

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



FROM: COUNTY EXECUTIVE OFFICE

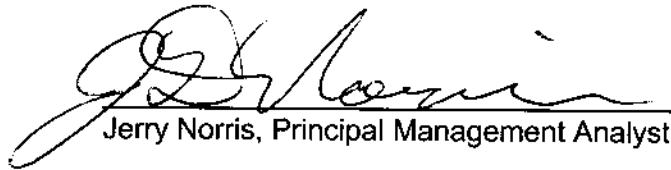
SUBMITTAL DATE:
July 17, 2007

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:

- | | |
|---|--------------------------|
| Reso. No. CFD 2007-07 for CFD 87-1 (South "A" Street) | 1 st District |
| Reso. No. CFD 2007-08 for CFD 87-5 (Wild Rose) | 1 st District |
| Reso. No. CFD 2007-09 for CFD 88-4 (Winchester Ranch) | 3 rd District |
| Reso. No. CFD 2007-10 for CFD 88-8 ("A" Street North) | 1 st District |
| Reso. No. CFD 2007-11 for CFD 03-1 (Newport Road) | 3 rd District |
| Reso. No. CFD 2007-12 for CFD 04-2 (Lakehills Crest) | 1 st 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


COUNTY COUNSEL
JUL 23 2007
Dele A. Gardner

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:	06/07

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30
Requires 4/5 Vote

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature BY: 
Dean Deines

- Policy
- Policy
- Consent
- Consent
- Dep't Recomm.:
- Per Exec. Ofc.:

3 **RESOLUTION NO. CFD 2007-07**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 87-1 (SOUTH "A" STREET) 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. 87-1 (South "A" Street) of the County (the
10 "District"), by Resolution No. 2006-04 that was adopted on June 20, 2006, authorized the issuance and
11 sale of Special Tax Refunding Bonds (the "Bonds") pursuant to the terms of the Indenture dated as of July
12 1, 2006, by and between the District and U.S. Bank National Association, as Trustee, (the "Indenture") to
13 refund Special Tax improvement bonds that had previously been issued and sold to finance the
14 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. 87-1 (South "A" Street) of the County of Riverside, in regular
21 session assembled on July 31, 2007, 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

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

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

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8 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the
9 District on July 31, 2007.

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By: _____
John Tavaglione, Chairman of the Board of
Supervisors, acting *ex officio* as the Legislative Body
of the District.

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ATTEST:
Nancy Romero, Clerk to the Legislative
Body of the District.

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By: _____
Deputy Clerk

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FORM APPROVED
COUNTY COUNSEL

JUL 23 2007

BY *Dale A. Gardner*
Dale A. Gardner

EXHIBIT "A"

CFD 87-1

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
DAN SAMARIN	317-240-028-3	N/A	December 10, 2006 April 10, 2007	\$1,391.94 \$1,391.94
DAN SAMARIN	317-240-029-4	N/A	December 10, 2006 April 10, 2007	\$1,391.94 \$1,391.94
DAN SAMARIN	317-240-039-3	N/A	December 10, 2006 April 10, 2007	\$1,073.38 \$1,073.38
DAN SAMARIN	317-240-041-4	N/A	December 10, 2006 April 10, 2007	\$1,405.79 \$1,405.79

3 **RESOLUTION NO. CFD 2007-08**

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 July 31, 2007, 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.

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9 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the
10 District on July 31, 2007.

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By: _____
John Tavaglione, Chairman of the Board of
Supervisors, acting *ex officio* as the Legislative Body
of the District.

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

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By: _____
Deputy Clerk

FORM APPROVED
COUNTY COUNSEL

JUL 23 2007

BY *Dale A. Gardner*
Dale A. Gardner

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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>
JACK DEMIRJIAN	282-350-010-1	N/A	December 10, 2006	\$708.57
		N/A	April 10, 2007	\$708.57
JACK DEMIRJIAN		N/A	December 10, 2005	\$706.88
		N/A	April 10, 2006	\$706.88
JACK DEMIRJIAN		N/A	December 10, 2004	\$731.59
		N/A	April 10, 2005	\$731.59
JACK DEMIRJIAN		N/A	April 10, 2004	\$763.10

3 **RESOLUTION NO. CFD 2007-09**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 88-4 (WINCHESTER RANCH)**
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. 88-4 (Winchester Ranch) of the County (the
10 "District"), by Resolution No. 97-197 that was adopted on July 15, 1997, authorized the issuance and sale
11 of Special Tax Refunding Bonds (the "Bonds") pursuant to the terms of the Fiscal Agent Agreement
12 dated as of July 1, 1997, by and between the County and First Trust of California, National Association,
13 as Fiscal Agent, (the "Fiscal Agent Agreement") to refund Special Tax improvement bonds that had
14 previously been issued and sold to finance the construction of certain improvements within the District;
15 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. 88-4 (Winchester Ranch) of the County of Riverside, in regular
22 session assembled on July 31, 2007, 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.

