

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

901c



FROM: COUNTY EXECUTIVE OFFICE

SUBMITTAL DATE:
June 12, 2007

SUBJECT: Community Facilities District No. 07-2 (Clinton Keith), Resolution No. CFD 2007-04 determining the necessity to incur bonded indebtedness in an amount not to exceed \$60,000,000, and Resolution No. CFD 2007-05 calling for an expedited Special Election.

RECOMMENDED MOTION: That the Legislative Body of Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside conduct the public hearing and at its conclusion 1) adopt Resolution No. CFD 2007-04 determining the necessity to incur bonded indebtedness in an amount not to exceed \$60,000,000, and 2) adopt Resolution No. CFD 2007-05 calling for an expedited Special Election.

BACKGROUND: On May 8, 2007, the Board of Supervisors adopted Resolution No. 2007-189 declaring its intent to form Community Facilities District No. 07-2 of the County of Riverside ("CFD 07-2"), and calling a public hearing for June 12, 2007. The Board also adopted Resolution No. 2007-190 declaring its intent to incur bonded indebtedness in an amount not to exceed \$60,000,000 within the proposed boundaries of CFD 07-2.

Approval of Resolution No. 2007-287 on this date authorized the modification of the Resolution of Intention by making minor changes to the Rate and Method of Apportionment. The authorized changes do not affect the actual rate or method for apportioning the special tax on the properties. The changes were simple clarifications of language within the document.

(continued on page 2)

Jerry Norris
Jerry Norris, Principal Management Analyst

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N / A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N / A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2007

SOURCE OF FUNDS: N / A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

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

County Executive Office Signature BY: *Gary M. Christmas*
Gary M. Christmas

FORM APPROVED COUNTY COUNSEL

JUN 6 2007

- Policy
- Policy
- Consent
- Consent

Dept's Recomm.:
Per Exec. Ofc.:

Form 11

Resolutions to Incur Indebtedness and Call a Special Election for CFD 07-2

June 12, 2007

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The Board of Supervisors of the County of Riverside conducted the public hearing on June 12, 2007, pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), and after closing the public hearing adopted Resolution No. 2007-286, establishing the District.

The adoption of Resolution No. CFD 2007-04 and Resolution No. CFD 2007-05 at the conclusion of the public hearing, in conjunction with the Board's adoption of Resolution No. 2007-286, is consistent with applicable provisions of the Act and determines the need for CFD 07-2 to incur bonded indebtedness in an aggregate principal amount not to exceed \$60,000,000 and calls an expedited special election for June 18, 2007 to consider the proposition of whether CFD 07-2 should incur bonded indebtedness in an aggregate principal amount not to exceed \$60,000,000.

The Registrar of Voters for the County of Riverside has filed with the Clerk of the Board of Supervisors a certificate that states that there have been fewer than 12 registered voters residing on the property within the boundaries of CFD 07-2 for the 90 days preceding the date of the public hearing. By the terms of the Act, this determination means that the qualified electors at the election are the owners of property within the boundaries of CFD 07-2 with each land owner receiving one vote for each acre of land or portion thereof that it owns.

The Clerk of the Board with the assistance of the County Executive Office will be conducting the special mailed ballot election on June 18, 2007.

3 **RESOLUTION NO. CFD 2007-04**

4 **RESOLUTION OF THE LEGISLATIVE BODY OF COMMUNITY**
5 **FACILITIES DISTRICT NO. 07-2 (CLINTON KEITH) OF THE**
6 **COUNTY OF RIVERSIDE DEEMING IT NECESSARY TO**
7 **INCUR BONDED INDEBTEDNESS WITHIN THE COMMUNITY**
8 **FACILITIES DISTRICT**

9 **WHEREAS**, on May 8, 2007, the Board of Supervisors (the "Board of Supervisors") of the
10 County of Riverside (the "County"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the
11 "Act"), commencing with Section 53311 of the California Government Code (the "Government Code"),
12 adopted Resolution No. 2007-189 (the "Resolution of Intention"), stating its intention to establish a
13 community facilities district (the "Community Facilities District"), proposed to be named Community
14 Facilities District No. 07-2 (Clinton Keith) of the County of Riverside, and to authorize the levy of special
15 taxes within the Community Facilities District to finance certain public facilities (the "Facilities");

