special tax levied  
17 to repay the principal and interest on the Bonds;

18 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by  
19 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body  
20 for Community Facilities District No. 84-2 (Lakehills) of the County of Riverside, in regular session  
21 assembled on September 12, 2006, that:

22 **1.** The parcels within the District, listed on the attached Exhibit “A” are delinquent for the  
23 amounts shown as of the date shown.

24 **2.** Pursuant to Government code Section 53356.2 of the California Government Code, the  
25 Auditor-Controller of the County, in cooperation with the County Executive Office and the Special  
26 Counsel, as designated below, is to:

27 a.) cause the Treasurer-Tax Collector of the County to be credited upon the current tax  
28 roll with the amounts of the delinquent special taxes to be sued upon, including applicable penalties,  
interest, and cost, and is to be relieved of further duty in regard thereto; and



# EXHIBIT "A"

## CFD 84-2 (LAKEHILLS)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
JEAN LEE REICH	140-275-010-2	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-011-3	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-012-4	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-013-5	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-014-6	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-015-7	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-016-8	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-017-9	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-018-0	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-019-1	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-020-1	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-021-2	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-022-3	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-023-4	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16

# EXHIBIT "A"

## CFD 84-2 (LAKEHILLS)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
JEAN LEE REICH	140-275-024-5	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-025-6	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-026-7	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-027-8	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-028-9	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-029-0	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-030-0	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-031-1	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-032-2	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-033-3	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-034-4	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-035-5	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-036-6	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-037-7	N/A	December 10, 2005	\$239.16

# EXHIBIT "A"

## CFD 84-2 (LAKEHILLS)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
			April 10, 2006	\$239.16
JEAN LEE REICH	140-275-038-8	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-039-9	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-040-9	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-041-0	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-042-1	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-043-2	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16
JEAN LEE REICH	140-275-044-3	N/A	December 10, 2005 April 10, 2006	\$239.16 \$239.16

3 **RESOLUTION NO. CFD 2006-21**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 86-1 (MENIFEE VILLAGE) OF**  
5 **THE COUNTY OF RIVERSIDE ORDERING THAT ACTION BE BROUGHT IN SUPERIOR**  
6 **COURT TO FORECLOSE ON CERTAIN REAL PROPERTY FOR DEFAULT OF PAYMENT**  
7 **OF SPECIAL TAX**

8 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and  
9 the "County") on behalf of Community Facilities District No. 86-1 (Menifee Village) of the County (the  
10 "District"), by Resolution No. 2000-40 that was adopted on January 25, 2000, authorized the issuance and  
11 sale of Series 2000 Special Tax Revenue Bonds (the "Series 2000 Bonds") pursuant to the terms of the  
12 Indenture dated as of February 1, 2000, by and between the County and U.S. Bank Trust National  
13 Association, as Trustee, (the "Indenture") to refund in part special tax improvement bonds that had  
14 previously been issued and sold to finance the construction of certain improvements within the District,  
15 and to provide for the financing of additional authorized public facilities; and

16 **WHEREAS**, the County of Riverside, by the terms of the Indenture, covenants to timely initiate  
17 foreclosure proceedings against any parcel in the District for default of payment of the special tax levied  
18 to repay the principal and interest on the Bonds;

19 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by  
20 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body  
21 for Community Facilities District No. 86-1 (Menifee Village) of the County of Riverside and  
22 Improvement Area No. 1 thereof, in regular session assembled on September 12, 2006, that:

23 1. The parcels within the District, listed on the attached Exhibit "A" are delinquent for the  
24 amounts shown as of the date shown.

25 2. Pursuant to Government code Section 53356.2 of the California Government Code, the  
26 Auditor-Controller of the County, in cooperation with the County Executive Office and the Special  
27 Counsel, as designated below, is to:

28 a.) cause the Treasurer-Tax Collector of the County to be credited upon the current tax  
roll with the amounts of the delinquent special taxes to be sued upon, including applicable penalties,

1 interest, and cost, and is to be relieved of further duty in regard thereto; and

2 b.) request that the Treasurer-Tax Collector of the County cause all inquiries regarding  
3 payment of the delinquent special tax installments to be forwarded to the Special Counsel.

