

3 **RESOLUTION NO. CFD 2013-08**

4 **RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 04-2 (LAKE HILLS CREST)**
5 **OF THE COUNTY OF RIVERSIDE AUTHORIZING THE LEVY**
6 **AND ENROLLMENT OF A SPECIAL TAX**
7 **FOR FISCAL YEAR 2013-2014**

8 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and
9 the "County") by the adoption of Resolution No. 2005-03 on January 11, 2005 established Community
10 Facilities District No. 04-2 (Lake Hills Crest) of the County of Riverside, California (the "CFD"),
11 pursuant to the Mello-Roos Community Facilities District Act of 1982, as amended, Chapter 2.5
12 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the California Government Code
13 (the "Act"); and

14 **WHEREAS**, pursuant to the provisions of the Act, proceedings to establish the Rate and Method
15 of Apportionment of Special Tax (respectively, the "Rate and Method" and the "Special Tax") for the
16 CFD were concluded by the Board's adoption of Ordinance No. 834 on January 25, 2005 (the
17 "Ordinance"); and

18 **WHEREAS**, the Board, acting *ex-officio* as the Legislative Body of the CFD (the "Legislative
19 Body"), adopted Resolution No. CFD 2005-06 on June 28, 2005 to provide for the sale and issuance of
20 \$25,820,000 in Special Tax Bonds (the "Series A 2005 Bonds"); and

21 **WHEREAS**, the Legislative Body by the adoption of Resolution No. CFD 2012-12 on July 31,
22 2012 authorized the sale and issuance of \$19,665,000 of Special Tax Refunding Bonds (the "Series 2012
23 Refunding Bonds") to refund the Series A 2005 Bonds; and

24 **WHEREAS**, all conditions precedent to the levy of the Special Tax in accordance with the
25 Ordinance have been satisfied;

26 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
27 the Board of Supervisors of the County of Riverside, California, acting *ex-officio* as the Legislative Body
28 for Community Facilities District No. 04-2 (Lake Hills Crest) of the County of Riverside, in regular
session assembled on July 16, 2013, as follows:

FORM APPROVED COUNTY COUNSEL
BY: Dale A Gardner 7/19/13
DATE

1 **Section 1.** Each of the above recitals is true and correct.

2 **Section 2.** Pursuant to the provisions of Resolution No. CFD 2012-12 and the Ordinance, the
3 Special Tax is to be levied up to an aggregate amount of \$1,600,000 for Fiscal Year 2013-2014 that is to
4 be apportioned among the parcels which comprise the CFD consistent with the Rate and Method as set
5 forth on a magnetic tape to be provided by Albert A. Webb Associates to the Auditor-Controller of the
6 County of Riverside (the "Auditor-Controller").

7 **Section 3.** The amount of Special Tax to be levied for fiscal year 2013-2014 does not exceed
8 the amount authorized by the Ordinance and approved by the qualified electors of the CFD.

9 **Section 4.** The proceeds of the Special Tax levy shall be used to pay, in whole or in part, the
10 costs of the following:

- 11 A. Payment of principal and interest on the outstanding Series 2012 Bonds;
- 12 B. Replenishment of the required bond reserve fund, or other reserve funds, if necessary.
- 13 C. Payment of the administrative expenses of the CFD, as provided in the Act, Resolution
14 Nos. 2005-03, and CFD 2012-12 and the Ordinance, and the Fiscal Agent Agreement
15 pursuant to which the Series 2012 Bonds were issued.

16 The proceeds of the Special Tax levy shall be used as set forth above, and shall not be used for any
17 other purpose.

18 **Section 5.** The Auditor-Controller is hereby directed to enter the levy of the Special Tax for
19 fiscal year 2013-2014 as apportioned pursuant to the Rate and Method on all taxable parcels within the
20 CFD in accordance with this Resolution in a space marked "CFD 04-2 (Lake Hills Crest)" on the
21 equalized secured tax roll for fiscal year 2013-2014.

22 **Section 6.** The Auditor-Controller shall, at the close of the tax collection period, promptly
23 render to the CFD a detailed report showing the amount of Special Tax, penalties, interest and fees
24 collected, and from which parcels each was collected. Any expenses to be paid to the Auditor-Controller
25 for carrying out the foregoing responsibilities shall be collected in accordance with a contract entered into
26 between the CFD and the Auditor-Controller, pursuant to Section 29304 of the California Government
27 Code.

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1 PASSED and ADOPTED by the Board of Supervisors, acting *ex-officio* as the Legislative Body of the
2 CFD on July 16, 2013.

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JOHN BENOIT, CHAIRMAN
Board of Supervisors, acting *ex officio* as the
Legislative Body of the CFD

ATTEST:
KECIA HARPER-IHEM, Clerk to the Legislative
Body of the CFD

Deputy

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