16 **WHEREAS**, on May 8, 2007, the Board of Supervisors also adopted Resolution No. 2007-190
17 (the "Resolution to Incur Bonded Indebtedness") declaring the necessity for incurring bonded
18 indebtedness in an amount not to exceed \$60,000,000 for the Community Facilities District and setting
19 June 12, 2007 as the date for a public hearing to be held on the proposed debt issue;

20 **WHEREAS**, pursuant to the Resolution to Incur Bonded Indebtedness, notice of said public
21 hearing was published in The Press-Enterprise on June 1, 2007, and mailed by first class mail, postage
22 prepaid to all registered voters and landowners within the Community Facilities District on May 23, 2007,
23 in accordance with the Act;

24 **WHEREAS**, on this date, the Board of Supervisors opened, conducted and closed said public
25 hearings;

26 **WHEREAS**, at said public hearing, any person interested, including persons owning property
27 within the area and desiring to appear and present any matters material to the questions set forth in the
28 Resolution to Incur Bonded Indebtedness appeared and presented such matters;

WHEREAS, no oral or written protests against the proposed debt issue were made or filed at or
before said public hearing;

1 **WHEREAS**, at said public hearing, evidence was presented to the Board of Supervisors on the
2 matters before it, and the Board of Supervisors at the conclusion of the hearing was fully advised as to all
3 matters relating to the proposed debt issuance;

4 **WHEREAS**, on this date, the Board of Supervisors adopted Resolution No. 2007-286,
5 establishing the Community Facilities District, authorizing the levy of a special tax within the Community
6 Facilities District and establishing an appropriations limit within the Community Facilities District;

7 **WHEREAS**, pursuant to the Act, the Board of Supervisors is the *ex officio* legislative body (the
8 “Legislative Body”) of the Community Facilities District;

9 **WHEREAS**, the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the
10 Legislative Body, is the election official that will conduct the special election on the proposition to incur
11 bonded indebtedness for the Community Facilities District;

12 **WHEREAS**, there has been filed with the Clerk to the Board of Supervisors, acting *ex officio* as
13 the Clerk to the Legislative Body, a certification of the Registrar of Voters of the County that, on May 24,
14 2007, which date is within the ninety-day period preceding the close of said public hearing, less than 12
15 persons were registered to vote within the territory proposed to be included in the Community Facilities
16 District;

17 **WHEREAS**, there has been filed with the Clerk to the Board of Supervisors, acting *ex officio* as
18 the Clerk to the Legislative Body, consents and waivers of all of the landowners of record in the
19 Community Facilities District waiving any time limit specified by Section 53326 of the Government Code
20 and any requirement pertaining to the conduct of said special election, including any time limit or
21 requirement applicable to an election pursuant to Article 5, Chapter 2.5, Division 3, Title 5 of the
22 Government Code (commencing with Section 53345 of the Government Code), consenting to the holding
23 of said special election on June 18, 2007 and waiving any impartial analysis, arguments or rebuttals, as set
24 forth in Sections 53326 and 53327 of the Government Code; and

25 **WHEREAS**, the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the
26 Legislative Body, has concurred in the holding of said special election on June 18, 2007;

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1 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**
2 **RIVERSIDE, ACTING *EX OFFICIO* AS THE LEGISLATIVE BODY OF COMMUNITY**
3 **FACILITIES DISTRICT NO. 07-2 (CLINTON KEITH) OF THE COUNTY OF RIVERSIDE,** in
4 regular session assembled on June 12, 2007, does hereby resolve, find, determine and order as follows:

5 **Section 1.** The foregoing recitals are true and correct.

6 **Section 2.** The Legislative Body deems it necessary to incur the bonded indebtedness.

7 **Section 3.** The purpose for which the proposed debt is to be incurred is to provide the funds
8 necessary to pay a portion of the costs of the Facilities, including construction costs and all costs
9 incidental to, or connected with, the accomplishment of said purpose and of the financing thereof, as
10 permitted by Section 53345.3 of the Government Code .

11 **Section 4.** In accordance with the previous determination of the Board of Supervisors, the whole
12 of the Community Facilities District will pay for the bonded indebtedness.