4 3. The designated Special Counsel, Sherman & Feller, is directed to bring action in Superior  
5 Court to foreclose against the parcels listed in Exhibit "A" for the amounts shown.

6 ///

7 ///

8 ///

9 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the  
10 CFD on September 12, 2006.

13 By: \_\_\_\_\_  
14 Bob Buster, Chairman of the Board of Supervisors,  
15 acting *ex officio* as the Legislative Body of the CFD.

16 **ATTEST:**  
17 Nancy Romero, Clerk to the Legislative  
18 Body of the CFD.

19 By: \_\_\_\_\_  
20 Deputy Clerk

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

FORM APPROVED  
COUNTY COUNSEL

AUG 28 2006

BY *[Signature]*

# EXHIBIT "A"

## CFD 86-1 (MENIFEE VILLAGES)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
AZUSA PACIFIC	364-070-032-5	N/A	December 10, 2005 April 10, 2006	\$4,512.29 \$4,512.29

3 **RESOLUTION NO. CFD 2006-22**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 87-5 (WILD ROSE)**  
5 **OF THE COUNTY OF RIVERSIDE ORDERING THAT ACTION BE BROUGHT IN SUPERIOR**  
6 **COURT TO FORECLOSE ON CERTAIN REAL PROPERTY FOR DEFAULT OF PAYMENT**  
7 **OF SPECIAL TAX**

8 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and  
9 the "County"), on behalf of Community Facilities District No. 87-5 (Wild Rose) of the County (the  
10 "District"), by Resolution No. 97-46 that was adopted on February 19, 1997, authorized the issuance and  
11 sale of Special Tax Refunding Bonds (the "Bonds") pursuant to the terms of the Amended and Restated  
12 Fiscal Agent Agreement dated as of April 1, 1997, by and between the County and State Street Bank and  
13 Trust Company of California, N.A., a National Banking Association, as Fiscal Agent, (the "Fiscal Agent  
14 Agreement") to refund special tax improvement bonds that had previously been issued and sold to finance  
15 the construction of certain improvements within the District; and

16 **WHEREAS**, the County of Riverside, by the terms of the Fiscal Agent Agreement, covenants to  
17 timely initiate foreclosure proceedings against any parcel in the District for default of payment of the  
18 special tax levied to repay the principal and interest on the Bonds;

19 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by  
20 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body  
21 for Community Facilities District No. 87-5 (Wild Rose) of the County of Riverside, in regular session  
22 assembled on September 12, 2006, that:

23 **1.** The parcels within the District, listed on the attached Exhibit "A" are delinquent for the  
24 amounts shown as of the date shown.

25 **2.** Pursuant to Government code Section 53356.2 of the California Government Code, the  
26 Auditor-Controller of the County, in cooperation with the County Executive Office and the Special  
27 Counsel, as designated below, is to:

28 a.) cause the Treasurer-Tax Collector of the County to be credited upon the current tax  
roll with the amounts of the delinquent special taxes to be sued upon, including applicable penalties,

1 interest, and cost, and is to be relieved of further duty in regard thereto; and

2 b.) request that the Treasurer-Tax Collector of the County cause all inquiries regarding  
3 payment of the delinquent special tax installments to be forwarded to the Special Counsel.

4 3. The designated Special Counsel, Sherman & Feller, is directed to bring action in Superior  
5 Court to foreclose against the parcels listed in Exhibit "A" for the amounts shown.

6 ///

7 ///

8 ///

9 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the  
10 CFD on September 12, 2006.

11  
12  
13 By: \_\_\_\_\_  
14 Bob Buster, Chairman of the Board of Supervisors,  
15 acting *ex officio* as the Legislative Body of the CFD.