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9 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the
10 District on July 31, 2007.

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By: _____
John Tavaglione, Chairman of the Board of
Supervisors, acting *ex officio* as the Legislative Body
of the District.

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

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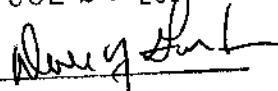
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By: _____
Deputy Clerk

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FORM APPROVED
COUNTY COUNSEL

JUL 23 2007

BY 

Dale A. Gardner

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EXHIBIT "A"

CFD 88-4 (WINCHESTER RANCH)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
SILVERHAWK INV	957-330-004-7	N/A	April 10, 2007	\$61,856.88

3 **RESOLUTION NO. CFD 2007-10**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 88-8 ("A" STREET NORTH)**
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. 88-8 ("A" Street North) of the County (the
10 "District"), by Resolution No. 2006-07 that was adopted on June 20, 2006, authorized the issuance and
11 sale of Special Tax Refunding Bonds (the "Bonds") pursuant to the terms of the Indenture dated as of July
12 1, 2006, by and between the District and U.S. Bank National Association, as Trustee, (the "Indenture") to
13 refund Special Tax improvement bonds that had previously been issued and sold to finance the
14 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. 88-8 ("A" Street North) of the County of Riverside, in regular
21 session assembled on July 31, 2007, 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

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EXHIBIT "A"

CFD 88-8 (NORTH 'A' STREET)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
GRETZEL HUNT	317-130-034-8	N/A	December 10, 2006 April 10, 2007	\$10,860.66 \$10,860.66
GRETZEL HUNT	317-130-035-9	N/A	December 10, 2006 April 10, 2007	\$11,972.47 \$11,972.47

3 **RESOLUTION NO. CFD 2007-11**

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 District 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 July 31, 2007, 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.

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7 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the
8 District on July 31, 2007.

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By: _____
John Tavaglione, Chairman of the Board of
Supervisors, acting *ex officio* as the Legislative Body
of the District.

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ATTEST:
Nancy Romero, Clerk to the Legislative
Body of the District.

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FORM APPROVED
COUNTY COUNSEL

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By: _____
Deputy Clerk

JUL 23 2007

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BY Dale A. Gardner
Dale A. Gardner

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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>
ASHBROOK WEST PRAIRIE CROSSING	461-210-011-8	N/A	December 10, 2006 April 10, 2007	\$16,316.06 \$16,316.06

3 **RESOLUTION NO. CFD 2007-12**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 04-2 (LAKEHILLS CREST) 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. 04-2 (Lakehills Crest) of the County (the
10 "District"), by Resolution No. CFD 2005-06 that was adopted on June 28, 2005, authorized the issuance
11 and sale of Special Tax Improvement Bonds (the "Bonds") pursuant to the terms of the Bond Indenture
12 dated as of August 1, 2005, by and between the District and The Bank of New York Trust Company,
13 N.A., as Trustee, (the "Indenture") to finance the construction of certain improvements within the District;
14 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. 04-2 (Lakehills Crest) of the County of Riverside, in regular session
21 assembled on July 31, 2007, 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 04-2 (LAKEHILLS CREST)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
LAKEHILLS RIVERSIDE	135-491-031-1	N/A	April 10, 2007	\$953.22
LAKEHILLS RIVERSIDE	135-531-002-8	N/A	April 10, 2007	\$1,535.74
LAKEHILLS RIVERSIDE	140-391-006-8	N/A	April 10, 2007	\$1,906.43
LAKEHILLS RIVERSIDE	140-391-007-9	N/A	April 10, 2007	\$1,853.48
LAKEHILLS RIVERSIDE	140-391-008-0	N/A	April 10, 2007	\$1,906.43
LAKEHILLS RIVERSIDE	140-391-009-1	N/A	April 10, 2007	\$1,853.48