13 **Section 5.** The maximum amount of debt to be incurred is \$60,000,000.

14 **Section 6.** The maximum term the bonds to be issued shall run before maturity is 40 years.

15 **Section 7.** The maximum annual rate of interest to be paid shall not exceed the maximum interest
16 rate permitted by applicable law at the time of sale of the bonds, payable semiannually or at such times as
17 the legislative body of the Community Facilities District or its designee shall determine, the actual rate or
18 rates and times of payment of such interest to be determined by said legislative body or its designee at the
19 time or times of sale of the bonds.

20 **Section 8.** The proposition to incur the bonded indebtedness shall be submitted to the voters.

21 **Section 9.** The Legislative Body hereby finds that, on May 24, 2007, which date is within the
22 ninety-day period preceding the close of the public hearings heretofore held, less than 12 persons were
23 registered to vote within the territory included in the Community Facilities District. Accordingly, pursuant
24 to Section 53326 of the Government Code, the vote shall be by the landowners of the Community
25 Facilities District and each landowner who is the owner of record as of the close of said public hearing, or
26 the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she
27 owns within the Community Facilities District. The voting procedure shall be by mailed or hand-delivered
28 ballot.

1 **Section 10.** The Legislative Body hereby finds and determines that the qualified electors of the
2 Community Facilities District have unanimously consented (a) to the waiver of any time limit specified
3 by Section 53326 of the Government Code and any requirement pertaining to the conduct of said election,
4 including any time limit or requirement applicable to an election pursuant to Article 5, Chapter 2.5,
5 Division 3, Title 5 of the Government Code (commencing with Section 53345 of the Government Code),
6 and (b) to the holding of said election on June 18, 2007. The Legislative Body hereby finds and determines
7 that the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative Body, has
8 concurred in holding said election on June 18, 2007.

9 **Section 11.** The date of the special community facilities district election (which shall be
10 consolidated with the special district election to levy a special tax within the Community Facilities
11 District) at which time the proposition shall be submitted to the voters is June 18, 2007.

12 **Section 12.** Pursuant to Section 53327 of the Government Code, the election shall be conducted
13 by mail ballot pursuant to Section 4000 of the California Elections Code. The voted ballots shall be
14 returned to the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative Body, at
15 4080 Lemon Street, 1st Floor, Riverside, California 92501, not later than 5:00 p.m., on June 18, 2007;
16 provided, however, that if all of the qualified electors have voted prior to such time, the election may be
17 closed with the concurrence of the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the
18 Legislative Body.

19 **Section 13.** The officers of the County, acting *ex officio* on behalf of the Community Facilities
20 District, are, and each of them is, hereby authorized and directed to do any and all things, and to execute
21 and deliver any and all documents which said officers may deem necessary or advisable in order to
22 accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

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1 **ADOPTED, SIGNED AND APPROVED** this 12th day of June, 2007, by the Board of Supervisors of the
2 County of Riverside, acting *ex officio* as the Legislative Body of Community Facilities District No. 07-2
3 (Clinton Keith) of the County of Riverside.

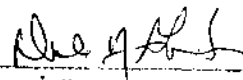
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7 By: _____
8 John Tavaglione, Chairman of the Legislative Body of
9 Community Facilities District No. 07-2 of the County
of Riverside

10 **ATTEST:**
11 Nancy Romero, Clerk of the Legislative
12 Body of Community Facilities District
No. 07-2 of the County of Riverside

13
14 By: _____
15 Deputy Clerk

FORM APPROVED
COUNTY COUNSEL

JUN 6 2007

BY 

Dale A. Gardner

CLERK'S CERTIFICATE

I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California, acting *ex officio* as the Clerk to the Legislative Body for Community Facilities Districts for the County of Riverside, do hereby certify that the foregoing Resolution No. CFD 2007-05 was duly adopted by the Board of Supervisors of said County, acting *ex officio* as the Legislative Body of Community Facilities Districts for the County of Riverside, at a meeting of said Board held on the 12th day of June, 2007, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County of Riverside this ____ day of _____, 2007.

