

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

615
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FROM: COUNTY EXECUTIVE OFFICE

SUBMITTAL DATE:
October 6, 2009

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 2009-13 for CFD 87-1 (South "A" Street) | 1 st District |
| Reso. No. CFD 2009-14 for CFD 87-5 (Wild Rose) | 1 st District |
| Reso. No. CFD 2009-15 for CFD 88-4 (Winchester Ranch) | 3 rd District |
| Reso. No. CFD 2009-16 for CFD 88-8 ("A" Street North) | 1 st District |
| Reso. No. CFD 2009-17 for CFD 89-4 | 3 rd District |
| Reso. No. CFD 2009-18 for CFD 03-1 (Newport Road) | 3 rd District |
| Reso. No. CFD 2009-19 for CFD 04-2 (Lakehills Crest) | 1 st District |
| Reso. No. CFD 2009-20 for CFD 05-8 (Scott Road) | 3 rd 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

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER DATE: 10/12/09

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:	09/10

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

BY:
Dean Deines

County Executive Office Signature

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

Prev. Agn. Ref.:

District: 1st & 3rd

Agenda Number:

8.1 a-h

3 **RESOLUTION NO. CFD 2009-13**

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
session assembled on October 27, 2009, that:

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

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

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

FORM APPROVED, COUNTY COUNSEL

BY: DAVE A. GARDNER DATE: 10/27/09

EXHIBIT "A"

CFD 87-1

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
CLASSIC PACIFIC LAND DEV	317-260-007-6	N/A	December 10, 2008 April 10, 2009	\$3,484.32 \$3,484.32
LAND DEV	317-260-033-9	N/A	December 10, 2008 April 10, 2009	\$3,262.55 \$3,262.55

3 **RESOLUTION NO. CFD 2009-14**

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 October 27, 2009, 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
29 roll with the amounts of the delinquent special taxes to be sued upon, including applicable penalties,

FORM APPROVED COUNTY COUNSEL
BY Wendy J. Gardner 10/12/09
DATE WJG

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 October 27, 2009.

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

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ATTEST:
Kecia Harper-Ihem, Clerk to the
Legislative Body of the District.

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19 By: _____
Deputy Clerk

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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>
MONICA MITCHELL	283-430-001-7	N/A	December 10, 2008	\$731.14
		N/A	April 10, 2009	\$731.14

3 **RESOLUTION NO. CFD 2009-15**

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
session assembled on October 27, 2009, that:

1. The parcels within the District, listed on the attached Exhibit "A" are delinquent for the amounts shown as of the date shown.
2. Pursuant to Government code Section 53356.2 of the California Government Code, the Auditor-Controller of the County, in cooperation with the County Executive Office and the Special Counsel, as designated below, is to:
 - 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,

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]*
DALE A. GARDNER
DATE: 10/12/09



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 October 27, 2009.

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

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ATTEST:
Kecia Harper-Ihem, Clerk to the
Legislative Body of the District.

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By: _____
Deputy Clerk

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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>
DIAMOND HAWK	957-330-054-2	N/A	December 10, 2008 April 10, 2009	\$60,200.47 \$60,200.47

3 **RESOLUTION NO. CFD 2009-16**

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. CFD 2006-07 that was adopted on June 20, 2006, authorized the issuance
11 and sale of Special Tax Refunding Bonds (the "Bonds") pursuant to the terms of the Indenture dated as of
12 July 1, 2006, by and between the District and U.S. Bank National Association, as Trustee, (the
13 "Indenture") to refund Special Tax improvement bonds that had previously been issued and sold to
14 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. 88-8 ("A" Street North) of the County of Riverside, in regular
21 session assembled on October 27, 2009, 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:

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

FORM APPROVED COUNTY COUNSEL
BY: *Dale A. Gardner* 10/13/09
DALE A. GARDNER

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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 October 27, 2009.

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

ATTEST:
Kecia Harper-Ihem, Clerk to the
Legislative Body of the District.