16 **ATTEST:**  
17 Nancy Romero, Clerk to the Legislative  
18 Body of the CFD.

19 By: \_\_\_\_\_  
20 Deputy Clerk

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

FORM APPROVED  
COUNTY COUNSEL

AUG 28 2006

BY *Nancy Romero*

# EXHIBIT "A"

## CFD 87-5 (WILD ROSE)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
CATALINA INV	283-100-082-0	N/A	December 10, 2005	\$6,082.88
		N/A	April 10, 2006	\$6,082.88
CATALINA INV	283-100-083-1	N/A	December 10, 2005	\$5,588.34
		N/A	April 10, 2006	\$5,588.34
CATALINA INV	283-100-084-2	N/A	December 10, 2005	\$5,390.52
		N/A	April 10, 2006	\$5,390.52

3 **RESOLUTION NO. CFD 2006-23**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 03-1 (NEWPORT ROAD) OF**  
5 **THE COUNTY OF RIVERSIDE ORDERING THAT ACTION BE BROUGHT IN SUPERIOR**  
6 **COURT TO FORECLOSE ON CERTAIN REAL PROPERTY FOR DEFAULT OF PAYMENT**  
7 **OF SPECIAL TAX**

8 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and  
9 the "County"), on behalf of Community Facilities District No. 03-1 (Newport Road) of the County (the  
10 "District"), by Resolution No. CFD 2004-15 that was adopted on August 10, 2004, authorized the  
11 issuance and sale of Special Tax Improvement Bonds (the "Bonds") pursuant to the terms of the Bond  
12 Indenture dated as of August 1, 2004, by and between the County and Wells Fargo Bank, N.A., as  
13 Trustee, (the "Indenture") to finance the construction of certain improvements within the District; and

14 **WHEREAS**, the County of Riverside, by the terms of the Indenture, covenants to timely initiate  
15 foreclosure proceedings against any parcel in the District for default of payment of the special tax levied  
16 to repay the principal and interest on the Bonds;

17 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by  
18 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body  
19 for Community Facilities District No. 03-1 (Newport Road) of the County of Riverside, in regular session  
20 assembled on September 12, 2006, that:

21 **1.** The parcels within the District, listed on the attached Exhibit "A" are delinquent for the  
22 amounts shown as of the date shown.

23 **2.** Pursuant to Government code Section 53356.2 of the California Government Code, the  
24 Auditor-Controller of the County, in cooperation with the County Executive Office and the Special  
25 Counsel, as designated below, is to:

26 a.) cause the Treasurer-Tax Collector of the County to be credited upon the current tax  
27 roll with the amounts of the delinquent special taxes to be sued upon, including applicable penalties,  
28 interest, and cost, and is to be relieved of further duty in regard thereto; and

b.) request that the Treasurer-Tax Collector of the County cause all inquiries regarding

1 payment of the delinquent special tax installments to be forwarded to the Special Counsel.

2 3. The designated Special Counsel, Sherman & Feller, is directed to bring action in Superior  
3 Court to foreclose against the parcels listed in Exhibit "A" for the amounts shown.

4 ///  
5 ///  
6 ///

7 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the  
8 CFD on September 12, 2006.

11 By: \_\_\_\_\_  
12 Bob Buster, Chairman of the Board of Supervisors,  
13 acting *ex officio* as the Legislative Body of the CFD.

13 **ATTEST:**  
14 Nancy Romero, Clerk to the Legislative  
15 Body of the CFD.

16  
17 By: \_\_\_\_\_  
18 Deputy Clerk

18 ///  
19 ///  
20 ///  
21 ///  
22 ///  
23 ///  
24 ///  
25 ///  
26 ///  
27 ///  
28 ///

FORM APPROVED  
COUNTY COUNSEL  
AUG 28 2006  
BY *Bob Buster*

# EXHIBIT "A"

## CFD 03-1 (NEWPORT ROAD)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
SCC SAN PEDRO	466-350-018-3	N/A	April 10, 2006	\$48,251.94