By: _____
Deputy Clerk

CLERK'S CERTIFICATE

I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California, acting *ex officio* as the Clerk to the Legislative Body for Community Facilities Districts for the County of Riverside, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. CFD 2007-05 of the Board of Supervisors of said County, acting *ex officio* as the legislative body of Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside, and that the same has not been amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County of Riverside this ____ day of _____, 2007.

By: _____
Deputy Clerk

3 **RESOLUTION NO. CFD 2007-05**

4 **RESOLUTION OF THE LEGISLATIVE BODY OF COMMUNITY**
5 **FACILITIES DISTRICT NO. 07-2 (CLINTON KEITH) OF THE**
6 **COUNTY OF RIVERSIDE CALLING A SPECIAL ELECTION**
7 **FOR THE COMMUNITY FACILITIES DISTRICT**

8 **WHEREAS**, on May 8, 2007, the Board of Supervisors (the "Board of Supervisors") of the
9 County of Riverside (the "County"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the
10 "Act"), commencing with Section 53311 of the California Government Code (the "Government Code"),
11 adopted Resolution No. 2007-189, stating its intention to establish a community facilities district (the
12 "Community Facilities District"), proposed to be named Community Facilities District No. 07-2 (Clinton
13 Keith) of the County of Riverside, and to authorize the levy of special taxes within the Community
14 Facilities District to finance certain public facilities (the "Facilities") and setting June 12, 2007 as the date
15 for a public hearing to be held on the establishment of the Community Facilities District;

16 **WHEREAS**, on May 8, 2007, the Board of Supervisors also adopted Resolution No. 2007-190
17 (the "Resolution to Incur Bonded Indebtedness") calling for a public hearing to be held on June 12, 2007
18 to consider the proposed issuance of debt in an amount not to exceed \$60,000,000 for the Community
19 Facilities District in accordance with the Resolution to Incur Bonded Indebtedness;

20 **WHEREAS**, on this date, the Board of Supervisors opened, conducted and closed said public
21 hearings;

22 **WHEREAS**, at the hearings, the Board of Supervisors proposed to modify the Resolution of
23 Intention so as to change the rate and method of apportionment of the special tax (the "Original Rate and
24 Method") originally proposed to be levied within the Community Facilities District to reduce the
25 Assigned Special Tax rates for Developed Property and Approved Property, to reduce the Maximum
26 Special Tax rate for Undeveloped Property, Property Owners' Association Property and Public Property,
27 to clarify certain provisions of the Backup Special Tax and to make certain other technical clarifications;

28 **WHEREAS**, at the hearing, the Board of Supervisors adopted a resolution entitled "Resolution of
the Board of Supervisors of the County of Riverside Modifying the Resolution of Intention and

1 Approving an Amended and Restated Rate and Method of Apportionment for Community Facilities
2 District No. 07-2 (Clinton Keith) of the County of Riverside” modifying the Resolution of Intention so as
3 to amend and restate the Original Rate and Method in its entirety;

4 **WHEREAS**, at said public hearings, all persons desiring to be heard on all matters pertaining to
5 the proposed establishment of the Community Facilities District, the furnishing of specified types of
6 public facilities and the proposed debt issuance were heard, written protests, if any, were received and a
7 full and fair hearing was held;

8 **WHEREAS**, at said public hearings, evidence was presented to the Board of Supervisors on the
9 matters before it, and the Board of Supervisors at the conclusion of the hearings was fully advised as to all
10 matters relating to the proposed establishment of the Community Facilities District, the furnishing of
11 specified types of public facilities and the proposed debt issuance;

12 **WHEREAS**, on this date, the Board of Supervisors adopted Resolution No. 2007-286 (the
13 “Resolution of Formation”), establishing the Community Facilities District, authorizing the levy of a
14 special tax within the Community Facilities District to finance the Facilities and establishing an
15 appropriations limit for the Community Facilities District;

16 **WHEREAS**, pursuant to the Act, the Board of Supervisors is the *ex officio* legislative body (the
17 “Legislative Body”) of the Community Facilities District;

18 **WHEREAS**, on this date, the Legislative Body adopted Resolution No. CFD 2007-04, deeming it
19 necessary to incur bonded indebtedness in the maximum amount of \$60,000,000;