By: _____
Deputy Clerk

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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, 2008 April 10, 2009	\$11,005.35 \$11,005.35
GRETZEL HUNT	317-130-035-9	N/A	December 10, 2008 April 10, 2009	\$12,131.69 \$12,131.69

3 **RESOLUTION NO. CFD 2009-17**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 89-4 OF THE COUNTY OF**
5 **RIVERSIDE ORDERING THAT ACTION BE BROUGHT IN SUPERIOR COURT**
6 **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. 89-4 of the County (the "District"), by
10 Resolution No. CFD 2005-05 that was adopted on May 17, 2005, authorized the issuance and sale of
11 Special Tax Bonds (the "Bonds") pursuant to the terms of the Fiscal Agent Agreement dated as of June 1,
12 2005, by and between the County and U.S. Bank National Association, as Fiscal Agent, (the "Fiscal
13 Agent Agreement") to defease Special Tax improvement bonds that had previously been issued and sold
14 to finance the construction of certain improvements within the District; and

15 **WHEREAS**, the County of Riverside, by the terms of the Fiscal Agent Agreement, covenants to
16 timely initiate foreclosure proceedings against any parcel in the District for default of payment of the
17 special tax levied 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. 89-4 of the County of Riverside, in regular session assembled on
21 October 27, 2009, 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,
29 interest, and cost, and is to be relieved of further duty in regard thereto; and

FORM APPROVED COUNTY COUNSEL
BY: Alex J. Gardner 10/22/09
DALE A. GARDNER DATE



EXHIBIT "A"

CFD 89-4

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
PONY EXPRESS LAND PROP & INV	910-250-029-2	N/A	December 10, 2007	\$14,673.09
			April 10, 2008	\$14,673.09
			December 10, 2008	\$16,949.45
			April 10, 2009	\$16,949.45
PONY EXPRESS LAND PROP & INV	910-250-032-4	N/A	December 10, 2008	\$14,675.74
			April 10, 2009	\$14,675.74

3 **RESOLUTION NO. CFD 2009-18**

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 October 27, 2009, that:

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

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

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,
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

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER DATE: 10/27/09

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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 October 27, 2009.

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

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ATTEST:
Kecia Harper-Ihem, Clerk to the
Legislative Body of the District.

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17 By: _____
Deputy Clerk

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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>
SIMPSON 49	462-050-001-2	N/A	December 10, 2008 April 10, 2009	\$3,359.32 \$3,359.32
SIMPSON 49	462-050-002-3	N/A	December 10, 2008 April 10, 2009	\$14,004.82 \$14,004.82
WINCHESTER 320	466-340-016-0	N/A	December 10, 2008 April 10, 2009	\$6,602.32 \$6,602.32
WINCHESTER 320	466-340-017-1	N/A	December 10, 2008 April 10, 2009	\$11,128.42 \$11,128.42
BEELER 64	462-060-006-8	N/A	December 10, 2008 April 10, 2009	\$3,475.65 \$3,475.65
BEELER 64	462-060-012-3	N/A	December 10, 2008 April 10, 2009	\$3,080.85 \$3,080.85
BEELER 64	462-060-013-4	N/A	December 10, 2008 April 10, 2009	\$3,080.85 \$3,080.85
BEELER 64	462-060-015-6	N/A	December 10, 2008 April 10, 2009	\$3,338.17 \$3,338.17
BEELER 64	462-060-016-7	N/A	December 10, 2008 April 10, 2009	\$3,341.70 \$3,341.70
BEELER 64	462-060-017-8	N/A	December 10, 2008 April 10, 2009	\$5,929.05 \$5,929.05
PAUL GARRETT	461-220-003-2	N/A	December 10, 2008 April 10, 2009	\$10,627.87 \$10,627.87
PAUL GARRETT	461-220-004-3	N/A	December 10, 2008 April 10, 2009	\$10,962.75 \$10,962.75
PAUL GARRETT	461-220-005-4	N/A	December 10, 2008 April 10, 2009	\$6,376.72 \$6,376.72
PAUL GARRETT	461-220-007-6	N/A	December 10, 2008 April 10, 2009	\$11,586.67 \$11,586.67

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>
PAUL GARRETT	461-220-010-8	N/A	December 10, 2008 April 10, 2009	\$7,723.27 \$7,723.27
PAUL GARRETT	461-220-011-9	N/A	December 10, 2008 April 10, 2009	\$10,532.70 \$10,532.70
WINCHESTER CROSSROADS 15	461-210-019-6	N/A	December 10, 2008 April 10, 2009	\$5,315.70 \$5,315.70
COMMUNITY PARK 124	461-280-026-9	N/A	December 10, 2008 April 10, 2009	\$9,358.87 \$9,358.87

3 **RESOLUTION NO. CFD 2009-19**

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 October 27, 2009, 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
Auditor-Controller of the County, in cooperation with the County Executive Office and the Special
Counsel, as designated below, is to:

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

FORM APPROVED COUNTY COUNSEL
BY: Alfred R. Gardner
DATE: 10/27/09

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>
ANDRES RIOS	140-390-005-4	N/A	April 10, 2008	\$2,585.00
			December 10, 2008	\$2,585.00
			April 10, 2009	\$2,585.00
EVA PITRE	140-391-003-5	N/A	April 10, 2008	\$2,585.00
			December 10, 2008	\$2,585.00
			April 10, 2009	\$2,585.00

EXHIBIT "A"

CFD 04-2 (LAKEHILLS CREST)

Owner Name	APN	Series	Delinquent Date	Installment Amount
MONA GAQUETTE	135-490-019-8	N/A	April 10, 2008	\$2,307.50
			December 10, 2008	\$2,307.50
			April 10, 2009	\$2,307.50
RAYMOND HAINES	135-491-013-5	N/A	April 10, 2007	\$1,757.50
			December 10, 2007	\$1,757.50
			April 10, 2008	\$1,757.50
			December 10, 2008	\$1,757.50
			April 10, 2009	\$1,757.50
TANYA POLAR TAYLOR	135-571-008-8	N/A	April 10, 2008	\$2,032.50
			December 10, 2008	\$2,032.50
			April 10, 2009	\$2,032.50
JEREMY BURRELL	140-310-007-8	N/A	December 10, 2007	\$2,585.00
			April 10, 2008	\$2,585.00
			December 10, 2008	\$2,585.00
			April 10, 2009	\$2,585.00
THOMAS FORBES	140-311-007-1	N/A	December 10, 2007	\$2,307.50
			April 10, 2008	\$2,307.50
			December 10, 2008	\$2,307.50
			April 10, 2009	\$2,307.50
JOSE MEDINA	140-330-004-7	N/A	April 10, 2008	\$2,585.00
			December 10, 2008	\$2,585.00
			April 10, 2009	\$2,585.00
FIDEL A LUNA	140-371-003-3	N/A	December 10, 2007	\$2,585.00
			April 10, 2008	\$2,585.00
			December 10, 2008	\$2,585.00
			April 10, 2009	\$2,585.00
ROBERT PETERS	140-382-006-0	N/A	December 10, 2007	\$2,585.00
			April 10, 2008	\$2,585.00
			December 10, 2008	\$2,585.00
			April 10, 2009	\$2,585.00

3 **RESOLUTION NO. CFD 2009-20**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 05-8 (SCOTT ROAD) OF THE**
5 **COUNTY OF RIVERSIDE ORDERING THAT ACTION BE BROUGHT IN SUPERIOR COURT**
6 **TO FORECLOSE ON CERTAIN REAL PROPERTY FOR DEFAULT OF PAYMENT OF**
7 **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. 05-8 (Scott Road) of the County (the
10 "District"), by Resolution No. 2006-092 that was adopted on April 4, 2006, authorized the issuance and
11 sale of Special Tax Improvement Bonds (the "Bonds") pursuant to the terms of the Bond Indenture dated
12 as of January 1, 2008, by and between the District and U.S. Bank National Association, as Trustee, (the
13 "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. 05-8 (Scott Road) of the County of Riverside, in regular session
20 assembled on October 27, 2009, that:

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

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

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,
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

FORM APPROVED COUNTY COUNSEL
BY DALE A. GARDNER 10/27/09
DATE

h

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 October 27, 2009.

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

ATTEST:
Kecia Harper-Ihem, Clerk to the
Legislative Body of the District.

By: _____
Deputy Clerk

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EXHIBIT "A"

CFD 05-8 (SCOTT ROAD)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
GALLERY ESTATES PARTNERS	360-311-004-6	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
GALLERY ESTATES PARTNERS	360-311-005-7	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
GALLERY ESTATES PARTNERS	360-311-007-9	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
GALLERY ESTATES PARTNERS	360-311-008-0	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
GALLERY ESTATES PARTNERS	360-311-009-1	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
GALLERY ESTATES PARTNERS	360-312-005-0	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
GALLERY ESTATES PARTNERS	360-312-007-2	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
GALLERY ESTATES PARTNERS	360-312-008-3	N/A	December 10, 2008 April 10, 2009	\$578.95 \$578.95
EMARD DEV CORP	372-470-011-1	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-470-015-5	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-470-021-0	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78

EXHIBIT " A "

CFD 05-8 (SCOTT ROAD)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
EMARD DEV CORP	372-471-002-6	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-471-003-7	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-472-010-6	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-472-011-7	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-472-014-0	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-472-015-1	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-472-016-2	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-480-018-9	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78
EMARD DEV CORP	372-480-022-2	N/A	December 10, 2008 April 10, 2009	\$569.78 \$569.78