20 **WHEREAS**, pursuant to the provisions of said resolutions, the propositions to incur bonded
21 indebtedness, to levy a special tax within the Community Facilities District and to establish an
22 appropriations limit for the Community Facilities District are to be submitted to the qualified electors of
23 the Community Facilities District, as required by the Act;

24 **WHEREAS**, the Legislative Body desires to designate the Clerk to the Board of Supervisors,
25 acting *ex officio* as the Clerk to the Legislative Body, as the election official for the special election
26 provided for herein;

27 **WHEREAS**, there has been filed with the Clerk to the Board of Supervisors, acting *ex officio* as
28 the Clerk to the Legislative Body, a certification of the Registrar of Voters of the County that, on May 24,

1 2007, which date is within the ninety-day period preceding the close of said public hearing, less than 12
2 persons were registered to vote within the territory proposed to be included in the Community Facilities
3 District;

4 **WHEREAS**, there has been filed with the Clerk to the Board of Supervisors, acting *ex officio* as
5 the Clerk to the Legislative Body, consents and waivers of all of the landowners of record in the
6 Community Facilities District waiving any time limit specified by Section 53326 of the Government Code
7 and any requirement pertaining to the conduct of said special election, including any time limit or
8 requirement applicable to an election pursuant to Article 5, Chapter 2.5, Division 3, Title 5 of the
9 Government Code (commencing with Section 53345 of the Government Code), consenting to the holding
10 of said special election on June 18, 2007 and waiving any impartial analysis, arguments or rebuttals, as set
11 forth in Sections 53326 and 53327 of the Government Code; and

12 **WHEREAS**, the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the
13 Legislative Body, has concurred in the holding of said special election on June 18, 2007;

14 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**
15 **RIVERSIDE, ACTING EX OFFICIO AS THE LEGISLATIVE BODY OF COMMUNITY**
16 **FACILITIES DISTRICT NO. 07-2 (CLINTON KEITH) OF THE COUNTY OF RIVERSIDE**, in
17 regular session assembled on June 12, 2007, docs hereby resolve, find, determine and order as follows:

18 **Section 1.** The foregoing recitals are true and correct.

19 **Section 2.** Pursuant to Sections 53351, 53326 and 53325.7 of the Government Code, the
20 propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District
21 and to establish an appropriations limit for the Community Facilities District shall be submitted to the
22 qualified electors of the Community Facilities District at an election called therefor as provided below.

23 **Section 3.** The Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative
24 Body, is hereby designated as the official to conduct said election.

25 **Section 4.** As authorized by Section 53353.5 of the Government Code, the propositions to incur
26 bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an
27 appropriations limit for the Community Facilities District shall be combined into one ballot proposition.

28 **Section 5.** The Legislative Body hereby finds that, on May 24, 2007, which date is within the

1 ninety-day period preceding the close of the public hearings heretofore held, less than 12 persons were
2 registered to vote within the territory included in the Community Facilities District. Accordingly,
3 pursuant to Section 53326 of the Government Code, the vote shall be by the landowners of the
4 Community Facilities District and each landowner who is the owner of record as of the close of said
5 public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an
6 acre that he or she owns within the Community Facilities District.

7 **Section 6.** The Legislative Body hereby finds and determines that the qualified electors of the
8 Community Facilities District have unanimously consented (a) to the waiver of any time limit specified
9 by Section 53326 of the Government Code and any requirement pertaining to the conduct of said election,
10 including any time limit or requirement applicable to an election pursuant to Article 5, Chapter 2.5,
11 Division 3, Title 5 of the Government Code (commencing with Section 53345 of the Government Code),
12 and (b) to the holding of said election on June 18, 2007.

13 **Section 7.** The Legislative Body hereby calls a special election to submit to the qualified electors
14 of the Community Facilities District the combined proposition to incur bonded indebtedness, to levy a
15 special tax within the Community Facilities District and to establish an appropriations limit for the
16 Community Facilities District, which election shall be held at the Office of the Clerk to the Board of
17 Supervisors, acting *ex officio* as the Clerk to the Legislative Body, at 4080 Lemon Street, 1st Floor,
18 Riverside, California 92501, on June 18, 2007. The Legislative Body hereby finds and determines that the
19 Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative Body, has concurred in
20 holding said election on June 18, 2007.

21 The voted ballots shall be returned to the Office of the Clerk to the Board of Supervisors, acting *ex*
22 *officio* as the Clerk to the Legislative Body, not later than 5:00 p.m., June 18, 2007; provided, however,
23 that if all of the qualified electors have voted prior to such time, the election may be closed with the
24 concurrence of the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative
25 Body,.

26 **Section 8.** Pursuant to Section 53327 of the Government Code, the election shall be conducted by
27 mail ballot pursuant to Section 4000 of the California Elections Code. The Legislative Body hereby finds
28 that paragraphs (a), (b), (c)(1) and (c)(3) of said Section 4000 are applicable to this special election.

1 Except as otherwise provided in the Act, the provisions of law regulating elections of the County, insofar
2 as they may be applicable, will govern the election. The Community Facilities District shall constitute a
3 single election precinct for the purpose of holding the election.

4 The Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative Body, as
5 the official designated to conduct said election, shall provide such services as may be necessary to
6 properly and lawfully hold and conduct the special election provided for herein, including but not
7 restricted to the providing for and printing of sample ballots, official mail ballots, other election materials
8 and registration lists, the appointment of election officers, the publication of required election notices, the
9 mailing and counting of ballots, the canvassing of returns, the declaration of results, the issuance of
10 certificates of election, and the preparation and providing of other materials and services required to
11 conduct the election in the manner provided by law for conducting the election, including Sections 53326
12 and 53327 of the Government Code.

13 **Section 9.** The form of the ballot for said election is attached hereto as Exhibit A and by this
14 reference incorporated herein, and such form of ballot is hereby approved. The Clerk to the Board of
15 Supervisors, acting *ex officio* as the Clerk to the Legislative Body, shall cause to be delivered to each of
16 the qualified electors of the Community Facilities District a ballot in said form. Each ballot shall indicate
17 the number of votes to be voted by the respective landowner to which it pertains.

18 Each ballot shall be accompanied by all supplies and written instructions necessary for the use and
19 return of the ballot. The identification envelope for return of the ballot shall be enclosed with the ballot,
20 shall have the return postage prepaid, and shall contain: (a) the name and address of the landowner, (b) a
21 declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized
22 representative of the landowner entitled to vote and is the person whose name appears on the
23 identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing
24 and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope
25 contains an official ballot and is to be opened only by the canvassing board.

26 **Section 10.** The voted ballots shall be returned to the Clerk to the Board of Supervisors, acting *ex*
27 *officio* as the Clerk to the Legislative Body, at 4080 Lemon Street, 1st Floor, Riverside, California 92501,
28 not later than 5:00 p.m., June 18, 2007; provided, however, that if all of the qualified electors have voted

1 prior to such time, the election may be closed with the concurrence of the Clerk to the Board of
2 Supervisors, acting *ex officio* as the Clerk to the Legislative Body. The Clerk to the Board of Supervisors,
3 acting *ex officio* as the Clerk to the Legislative Body, shall accept the ballots of the qualified electors at
4 such location to and including 5:00 p.m. on June 18, 2007, whether said ballots be personally delivered or
5 received by mail. The Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative
6 Body shall have available ballots which may be marked at said location on the election day by said
7 qualified electors.

8 **Section 11.** The Community Facilities District Administrator of the County is hereby directed to
9 deliver to the Clerk to the Board of Supervisors, acting *ex officio* as the Clerk to the Legislative Body, no
10 later than June 15, 2007 (which date is not more than three business days after the adoption of this
11 Resolution), a certified copy of this Resolution, a certified copy of the Resolution of Formation, a
12 certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District,
13 and a sufficient description of the Community Facilities District to allow the Clerk to the Board of
14 Supervisors, acting *ex officio* as the Clerk to the Legislative Body, to determine the boundaries of the
15 Community Facilities District.

16 **Section 12.** The Legislative Body hereby determines that the Facilities are necessary to meet
17 increased demands placed upon local agencies as a result of development or rehabilitation occurring in the
18 Community Facilities District.

19 **Section 13.** The specific single purpose of the bonded indebtedness proposed to be incurred is the
20 financing of the Facilities, including all costs and estimated costs incidental to, or connected with, the
21 accomplishment of such purpose, and the proceeds of such bonded indebtedness shall be applied only to
22 such specific purpose.

23 Upon approval of the proposition to incur bonded indebtedness, and the sale of any bonds
24 evidencing such indebtedness, the Legislative Body shall take such action as may be necessary to cause to
25 be established an account for deposit of the proceeds of sale of the bonds. For so long as any proceeds of
26 the bonds remain unexpended, the County Executive Officer of the County, acting *ex officio* on behalf of
27 the Community Facilities District, shall cause to be filed with the Legislative Body, no later than January
28 1 of each year, a report stating (a) the amount of bond proceeds received and expended during the

1 preceding year, and (b) the status of any project funded or to be funded from bond proceeds. Said report
2 may relate to the calendar year, fiscal year, or other appropriate annual period, as the County Executive
3 Officer, acting *ex officio* on behalf of the Community Facilities District, shall determine, and may be
4 incorporated into the annual budget, audit, or other appropriate routine report to the Legislative Body.

5 **Section 14.** The officers of the County, acting *ex officio* on behalf of the Community Facilities
6 District, are, and each of them is, hereby authorized and directed to do any and all things, and to execute
7 and deliver any and all documents which said officers may deem necessary or advisable in order to
8 accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

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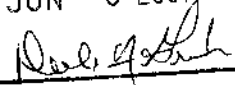
11 **ADOPTED, SIGNED AND APPROVED** this 12th day of June, 2007, by the Board of Supervisors of the
12 County of Riverside, acting *ex officio* as the Legislative Body of Community Facilities District No. 07-2
13 (Clinton Keith) of the County of Riverside.

14
15
16 By: _____
17 John Tavaglione, Chairman of the Legislative Body of
18 Community Facilities District No. 07-2 of the County
of Riverside

19 **ATTEST:**
20 Nancy Romero, Clerk of the Legislative
21 Body of Community Facilities District
22 No. 07-2 of the County of Riverside

FORM APPROVED
COUNTY COUNSEL

JUN 6 2007

BY 

Dale A. Gardner

23 By: _____
24 Deputy Clerk

CLERK'S CERTIFICATE

I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California, acting *ex officio* as the Clerk to the Legislative Body for Community Facilities Districts for the County of Riverside, do hereby certify that the foregoing Resolution No. CFD 2007-05 was duly adopted by the Board of Supervisors of said County, acting *ex officio* as the Legislative Body of Community Facilities Districts for the County of Riverside, at a meeting of said Board held on the 12th day of June, 2007, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County of Riverside this ____ day of _____, 2007.

By: _____
Deputy Clerk

CLERK'S CERTIFICATE

I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California, acting *ex officio* as the Clerk to the Legislative Body for Community Facilities Districts for the County of Riverside, do hereby certify that the above and foregoing is a full, true and correct copy of Resolution No. CFD 2007-05 of the Board of Supervisors of said County, acting *ex officio* as the legislative body of Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside, and that the same has not been amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County of Riverside this ____ day of _____, 2007.

By: _____
Deputy Clerk

EXHIBIT A

FORM OF OFFICIAL BALLOT

**COMMUNITY FACILITIES DISTRICT NO. 07-2 (CLINTON KEITH)
OF
THE COUNTY OF RIVERSIDE
SPECIAL ELECTION**

June 18, 2007

This ballot is for a special, landowner election. The number of votes to be voted pursuant to this ballot is _____.

INSTRUCTIONS TO VOTERS:

To vote on the proposition, mark a cross (+) or (X) in the voting square after the word "YES" or after the word "NO". All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the Clerk of the Board of Supervisors of the County of Riverside and obtain another.

PROPOSITION NO. A: Shall Community Facilities District No. 07-2 (Clinton Keith) of the County of Riverside be authorized to incur bonded indebtedness in a maximum amount of \$60,000,000 and levy a special tax in accordance with the Amended and Restated Rate and Method of Apportionment attached as an exhibit to Resolution No. 2007-286 in order to finance a portion of certain public facilities and shall an annual appropriations limit of \$60,000,000 be established, as specified in Resolution No's. 2007-286 and CFD 2007-04 adopted by the Board of Supervisors of Riverside County on June 12, 2007?

Yes:

No: