

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUL 28 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 29.
Last assessed to: Kenneth A. Steele and Ana Steele, Husband and Wife as Joint Tenants as to an Undivided 50% Interest and Michael B. Street, a Single Man as to an Undivided 50% Interest.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from the City of Perris for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 305080046-8;
- 2) Deny the claim from Kenneth A. Steele and Ana Steele, last assessee's;

BACKGROUND: (Continued on page two)


FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 7/28/10
DATE: 7/28/10
Department of Concurrence



Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$57,288.68	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010-11

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

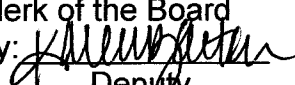
C.E.O. RECOMMENDATION: APPROVE
BY: 
Christopher M. Hans
County Executive Office Signature

Policy Policy
Consent Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: October 5, 2010
xc: Treasurer, Auditor, property owner

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

9.11

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to the City of Perris in the amount of \$57,288.68, no sooner than ninety days from the date of this order, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

BACKGROUND: (Continued)

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the March 17, 2008 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 12, 2008. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 9, 2008, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from the City of Perris based on a Resolution Number 1913 Establishing Community Facilities District No. 91-1 adopted by the City of Perris on January 28, 1991 and a Notice of Special Tax Lien recorded February 25, 1991 as Instrument No. 61694.
- 2) Claim from Kenneth A. Steele and Ana Steele based on a Grant Deed recorded November 13, 2002 as Instrument No. 2002-660675.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that the City of Perris be awarded excess proceeds in the amount of \$57,288.68. Since the claim from the City of Perris exceeds the amount of excess proceeds available there are no monies available for consideration for the claim from Kenneth A. Steele and Ana Steele. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 179 Item 29 Assessment No.: 305080046-8

Assessee: STEELE, KENNETH A & ANA & STREET, MICHAEL B

Situs: NONE

Date Sold: March 17, 2008

Date Deed to Purchaser Recorded: May 12, 2008

Final Date to Submit Claim: May 12, 2009

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 57,288.68 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 13249; recorded on Jan. 2, 1991. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

- A. Boundaries of Community Facilities District 91-1 (CFD 91-1)
- B. Penis Resolution No. 1913 - Establishing CFD No. 91-1
- C. Penis Resolution No. 1921 - Declared Results of special Election re CFD 91-1
- D. Penis Resolution No. 1932 - Authorizing the Issuance of 1991 Special Tax Bonds.

If the property is held in Joint Tenancy, the tax sale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 8 day of May, 2009 at Irvine, Orange County, CA
County, State

Lesley Cheung on behalf of City of Penis
Signature of Claimant

Lesley Cheung
Print Name

18881 Von Karman Ave., St. 400
Street Address

Irvine, CA 92612
City, State, Zip

(949) 223-1170
Phone Number

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

SCO 8-21 (1-99)

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 179 Item 29 Assessment No.: 305080046-8

Assessee: STEELE, KENNETH A & ANA & STREET, MICHAEL B

Situs: NONE

Date Sold: March 17, 2008

Date Deed to Purchaser Recorded: May 12, 2008

Final Date to Submit Claim: May 12, 2009

Supplemental ~~claim~~ documentation
to City of Peiris's claim for
excess proceeds dated & submitted
on May 8, 2009

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of
\$ 57,288.68 from the sale of the above mentioned real property. I/We were the lienholder(s),
 property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County
Recorder's Document No. 061694; recorded on Feb. 25, 1991. A copy of this document is attached hereto.
I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached
hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

1. Notice of Special Tax Lien

If the property is held in Joint Tenancy, the tax sale process has severed this Joint Tenancy, and all Joint Tentants will
have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the
claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of May, 2009 at Irvine, Orange County, CA
County, State

Lesley Chauq on behalf of
Signature of Claimant city of Peiris

Signature of Claimant

Lesley Chauq
Print Name

Print Name

18881 Van karmar Ave. #400
Street Address

Street Address

Irvine CA 92612
City, State, Zip

City, State, Zip

(949) 223-1170
Phone Number

Phone Number

SCO 8-21 (1-88)

DECLARATION OF LESLEY CHEUNG

I, Lesley Cheung, declare as follows:

1. I am an attorney at law duly licensed to practice before all of the courts in the State of California. I am a member of the law firm of ALESHIRE & WYNDER, LLP, counsel of record for City of Perris in this action. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. The City of Perris is lienholder of the property known as Assessor's Parcel No. ("APN") 305-080-046-8, currently owned by Kenneth A. and Ana Steele. The property owners of APN 305-080-046-8 have failed to pay special taxes related to Perris Community Facilities District 91-1 ("CFD 91-1").

3. As of December 23, 2008, the amount still due and payable is **\$157,540.19**, which includes a principal amount of \$52,376.50, \$99,926.04 in interest, and \$5,237.65 in penalties.

4. Attached hereto and incorporated by reference as Exhibit "A" is true and correct copy of a map titled and depicting the "Boundaries of Community Facilities District No. 91-1", which includes APN 305-080-046-8.

5. Attached hereto and incorporated by reference as Exhibit "B" is true and correct copy of Perris Resolution No. 1913, which established Perris Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, and Establishing the Boundaries Thereof.

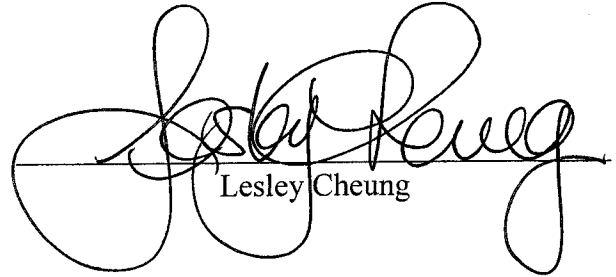
6. Attached hereto and incorporated by reference as Exhibit "C" is true and correct copy of Perris Resolution No. 1921, which declared the results of the consolidated special elections for CFD 91-1 with respect to incurring bonded indebtedness in an amount not to exceed \$9,000,000, the annual levy of special taxes to finance public facilities and pay principal and interest on bonds, and the establishment of an appropriations limit.

7. Attached hereto and incorporated by reference as Exhibit "D" is a true and correct copy of Perris Resolution No. 1932 authorizing the issuance of 1991 Special Tax Bonds of CFD 91-1.

1 Executed on this 8 day of May, 2009, at Irvine, California.

2 I declare under penalty of perjury under the laws of the State of California that the
3 foregoing is true and correct.

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Lesley Cheung

CALIFORNIA

**BOUNDARIES OF
COMMUNITY FACILITIES
DISTRICT NO. 91-1
(PERRIS VALLEY SPECTRUM)
OF THE CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA**

SHEET 1 OF 1
FILED THIS 11TH DAY OF
JANUARY, 1991, AT THE
HOUR OF 11:20 O'CLOCK AM
IN BOOK 91 OF MAPS OF
ASSESSMENT AND COMMUNITY
FACILITIES DISTRICTS AT
PAGE 36 AS INSTRUMENT
NO. 18219 IN THE OFFICE
OF THE COUNTY RECORDER OF
THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.
William E. Connerly
WILLIAM E. CONNERLY,
COUNTY RECORDER OF
THE COUNTY OF
RIVERSIDE
FEE: \$6.00

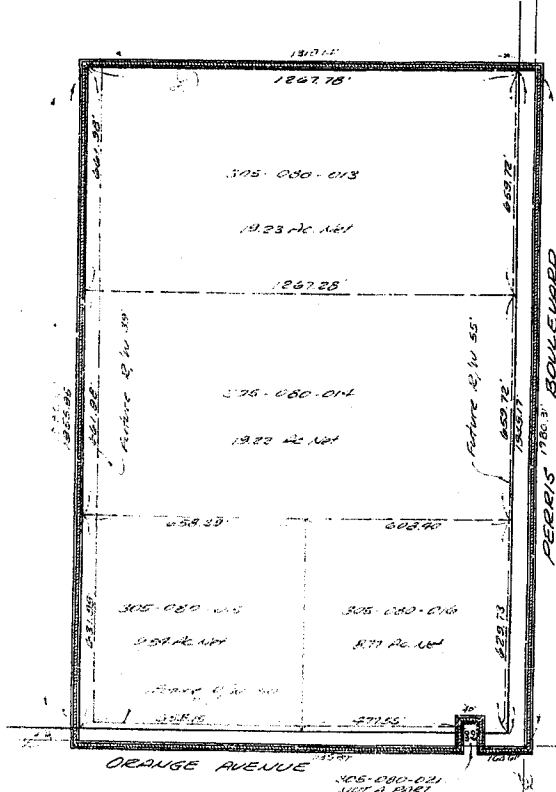
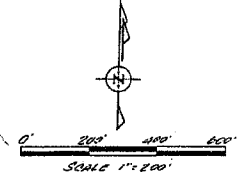
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE BOUNDARIES
OF COMMUNITY FACILITIES DISTRICT NO. 91-1 (PERRIS VALLEY
SPECTRUM) OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE
OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY
OF PERRIS AT A SPECIAL MEETING THEREOF HELD ON THE
23 DAY OF January, 1991, BY ITS RESOLUTION
NO. 1111

CITY CLERK
CITY OF PERRIS

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF PERRIS
THIS 11TH DAY OF January, 1991

CITY CLERK
CITY OF PERRIS

LEGEND
--- DISTRICT BOUNDARY



PREPARED UNDER THE SUPERVISION OF:
W. Douglas R. Smith
W. DOUGLAS R. SMITH, L.S. 5311 4/16/1991
DATE

RESOLUTION NUMBER 1913

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 91-1 (PERRIS VALLEY SPECTRUM) OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND ESTABLISHING THE BOUNDARIES THEREOF

WHEREAS, the City Council (the "City Council") of the City of Perris (the "City") has heretofore adopted Resolution No. 1902 stating that a proposed community facilities district to be known as "Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California" (the "Community Facilities District"), is proposed to be established under the terms of Chapter 2.5 (commencing with § 53311) of Part 1 of Division 2 of Title 5 of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982" (the "Act"), and fixing the time and place for a public hearing on the establishment of the Community Facilities District; and

WHEREAS, notice was published and mailed to the owners of property in the Community Facilities District as required by law relative to the intention of the City Council to establish the Community Facilities District, the levy of the special taxes therein, the provision of public facilities therein and the incurring of a bonded indebtedness by the Community Facilities District, and of the time and place of said public hearing; and

WHEREAS, on January 28, 1991, at the time and place specified in said published and mailed notices, the City Council held a public hearing as required by law relative to the formation of the Community Facilities District, the levy of the special taxes therein, the provision of public facilities therein, and the incurring of a bonded indebtedness by the Community Facilities District; and

WHEREAS, prior to said hearing there was filed with the City Council a report (the "Report") containing a description of the public facilities required to meet the needs of the Community Facilities District, and an estimate of the cost of such services and facilities, as required by Section 53321.5 of the California Government Code; and

WHEREAS, at the public hearing all persons desiring to be heard on all matters pertaining to the establishment of the Community Facilities District, the levy of the special taxes, the provision of public facilities therein, and the incurring of the bonded indebtedness therefor were heard, and a full and fair hearing was held; and

WHEREAS, at the public hearing evidence was presented to the City Council on the matters before it, and the City Council at the conclusion of the hearing was fully advised as to all matters relating to the establishment of the Community Facilities District, the levy of the special taxes, the provision of public facilities therein and the incurring of the bonded indebtedness therefor; and

WHEREAS, the City Council may therefore proceed to establish the Community Facilities District;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Findings. The City Council finds as follows: ---(i) all of the preceding recitals are correct, (ii) on January 28, 1991, pursuant to notice thereof duly given as provided by law, the City Council conducted a public hearing with respect to the establishment of the Community Facilities District and the annual levying of specified special taxes on the taxable property within the Community Facilities District to pay principal of and interest on bonds to be issued for the Community Facilities District to finance the public facilities which are described in Section 3 hereof, (iii) the boundary map of the Community Facilities District has been recorded pursuant to Sections 3111 and 3113 of the Streets and Highways Code as Instrument No. 13249 at page number 36 of book number 31 in the Book of Maps of Assessments and Community Facilities Districts of the official records of the County of Riverside, (iv) all prior proceedings with respect to the establishment of the Community Facilities District prior to and during the hearing with respect to the establishment of the Community Facilities District conducted by the City Council on January 28, 1991, were valid and in conformity with the requirements of Chapter 2.5 (commencing with § 53311) of Part 1 of Division 2 of Title 5 of the California Government Code, (v) no written protests were received at or prior to the time of said hearing against the establishment of the Community Facilities District or the levying of said special taxes or the incurring of a bonded indebtedness by the Community Facilities District, and said special taxes have, therefore, not been limited by majority protest pursuant

to Section 53324 of the California Government Code, and (vi) the City Council is, therefore, authorized to adopt a resolution of formation pursuant to Section 53325.1 of the California Government Code for the establishment of Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, and the Community Facilities District should be established.

Section 2. Establishment of District. Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, is hereby established. The boundaries of the Community Facilities District are set forth in Exhibit "A" attached hereto and are also shown on the map entitled "Boundaries of Community Facilities District No. 91-1 of the City of Perris, County of Riverside, State of California" which is on file with the City Clerk and said boundaries are hereby established.

Section 3. Types of Facilities; Incidental Expenses.

The types of public facilities (the "Facilities") to be provided within and financed by the Community Facilities District are:

(a) street and road facilities (including the purchase of rights-of-way and construction or acquisition of street and road improvements);

(b) water facilities, wastewater and sewer facilities and storm drains;

(c) street lights, traffic lights and public utility facilities (including gas, electrical and telephone); and to serve the area within proposed Community Facilities District No. 91-1 (Perris Valley Spectrum);

(d) school facilities, fire protection and suppression facilities and services and open space, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities; and

(e) governmental facilities which the City Council of the City of Perris is authorized by law to contribute revenue to, or construct, own or operate, including but not limited to civic center improvements and facilities, municipal facilities and improvements, police, jail and detention facilities, parks, recreation facilities, parkways, open-surface facilities, museums and cultural facilities, including

the payment of capital facilities fees to finance the construction and/or acquisition of such facilities.

(f) The incidental expenses which will be incurred are: (i) the cost of planning and designing such facilities and the cost of environmental evaluations thereof, (ii) all costs associated with the creation of the proposed community facilities district, issuance of the bonds thereof, the determination of the amount of and collection of taxes, the payment of taxes, and costs otherwise incurred in order to carry out the authorized purposes of the community facilities district, and (iii) any other expenses incidental to the construction, completion, and inspection of such facilities.

Section 4. Special Taxes. Except where funds are otherwise available, special taxes sufficient to finance the principal of and interest on the bonds of the Community Facilities District and the annual administrative expenses of the City and the Community Facilities District in determining, apportioning, levying and collecting such special taxes and in paying the principal of and interest on such bonds and the costs of registering, exchanging and transferring such bonds secured by the recordation of a continuing lien against all taxable or non-exempt property in the Community Facilities District, if such bonds are authorized and sold, shall be annually levied within the Community Facilities District. The rates and method of apportionment of said special taxes shall be as set forth in Exhibit "B" attached hereto and by this reference made a part hereof.

The special taxes to be levied within the Community Facilities District may be levied to replenish any reserve fund for the bonds, to pay the annual costs associated with the bonds to be issued to finance the construction of the Facilities, including, but not limited to, remarketing, credit enhancement, trustee and other fees, and to pay any "incidental expenses" of the Community Facilities District, as such term is defined in the Act, including those specified in Section 3 hereof.

The City Council finds that the methodology for determining and apportioning annual amounts of special taxes, and maximum annual amounts of special taxes set forth in Exhibit "B" hereto are based on the benefit received by the lots and parcels of real property within the Community Facilities District from the availability of and the right to access the Facilities. The special taxes are further based upon the cost of making the Facilities available to each lot and parcel in the Community Facilities District. The special taxes will be apportioned to each lot or parcel on the

foregoing bases pursuant to Section 53325.3 of the California Government Code and, therefore, such special taxes are not on or based upon the ownership of real property.

Pursuant to Section 53340 of the California Government Code, the special taxes shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes.

Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all non-exempt real property in the Community Facilities District and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien cancelled in accordance with law or until collection of the special tax ceases. Department of Finance of the City of Perris, California, 101 North "D" Street, Perris, California 92370, (714) 943-4610, is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel numbers and for estimating future special tax levies pursuant to Section 53340.1 of the Act.

Section 5. Exempt Property. In the event that a portion of the property within the Community Facilities District shall for any reason be or become exempt, wholly or partially, from the apportionment and levy of the special taxes pursuant to Exhibit "B" hereto, the City Council shall, on behalf of the Community Facilities District, increase the amount of special taxes to the extent necessary and permitted by law and these proceedings to be levied upon the remaining property within the Community Facilities District which is not exempt in order to provide the required debt service payments on any outstanding bonds of the Community Facilities District, or to prevent the Community Facilities District from defaulting on any of its other obligations or liabilities.

Section 6. Necessity. The Facilities are necessary to meet increased demands placed upon the Community Facilities District as a result of new development occurring within the boundaries of the Community Facilities District.

Section 7. Bonded Indebtedness. It is necessary for the Community Facilities District to incur a bonded indebtedness in an amount not to exceed \$9,000,000 for the purpose of financing the design, construction, and acquisition, equipping and furnishing, as appropriate, of the Facilities.

Section 8. Report. The Report is hereby approved and is made a part of the record of the public hearing regarding the formation of the Community Facilities District, and is ordered to be kept on file with the City Clerk as part of the transcript of these proceedings.

Section 9. Repayment of Funds Advanced or Work-in-Kind. Pursuant to Section 53314.9 of the California Government Code, the City Council proposes to accept advances of funds or work-in-kind from private persons or private entities and to provide, by resolution, for the use of those funds or that work-in-kind for any authorized purpose, including but not limited to, paying any costs incurred by the City in creating the Community Facilities District, and to enter into an agreement, by resolution, with the person or entity advancing the funds or work-in-kind to repay funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by the City Council.

Section 10. Prohibition of Owner Contracts. Pursuant to Section 53329.5 of the California Government Code, the City Council finds that the public interest will not be served by allowing the owners of property within the Community Facilities District to enter into a contract in accordance with subdivision (a) of that section, and that such owners shall not be permitted to elect to perform the work and enter into a written contract with the City for the construction of the Facilities pursuant to Section 53329.5.

Section 11. Description of Voting Procedures. The voting procedures to be followed in conducting the consolidated special elections on (i) the proposition of the proposed community facilities district incurring a bonded indebtedness in an amount not to exceed \$9,000,000, (ii) the proposition with respect to the levy of special taxes on the land within the community facilities district to pay the principal of and interest on the bonds thereof, and (iii) the proposition with respect to the establishment of an appropriations limit for the community facilities district in the amount of \$2,000,000, if the community facilities district is established and such consolidated special elections (the "consolidated special elections") are held, shall be as follows:

(a) If at least 12 persons have been registered to vote within the territory of the proposed community facilities district for each of the 90 days preceding the close of the public or protest hearing (the "protest hearing"), the vote in the consolidated special elections shall be by the registered voters of the community facilities district with each voter

having one vote. In that event, the consolidated special elections shall be conducted by the City Clerk, and shall be held on a date selected by the City Council in conformance with the provisions of Section 53326 of the California Government Code and pursuant to the provisions of the California Elections Code governing elections of cities, insofar as they may be applicable, and pursuant to said Section 53326 the ballots for the consolidated special elections shall be distributed to the qualified electors of the community facilities district by mail with return postage prepaid or by personal service, and the consolidated special elections shall be conducted as a mail ballot election.

(b) If 12 persons have not been registered to vote within the territory of the community facilities district for each of the 90 days preceding the close of the protest hearing, and pursuant to Section 53326 of the California Government Code, the vote is therefore to be by the landowners of the community facilities district, with each landowner of record at the close of the protest hearing having one vote for each acre or portion of an acre of land that he or she owns within the community facilities district, the consolidated special elections shall be conducted by the City Clerk as follows:

(1) The consolidated special elections shall be held on the earliest date, following the adoption by the City Council of the resolution determining the necessity for the community facilities district to incur a bonded indebtedness pursuant to Section 53351 of the California Government Code, the resolution of formation establishing the community facilities district pursuant to Section 53325.1 of said Code, and a resolution pursuant to Section 53326 of said Code submitting the propositions with respect to (i) the levy of special taxes to pay the principal of and interest on the bonds of the community facilities district, and (ii) the establishing of an appropriations limit therefor to the qualified electors of the district, upon which such elections can be held pursuant to said Section 53326 which may be selected by the City Council, or such earlier date as the owners of land within the community facilities district and the City Clerk agree and concur is acceptable.

(2) Pursuant to said Section 53326, the consolidated special elections may be held earlier than 90 days following the close of the protest hearing if the qualified electors of the community facilities district waive the time limits for conducting the elections set forth in said Section 53326 by unanimous written consent and the City Clerk concurs in

such earlier election date as shall be consented to by the qualified electors.

(3) Pursuant to said Section 53326, ballots for the consolidated special elections shall be distributed to the qualified electors by the City Clerk by mail with return postage prepaid, or by personal service.

(4) Pursuant to applicable sections of the California Elections Code governing the conduct of mail ballot elections of cities, and specifically Chapter 5 (commencing with § 1340) of Division 2 of the California Elections Code with respect to elections conducted by mail, the City Clerk shall mail to each qualified elector an official ballot in a form specified by the City Council in the resolutions calling and consolidating the consolidated special elections, and shall also mail to all such qualified electors a ballot pamphlet and instructions to voter, including a sample ballot identical in form to the official ballot but identified as a sample ballot, a statement pursuant to Section 5301 of said Code, an impartial analysis by the City Attorney pursuant to Section 5011 of said Code with respect to the ballot propositions contained in the official ballot, arguments and rebuttals, if any, pursuant to Sections 5012 to 5016, inclusive, and 5025 of said Code, a return identification envelope with prepaid postage thereon addressed to the City Clerk for the return of voted official ballots, and a copy of the resolution of formation establishing the community facilities district, adopted by the City Council pursuant to Section 53325.1 of the California Government Code, and the exhibits thereto; provided, however, that such analysis and arguments may be waived with the unanimous consent of all the landowners, and in such event a finding regarding such waivers shall be made in the resolution adopted by the City Council calling the consolidated special elections.

(5) The official ballot to be mailed by the City Clerk to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter and shall have appended to it a certification to be signed by the person voting the official ballot which shall certify that the person signing the certification is the person who voted the official ballot, and if the landowner-voter is other than a natural person, that he or she is an officer of or other person affiliated with the landowner-voter entitled to vote such official ballot, that he or she has been authorized to vote such official ballot on behalf of the landowner-voter, that in voting such official ballot it was his or her intent, as well as the intent of the landowner-voter, to vote all votes

to which the landowner-voter is entitled based on its land ownership on the propositions set forth in the official ballot as marked thereon in the voting square opposite each such proposition, and further certifying as to the acreage of the landowner-voter's land ownership within the community facilities district.

(6) The return identification envelope delivered by the City Clerk to each landowner-voter shall have printed or typed thereon the following: (i) the name of the landowner, (ii) the address of the landowner, (iii) a declaration under penalty of perjury stating that the voter is the landowner or the authorized representative of the landowner entitled to vote the enclosed ballot and is the person whose name appears on the identification envelope, (iv) the printed name and signature of the voter, (v) the address of the voter, (vi) the date of signing and place of execution of said declaration, and (vii) a notice that the envelope contains an official ballot and is to be opened only by the City Clerk.

(7) The instruction to voter form to be mailed by the City Clerk to the landowner-voters shall inform them that the official ballots shall be returned to the City Clerk properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by 5:00 p.m. on the date of the election.

(8) Upon receipt of the return identification envelopes which are returned prior to the voting deadline on the date of the elections, the City Clerk shall canvass the votes cast in the consolidated special elections, and shall file a statement with the City Council at its next regular meeting which is more than five (5) days after the date of the elections as to the results of such canvass and the election on each proposition set forth in the official ballot.

The procedures set forth in this section for conducting the consolidated special elections, if they are held, may be modified as the City Council may determine to be necessary or desirable by a resolution subsequently adopted by the City Council.

ADOPTED, SIGNED AND APPROVED this 28th day of January, 1991.

Thelma G. Wilson
MAYOR OF THE CITY OF PERRIS

Attest:

[Signature]
City Clerk

THIS IS TO CERTIFY THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENTS ON FILE IN THE OFFICE OF THE CITY CLERK OF THE CITY OF PERRIS, CA

Judy L. Haughney
JUDY HAUGHNEY
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PERRIS)

I, Beti An Hynes, City Clerk of the City of Perris, do hereby certify that the foregoing Resolution Number 1913 was duly and regularly adopted by the City Council of the City of Perris at a Regular Meeting thereof held on the 28th day of January, 1991.

Ayes: Borgia, Flichmann, Baitinger and Wilson
Noes: None
Absent: Gutierrez

[Signature]
City Clerk

EXHIBIT A

LEGAL DESCRIPTION

Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, includes the land situated in the State of California, County of Riverside, City of Perris, described as follows:

BEING A SUBDIVISION OF LOTS 1, 2, 3 AND 4 OF PARCEL MAP NO. 9000 AS RECORDED IN BOOK 42, PAGE 58, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 18, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

BEGINNING AT THE CENTERLINE INTERSECTION OF PERRIS BOULEVARD AND ORANGE AVENUE, SAID INTERSECTION BEING THE SOUTHEAST CORNER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE & MERIDIAN; THENCE NORTH $0^{\circ}08'28''$ WEST, 1980.31 FEET; THENCE NORTH $89^{\circ}08'31''$ WEST, 1318.14 FEET; THENCE SOUTH $0^{\circ}11'10''$ EAST, 1985.69 FEET; THENCE SOUTH $89^{\circ}22'30''$ EAST, 1135.89 FEET; THENCE NORTH $0^{\circ}37'30''$ EAST, 60.00 FEET; THENCE SOUTH $89^{\circ}22'30''$ EAST, 40.00 FEET; THENCE SOUTH $0^{\circ}37'30''$ WEST, 60.00 FEET; THENCE SOUTH $89^{\circ}22'30''$ EAST, 160.61 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

RATE AND METHOD OF APPORTIONMENT OF
SPECIAL TAX
FOR COMMUNITY FACILITIES DISTRICT NO. 91-1
(PERRIS VALLEY SPECTRUM)
OF THE
CITY OF PERRIS

The Special Tax is to be levied by the City on behalf of the District each Fiscal Year pursuant to Table No. 1 for Fiscal Year 1992/93, and pursuant to Table No. 2 thereafter, and in an amount sufficient to pay Debt Service on the Bonds, all Administrative Fees or Expenses of the City related to the Bonds, and the annual administration of the District and all payments required under the Administration Agreement for the Bonds and any supplements thereto. In addition, the City pledges for the repayment of the Bonds the Agency Contribution as defined below. The Special Tax may be levied each Fiscal Year in an aggregate amount not to exceed \$950,000. The maximum bonded indebtedness for the District is \$9,000,000.

The actual Special Tax to be levied each Fiscal Year will be calculated for each Parcel as follows:

$$\frac{\text{Taxable Sq. Ft. of Parcel}}{\text{Total Taxable Sq. Ft. of District}} \times \text{Annual Cost} = \text{Special Tax}$$

Definitions

Annual Costs for any Fiscal Year equals the sum of (i) annual Debt Service on the Bonds for the current Bond Year; (ii) the estimated Administrative Fees or Expenses of the City for such Fiscal Year; (iii) the amount, if any, necessary to replenish the Reserve Fund on the Bonds to the level required under the Administration Agreement; (iv) any other payment required under the Administration Agreement and any amendment thereto; (v) less the Agency Contribution for such Fiscal Year.

Administration Agreement means the agreement by that name approved by the Resolution of Issuance.

Administrative Fees or Expenses means any or all of the following: the fees and expenses of the Fiscal Agent (including any fees or expenses of its counsel), the expenses of the City in carrying out its duties under the Administration Agreement or otherwise with respect to the District (including, but not limited to, the levying and

collection of the Special Taxes) including the fees and expenses of its counsel, an allocable share of the salaries of the City staff directly related thereto and a proportionate amount of City general administrative overhead related thereto, any amounts paid by the City from its general funds with respect to the District, and all other costs and expenses of the City or the Fiscal Agent incurred in connection with the Administration Agreement or otherwise with respect to the District.

Agency means the Redevelopment Agency of the City of Perris, County of Riverside, California.

Agency Contribution means for any Fiscal Year an amount equal to the Tax Increment Revenues to be received by the Agency in such Fiscal Year as certified in a report of an Independent Financial Consultant; provided that in no event shall the Agency Contribution in any Fiscal Year exceed an amount necessary, together with funds on deposit in the Bond Fund, to pay (i) the debt service due on the Bonds in such Fiscal Year, (ii) Administrative Expenses in such Fiscal Year, and (iii) the amount, if any, to increase the deposit in the Reserve Fund to the Reserve Requirement (the "Maximum Agency Contribution"). In addition, if the amount of Tax Increment Revenues described above, together with funds on deposit in the Bond Fund, are not in an amount equal to the Maximum Agency Contribution in any Fiscal Year prior to Fiscal Year 2006/07, the Agency Contribution shall include Sales and Use Tax Revenues to the extent received in the prior Fiscal Year; provided that in no event shall such Sales and Use Taxes exceed the lesser of (i) an amount, together with Tax Increment Revenues as described above, equal to the Maximum Agency Contribution, (ii) prior to Fiscal Year 1996/97 an amount equal to 50% of the Sales and Use Taxes received in excess of \$400,000, or (iii) in Fiscal Years 1997/98 to 2006/07 an amount equal to 25% of the Sales and Use Taxes received in excess of \$400,000 (the "Maximum Sales and Use Tax Contribution").

Bonds means the Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris 1991 Special Tax Bonds.

Bond Fund is the fund by that name created under the Administration Agreement.

Debt Service for any Fiscal Year is the total annual principal and interest payment on the Bonds for the next succeeding March 1 (the March 1 in such Fiscal Year) and the following September 1 (the September 1 in the next Fiscal Year), less investment earnings on the Reserve Fund available

for that purpose and not required under the Fiscal Agent Agreement to be set aside in a separate account to be used to make payments to the United States pursuant to the Federal Tax Code, and less any capitalized interest and any other amounts on deposit in the Bond Fund under the Fiscal Agent Agreement as of the first day of such Fiscal Year.

District means the Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris.

Fiscal Year means the period starting on July 1 and ending the following June 30.

Improvements are the public improvements designated in the Resolution of Formation to be financed by the District.

Parcel is the Assessor's parcels (or portions thereof) that are within the boundaries of the District based on the equalized rolls of the County of Riverside as of March 1 of each year.

Reserve Fund is the fund of that name created under the Administration Agreement.

Resolution of Issuance is any Resolution adopted by the City authorizing the issuance of the Bonds to be secured by the levy of a Special Tax within the District.

Sales and Use Taxes means the Sales and Use Taxes received by the Agency within the District pursuant to Section 7202.6 of the Revenue and Taxation Code of the State of California.

Special Tax is any tax authorized under Section 53340 of the California Government Code to be levied by the City within the District.

Taxable Square Footage is all of the area of a Parcel within the District which is not exempt from the Special Tax pursuant to Section 53311, et. seq. of the California Government Code.

Tax Increment Revenues shall mean moneys received by the Agency after the Closing Date derived from that portion of taxes levied upon assessable property within the District allocated to the City pursuant to Article 6 of Chapter 6 of the Law and Section 16 of Article XVI of the Constitution of the State of California. Notwithstanding the foregoing, Tax Increment Revenues shall not include (a) taxes defined as "Tax Revenues" in any Indenture for the issuance of Tax Allocation Bonds for Redevelopment Project II of the Agency unless and until such "Tax Revenues" are deemed to be "surplus" within the meaning of such Indenture; (b) amounts owed by the Agency

under any pass-through agreement pursuant to Section 33401(b) of the California Health and Safety Code; and (c) taxes allocated to the Agency that are required by Section 33334.2 of the California Health and Safety Code to be used by the Agency for increasing and improving the supply of low and moderate income housing.

Total Taxable Square Footage of the District means the aggregate Taxable Square Footage of each Parcel in the District.

TABLE NO. 1

COMMUNITY FACILITIES DISTRICT NO. 91-1
(PERRIS VALLEY SPECTRUM)
OF THE CITY OF PERRIS

CALENDAR OF EVENTS THROUGH SEPTEMBER, 1993

<u>Date</u>	<u>Event</u>
03/91	Bond Closing
09/91	Interest Payment (Funded)
10/91	Projected opening date of Shopping Center
01/92	Agency receives first installment of Tax Increment (Supplemental only), if any
03/92	Interest Payment (Funded)
05/92	Agency receives second installment of Tax Increment (Supplemental only), if any
06/92	(1) Agency projects Tax Increment for Fiscal Year 1992/93 (2) City determines amount of Tax Increment funds and investment earnings currently available (3) City determines amount of sales and use tax available for the period ending June 30 and transfers such amount to the Fiscal Agent (4) City sets tax rate
09/92	Interest Payment (Funded)
01/93	Agency receives first installment of Tax Increment
03/93	Interest Payment
06/93	City sets tax rate (see 06/92) above
09/93	Principal and interest payment

TABLE NO. 2

COMMUNITY FACILITIES DISTRICT NO. 91-1
(PERRIS VALLEY SPECTRUM)
OF THE CITY OF PERRIS

CALENDAR OF EVENTS
TYPICAL YEAR AFTER CAPITALIZED INTEREST PERIOD

<u>Date</u>	<u>Event</u>
July	(1) Agency projects Tax Increment for current Fiscal Year (2) City determines available funds on deposit with Fiscal Agent after making provision for September Debt Service payment (3) City determines amount of sales and use taxes available from prior Fiscal Year not to exceed Agency Contribution and transfers such amount to the Fiscal Agent (4) City sets tax rate
September	Interest and principal payment date (paid from prior Fiscal Year collections)
January	Agency receives first installment of Tax Increment applied to March Debt Service payment
March	Interest payment date
May	Agency receives first installment of Tax Increment applied to September Debt Service payment
July	City sets tax rate
September	Interest and principal payment

RESOLUTION NUMBER 1921

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DECLARING THE RESULTS OF THE CONSOLIDATED SPECIAL ELECTIONS FOR COMMUNITY FACILITIES DISTRICT NO. 91-1 (PERRIS VALLEY SPECTRUM) OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ON THE PROPOSITIONS WITH RESPECT TO (i) INCURRING A BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$9,000,000, (ii) THE ANNUAL LEVY OF SPECIAL TAXES TO FINANCE PUBLIC FACILITIES AND PAY PRINCIPAL AND INTEREST ON BONDS, AND (iii) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

WHEREAS, on January 28, 1991 the City Council (the "City Council") of the City of Perris (the "City") adopted Resolution No. 1914 determining the necessity for Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California (the "Community Facilities District"), to incur a bonded indebtedness in an amount not to exceed \$9,000,000 and calling a special election on the proposition of incurring such a bonded indebtedness for February 5, 1991, and providing for the consolidation of said election with the election on the propositions with respect to the annual levy of special taxes on land within the Community Facilities District to finance public facilities and pay principal of and interest on such bonds, and the establishment of an appropriations limit for the Community Facilities District; and

WHEREAS, on January 28, 1991, the City Council also adopted Resolution No. 1915 calling a special election for February 5, 1991, for submitting to the voters of the Community Facilities District the proposition with respect to the annual levy of special taxes within the Community Facilities District to pay

the principal of and interest on the bonds thereof, and the proposition with respect to the establishment of an appropriations limit for the Community Facilities District, and providing for the consolidation of said election with the election on the proposition of incurring a bonded indebtedness for the Community Facilities District; and

WHEREAS, the City Council has received a statement from the City Clerk of the City of Perris, who pursuant to Resolution No. 1915 was authorized to conduct such consolidated special elections and act as the election official therefor, with respect to the canvass of the ballots returned in and the results of said consolidated special elections, certifying that more than two-thirds of the votes voted upon the propositions submitted to the voters in said consolidated special elections were in favor of all such propositions;

NOW, THEREFORE, THE CITY OF PERRIS HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Findings. The City Council finds that: (i) there were zero (0) registered voters residing within the boundaries of the Community Facilities District at the time of the close of the protest hearing, and pursuant to Section 53326 of the California Government Code, the vote in said consolidated special elections was, therefore, to be by the landowners owning land within the Community Facilities District, with each landowner having one vote for each acre or portion thereof of land that he or

she owns within the Community Facilities District; (ii) pursuant to said Section 53326, Resolution No. 1914 and Resolution No. 1915, the City Clerk distributed ballots for the consolidated special elections to such landowners by mail with return postage prepaid; (iii) all owners of land within the Community Facilities District waived the time limits for holding the consolidated special elections and the election dates specified in said Section 53326, and consented to the calling and holding of said consolidated special elections on February 5, 1991; (iv) said consolidated special elections have been properly conducted in accordance with all statutory requirements and the provisions of Resolution No. 1914 and Resolution No. 1915; (v) pursuant to said Section 53326, the owner of all the land within the Community Facilities District, who owned a total acreage of approximately 54.25855 acres was entitled to a total of 55 votes; (vi) ballots were returned to the City Clerk prior to 5:00 p.m. on February 5, 1991, by all persons having ownership interests in land within the Community Facilities District; (vii) the ballots returned to the City Clerk by all owners of or persons having ownership interests in land within the Community Facilities District voted all votes of said landowners in favor of all propositions set forth therein; (viii) more than two-thirds of the votes cast in such consolidated special elections on each such proposition were in favor thereof, and pursuant to Sections 53328, 53329 and 53355 of the California Government Code, all such propositions carried; (ix) the City

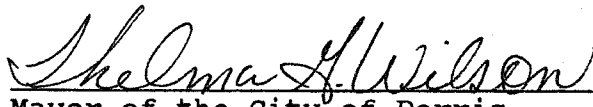
Council, as the legislative body of the Community Facilities District, is therefore authorized to take the necessary action to have the Community Facilities District incur a bonded indebtedness in an amount not to exceed \$9,000,000, and to annually levy special taxes on the property in the Community Facilities District in amounts sufficient to pay the principal of and interest on the bonds of the Community Facilities District and finance the provision of public facilities therein; and (x) an appropriations limit for the Community Facilities District has been established in the amount of \$2,000,000.

Section 2. Declaration of Results. All votes voted in the consolidated special elections on the propositions with respect to the Community Facilities District incurring a bonded indebtedness in an amount not to exceed \$9,000,000, the annual levy of special taxes on the property in the Community Facilities District to finance the provision of public facilities within the Community Facilities District and to pay the principal of and interest on the bonds thereof, and the establishment of an appropriations limit in the amount of \$2,000,000 for the Community Facilities District were voted in favor thereof, and all such propositions carried.

Section 3. Effect of Elections. The effect of the results of said consolidated special elections, as specified in Section 2 hereof, is that the City Council, as the legislative body of the Community Facilities District, is authorized to have the Community Facilities District incur a bonded indebtedness in an

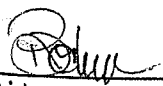
amount not to exceed \$9,000,000 for the purposes set forth in Proposition A of the Official Ballot for said consolidated special elections, and, after the Community Facilities District has incurred such bonded indebtedness and issued bonds therefor, to annually levy special taxes on the property in the Community Facilities District in an amount sufficient to pay the principal of and interest on such bonds, and also to annually levy such taxes on such property to finance the provision of public facilities within the Community Facilities District, at the special tax rates and pursuant to the methodology for determining and apportioning such special taxes which are set forth in Resolution No. 1913 adopted by the City Council on January 28, 1991, and an appropriations limit has been established for the Community Facilities District in the amount of \$2,000,000.

ADOPTED, SIGNED AND APPROVED this 11th day of February, 1991, by the following vote:



Mayor of the City of Perris,
California

ATTEST:

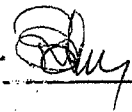


City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PERRIS)

I, Beti An Hynes, City Clerk of the City of Perris, do hereby certify that the foregoing Resolution No. 1921 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 11th day of February, 1991.

AYES: Borgia, Fliehmman, Gutierrez, Baitinger and Wilson
NOES: None
ABSENT: None



City Clerk

STATEMENT FROM THE CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA (ACTING AS ELECTION OFFICIAL), TO THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AS TO THE CANVASS OF BALLOTS VOTED IN AND THE RESULTS OF THE CONSOLIDATED SPECIAL ELECTIONS FOR COMMUNITY FACILITIES DISTRICT NO. 91-1 (PERRIS VALLEY SPECTRUM) OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, HELD ON FEBRUARY 5, 1991

I, BETI AN HYNES, City Clerk of the City of Perris, California, acting as the election official pursuant to Resolution No. 1915 of the City Council of the City of Perris, California (the "City Council"), make the following statements regarding the consolidated special elections held on February 5, 1991, on the propositions with respect to (i) incurring a bonded indebtedness in an amount not to exceed \$9,000,000 for public facilities within and for Community Facilities District No. 91-1 of the City of Perris, County of Riverside, State of California (the "Community Facilities District"), (ii) the annual levy of special taxes within the Community Facilities District to finance the public facilities therein and to pay the principal of and interest on the bonds thereof, and (iii) the establishment of an appropriations limit for the Community Facilities District, and hereby certify that:

(1) A signed written waiver entitled "Waiver of Certain Election Procedures with Respect to Landowner Voter Election for Community Facilities District No. 91-1 of the City of Perris, County of Riverside, State of California" was received from North Perris/Stockton Associates, the owner of all of the land within the Community Facilities District prior to January 28, 1991.

(2) Said written waiver, among other matters, waived compliance with the provisions of Section 53326 of the California

Government Code to the effect that a special election with respect to the levy of special taxes within the Community Facilities District must be held at least 90 days, but not more than 180 days, following the close of the protest hearing, and consented to the holding of such consolidated special elections on or before February 5, 1991.

(3) On or about December 18, 1990, I received a written certification from the Registrar of Voters of the County of Riverside dated December 18, 1990, that there were zero (0) registered voters residing within the Community Facilities District. Accordingly, pursuant to Section 53326 of the California Government Code, and as determined by the City Council in Resolution No. 1915, the vote in said consolidated special elections was to be by the landowners of the Community Facilities District, with each landowner having one vote for each acre, or portion thereof, of land that he or she owns within the Community Facilities District.

(4) On January 30, 1991, a notice of the adoption of Resolution No. 1914 of the City Council setting forth the content of said resolution was published in the Perris Progress, and on January 30, 1991, a notice of the holding of the consolidated special elections for the Community Facilities District and the date thereof was published in the Perris Progress.

(5) On January 30th, 1991, I mailed to the landowners hereinafter named an Official Ballot in the form attached to Resolution No. 1915 of the City Council together with a Ballot

Pamphlet and Instructions to Voter containing Instructions to Landowner Voter, a Sample Ballot, and a Statement in Compliance with Elections Code Section 5301. Copies of said Official Ballot and said Ballot Pamphlet and Instructions to Voter are on file in my office. I also mailed to such landowner on said date, together with such other matters, an official identification envelope, with return postage affixed thereto, for returning the voted Official Ballot.

(6) Pursuant to Section 53326 of the California Government Code, for purposes of said consolidated special elections, each owner of land within the Community Facilities District was entitled to one vote for each acre or portion thereof of land within the Community Facilities District which he or she owned.

(7) On or before January 1, 1991, I received a statement from Douglas R. Smith, a licensed land surveyor employed by Pfeiler & Associates Engineers, the engineer for the proceedings for the establishment of the Community Facilities District, entitled "Statement of Engineer with Respect to Property Ownership Within Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California" with respect to the approximate acreage of the property owned by the landowner in the Community Facilities District and stating that such ownership and approximate acreage is as follows:

<u>Owner</u>	<u>Approximate Acreage</u>
North Perris/Stockton Associates	<u>54.25855</u>
Total	54.25855

Attached to said statement was the title report showing the name of the owner of certain parcels of real property located within the Community Facilities District which are as set forth above. The said statement of Douglas R. Smith states that the legal description attached to said title report and grant deeds describe all of the property located within the boundaries of the Community Facilities District.

(8) According to the aforementioned statement received from Douglas R. Smith, based on the approximate acreage of land owned by each owner within the Community Facilities District, the owners would be entitled to the following votes:

<u>Owner</u>	<u>Acreage</u>	<u>Votes</u>
North Perris/Stockton Associates	54.25855	55
Totals:	<u>54.25855</u>	<u>55</u>


(9) Voted Official Ballot was returned to me by the above-named landowner sealed in the aforementioned identification envelope. The ballot which was returned was voted with a cross marked in the box after the word "YES" following each proposition set forth on the Official Ballot and had a signed statement attached that the signer was entitled to vote such ballot on behalf of the landowner, and that it was the intent of the landowner to vote all votes to which it was entitled in the manner marked on the

ballot. I have canvassed the ballot returned in such consolidated special elections, being the Official Ballot above referred to, and determined that the results of the election with respect to each proposition set forth in said Official Ballot are as follows:

Proposition A:	55 YES votes,	0 NO votes
Proposition B:	55 YES votes,	0 NO votes
Proposition C:	55 YES votes,	0 NO votes

(11) More than two-thirds of the votes cast in said consolidated special elections are in favor of all such propositions.

DATED: February 4th, 1991.



BETI AN HYNES, City Clerk of
the City of Perris, California

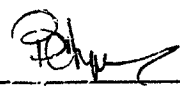
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, BETI AN HYNES, City Clerk of the City of Perris,
hereby certify that the foregoing and hereto attached contains a
full, true and correct copy of

Statement from the City Clerk of the City
of Perris, California, to the City Council
of the City of Perris, California, as to
the Canvass and Results of the Special
Election held February 5, 1991, for
Community Facilities District No. 91-1
(Perris Valley Spectrum)

as the same appears of Record and in the files of my office
remaining.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the corporate seal of said City of Perris this 4th
day of February, 1991.



BETI AN HYNES, City Clerk
City of Perris, California

OFFICIAL BALLOT

CONSOLIDATED SPECIAL ELECTIONS FOR
COMMUNITY FACILITIES DISTRICT NO. 91-1
(PERRIS VALLEY SPECTRUM) OF THE CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

February 5, 1991

To vote, mark a cross (+) in the voting square after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris and obtain another.

PROPOSITION A: Shall a bonded indebtedness in an aggregate principal amount not to exceed \$9,000,000 be incurred by and for Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, for a maximum term of not more than 40 years and with interest at a rate or rates not to exceed 12 percent per annum, or such other rate as may be the maximum interest rate permitted by law, for the purpose of providing public facilities within and for the community facilities district, including the design, acquisition, construction, expansion, rehabilitation, and equipping and furnishing, as appropriate, of (a) street and road facilities (including the purchase of rights-of-way and construction or acquisition of street and road improvements); (b) water facilities, waste-water and

North Perris/Stockton Associates
55 Votes
Page 1 of 6 Pages

sewer facilities and storm drains; (c) street lights, traffic lights and public utility facilities (including gas, electrical and telephone); and to serve the area within proposed Community Facilities District No. 91-1 (Perris Valley Spectrum); (d) school facilities, fire protection and suppression facilities and services and open space, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities; and (e) governmental facilities which the City Council of the City of Perris is authorized by law to contribute revenue to, or construct, own or operate, including but not limited to civic center improvements and facilities, municipal facilities and improvements, police, jail and detention facilities, parks, recreation facilities, parkways, open-surface facilities, museums and cultural facilities, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities and paying costs incidental to the sale of bonds, the formation of the community facilities district, and the design, acquisition, construction, expansion, rehabilitation, and equipping and furnishing, as appropriate, of said public facilities, including all costs and estimated costs of acquisition and construction of said public facilities, acquisition of land and rights of way, satisfaction of contractual obligations relating to expenses or the advancement of funds for

expenses existing at the time the bonds are issued, architectural, engineering, inspection, legal, fiscal and financial consultant fees, bond and other reserve funds, bond discount fees, interest on any bonds of the community facilities district due and payable prior to the expiration of one year from the date of completion of the construction of said public facilities, not to exceed two years, election costs, and all costs of issuance of the bonds, including, but not limited to, fees for bond counsel, costs of obtaining credit ratings, bond insurance premiums, fees for letters of credit or other credit enhancement costs, and printing costs?

YES	+
NO	

PROPOSITION B: Shall special taxes be levied annually on taxable property within Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, to pay the principal of and interest on the bonds of the community facilities district issued and sold to finance the design, acquisition, construction, expansion, rehabilitation, and equipping and furnishing, as appropriate, of (a) street and road facilities (including the purchase of rights-of-way and construction or acquisition of street and road improvements); (b) water facilities, wastewater and sewer facilities and storm drains; (c) street lights, traffic lights and public utility facilities (including gas, electrical and telephone); and to serve the area within proposed Community Facilities District No. 91-1 (Perris Valley Spectrum); (d) school facilities, fire protection and suppression facilities and services and open space, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities; and (e) governmental facilities which the City Council of the City of Perris is authorized by law to contribute revenue to, or construct, own or operate, including but not limited to civic center improvements and facilities, municipal facilities and improvements, police, jail and detention facilities, parks, recreation facilities, parkways, open-surface facilities, museums and cultural

North Perris/Stockton Associates
55 Votes
Page 4 of 6 Pages

facilities, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities and costs incidental thereto, to replenish the reserve fund for such bonds, or to accumulate funds for future bond payments, and to pay expenses incidental thereto and to the levy and collection of such special taxes, so long as such special taxes are needed to pay the principal of and interest on such bonds, and for such other purposes, at the special tax rates and pursuant to the method of apportioning such special taxes set forth in Exhibit "B" to Resolution No. 1913, adopted by the City Council of the City of Perris on January 28, 1991?

YES	+
NO	

PROPOSITION C: Shall an appropriations limit, as defined by subdivision (h) of section 8 of Article XIII B of the California Constitution, be established for Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, in the amount of \$2,000,000?

YES	+
NO	.

CERTIFICATION

I, DELBERT C. BENNETT, certify that I am the General Partner of North Perris/Stockton Associates, a California limited partnership, the owner of property within the boundaries of Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, and that I am authorized to vote the Official Ballot to which this certification is attached. I further certify that in voting said ballot it was my intent, as well as the intent of said limited partnership, to vote all votes to which said limited partnership is entitled on Propositions A, B, and C set forth in said ballot as marked in the voting square opposite each such proposition. I further certify that North Perris/Stockton Associates, a California limited partnership, is the owner of approximately 54.25855 acres of land within said community facilities district, and that in voting said ballot I intended to vote each vote to which such acreage would entitle said limited partnership in the manner marked on said ballot.

I certify that this certification was executed on February 1, 1991, at Irvine, California.

North Perris/Stockton Associates,
a California limited partnership


By: Delbert C. Bennett
General Partner

RESOLUTION NUMBER 1932

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA AUTHORIZING THE ISSUANCE OF 1991 SPECIAL TAX BONDS OF COMMUNITY FACILITIES DISTRICT NO. 91-1 (PERRIS VALLEY SPECTRUM), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,000,000 AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City Council (the "City Council") of the City of Perris, California (the "City") has heretofore undertaken proceedings and declared the necessity to issue bonds on behalf of Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City (the "Community Facilities District") pursuant to the terms and conditions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, pursuant to Resolution No. 1914 adopted by the City Council on the 28th day of January, 1991, the bond proposition (attached as Exhibit A hereto and incorporated herein by reference) (the "Proposition A") was submitted to the qualified electors within the Community Facilities District and was unanimously approved at an election held on February 5, 1991; and

WHEREAS, the City Council by its Resolution No. 1921 adopted on February 11, 1991, has declared that Proposition A and Proposition B, the proposition authorizing the levy of special taxes (the "Proposition B"), presented to the qualified electors of the Community Facilities District on February 5, 1991 have received a unanimous vote of the qualified electors voting at said election and each has carried, and, accordingly, the Community Facilities District is hereby authorized to issue from time to time, as determined by the City Council bonds for the benefit of the Community Facilities District for the purposes set forth in Proposition A and to take the necessary steps to levy the special tax authorized by Proposition B; and

WHEREAS, the Community Facilities District is now authorized to issue bonds in one or more series, pursuant to the Act, in an aggregate principal amount not to exceed \$9,000,000; and

WHEREAS, the City Council hereby desires to proceed to issue the bonds in an aggregate principal amount of approximately \$9,000,000 designated as the "Community Facilities District No. 91-1 of the City of Perris 1991 Special Tax Bonds" (the "Bonds"); and

WHEREAS, the City Council has determined in accordance with Government Code Section 53360.4 that a negotiated sale of the Bonds to Chilton & O'Connor, Inc. (the "Underwriter") in accordance with the terms and conditions of the bond purchase agreement (the

"Bond Purchase Agreement") approved as to form by the City Council will result in a lower overall cost to the Community Facilities District than a public sale; and

WHEREAS, there has been presented to the City Council a form of Bond Purchase Agreement (the "Purchase Agreement") providing for the sale of bonds to the Underwriter, on the terms therein set forth; and

WHEREAS, there has also been presented to the City Council a form of Preliminary Official Statement prepared by Rod Gunn and Associates, as Financial Consultant (the "Financial Consultant") with respect to the Bonds, and the City Council has determined that the discussion and information contained therein, with respect to the City, its operations and financial condition, and the Community Facilities District are correct and that said Preliminary Official Statement should be approved, that the Underwriter should be authorized to distribute said Preliminary Official Statement in connection with the marketing of the Bonds, and that the preparation of a final Official Statement, based on said Preliminary Official Statement, should be authorized;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS FOLLOWS:

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

Section 2. Approval of Issuance of Bonds and Administration Agreement. The issuance of the Bonds in a principal amount of not to exceed \$9,000,000 is hereby authorized pursuant to the Act. The Bonds shall mature on the dates, pay interest at the rates and shall be substantially in the form set forth in the Administration Agreement presented at this meeting. All other provisions of the Bonds shall be governed by the terms and conditions set forth in such Administration Agreement, which form of Agreement is hereby approved and the Mayor and the City Clerk are authorized to execute and deliver said Administration Agreement for the name of the City on behalf of the Community Facilities District with such additions thereto and changes therein as are recommended or approved by Bond Counsel to the Community Facilities District and the officers executing the same, with such approval to be conclusively evidenced by the execution and delivery of the Administration Agreement.

Section 3. Execution of Bonds. The Bonds shall be executed on behalf of the Community Facilities District by the

manual or facsimile signature of the Mayor of the City, and the seal of the Community Facilities District or a facsimile thereof, shall be impressed or imprinted thereon and attested with the manual or facsimile signature of the City Clerk.

Section 4. Appointing of Fiscal Agent. Security Pacific National Bank, Los Angeles, California, is hereby appointed to act as Fiscal Agent for the Bonds to assume the duties and obligations of Fiscal Agent under the Administration Agreement.

Section 5. Approval of Official Seal of the Community Facilities District. The seal presented to the City at this meeting, consisting of two concentric circles with the name of the Community Facilities District imprinted between such circles and the words "Established January 28, 1991" imprinted at the center thereof, is hereby approved as the official seal of the Community Facilities District, and shall be the seal which shall be imprinted on the Bonds.

Section 6. Approval of Purchase Agreement. The form of Purchase Agreement and the sale of the Bonds pursuant thereto upon the terms and conditions set forth therein is hereby approved and, subject to the provisions of section 9 hereof, the Mayor or her designee is authorized to execute and deliver the Purchase Agreement in the name of and on behalf of the Community Facilities District and the City in said form with such changes therein as the officer executing the same may approve and such matters as are authorized by Section 9 hereof, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 7. Approval of Preliminary Official Statement. The Preliminary Official Statement presented to the City Council at the meeting at which this resolution is adopted, is approved and the Mayor or her designee is authorized to deem the Preliminary Official Statement to be in substantially final form and to consent to and assist in the preparation of such modifications thereto as may be specified by Bond Counsel to the City, and by the Underwriter's Counsel, and the Underwriter is authorized to distribute said Preliminary Official Statement as approved hereby, and as modified, with the consent of the Mayor or her designee, to prospective purchasers of the Bonds.

Section 8. Final Official Statement. The Mayor or her designee is further authorized to assist in the preparation of a Final Official Statement based on the Preliminary Official Statement, and such modifications thereto as may be agreed to by Bond Counsel to the City and the Underwriter's Counsel, and the Mayor or her designee is authorized to sign and deliver such Final

Official Statement to the Underwriter as soon as practicable following execution of the Purchase Agreement.

Section 9. Mayor or Her Designee Authorized to Establish Final Terms of the Sale of the Bonds. The Mayor or her designee, based upon such advise of staff as they may deem necessary, is hereby authorized and directed to act on behalf of the City to establish and determine (i) the final principal amount of the Bonds, which amount shall not exceed \$9,000,000, including Bonds which may be issued at an original issue discount, (ii) the final amounts of the various maturities and sinking fund payments of the Bonds, (iii) the final interest rate on the Bonds, which rate shall not exceed ten percent (10%) per annum for any maturity of the Bonds, and (iv) the Underwriter's discount for the purchase of the Bonds, which shall not exceed five percent (5%) of the aggregate principal amount of the Bonds. The authorization and powers delegated to the Mayor or her designee by this Section 10 shall be valid for a period of 90 days from the date of adoption of this Resolution.

Section 10. Covenants. The covenants set forth in the Administration Agreement to be executed in accordance with section 2 above shall be deemed to be covenants of the City Council in its capacity of the legislative body of the Community Facilities District.


Section 11. Other Acts. All actions heretofore taken by officers and agents of the City and the Community Facilities District with respect to the sale and issuance of Bonds are hereby approved, confirmed and ratified, and the Mayor or her designee, and the City Clerk, and other appropriate officials of the City and the Community Facilities District are hereby authorized and directed to take any actions and execute and deliver any and all documents as are necessary to accomplish the issuance, sale and delivery of the Bonds in accordance with the provisions of this Resolution.

RESOLUTION NUMBER 1932

Page 5


Section 12. Date. This resolution shall take effect upon its adoption.

ADOPTED, SIGNED and APPROVED this 11th day of March , 1991.



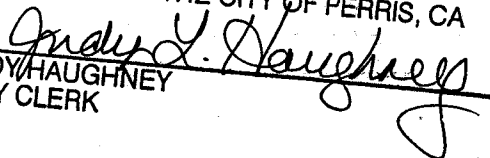
Mayor of the City of Perris

ATTEST:



City Clerk of the
City of Perris

THIS IS TO CERTIFY THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL
DOCUMENTS ON FILE IN THE OFFICE OF THE
CITY CLERK OF THE CITY OF PERRIS, CA




JUDY HAUGHNEY
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Beti An Hynes, City Clerk of the City of Perris, do hereby certify that the foregoing Resolution Number 1932 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 11th day of March, 1991, by the following called vote:

Ayes: Fliemann, Gutierrez, Baitinger, Borgia and Wilson
Noes: None
Absent: None



City Clerk

EXHIBIT "A"

PROPOSITION A: Shall a bonded indebtedness in an aggregate principal amount not to exceed \$9,000,000 be incurred by and for Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, for a maximum term of not more than 40 years and with interest at a rate or rates not to exceed 12 percent per annum, or such other rate as may be the maximum interest rate permitted by law, for the purpose of providing public facilities within and for the community facilities district, including the design, acquisition, construction, expansion, rehabilitation, and equipping and furnishing, as appropriate, of (a) street and road facilities (including the purchase of rights-of-way and construction or acquisition of street and road improvements); (b) water facilities and storm drains; (c) street lights, traffic lights and public utility facilities (including gas, electrical and telephone); and to serve the area within proposed Community Facilities District No. 91-1 (Perris Valley Spectrum); (d) school facilities, fire protection and suppression facilities and services and open space, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities; and (e) governmental facilities which the City Council of the City of Perris is authorized by law to contribute revenue to, or construct, own or operate, including but not limited to civic center improvements and facilities, municipal facilities and improvements, police, jail and detention facilities, parks, recreation facilities, parkways, open-surface facilities, museums and cultural facilities, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities and paying costs incidental to the sale of bonds, the formation of the community facilities district, and the design, acquisition, construction, expansion, rehabilitation, and equipping and furnishing, as appropriate, of said public facilities, including all costs and estimated costs of acquisition and construction of said public facilities, acquisition of land and rights-of-way, satisfaction of contractual obligations relating to expenses or the advancement of funds for expenses existing at the time the bonds are issued, architectural, engineering, inspection, legal, fiscal and financial consultant fees, bond and other reserve funds, bond discount fees, interest on any bonds of the community facilities district due and payable prior to the expiration of one year from the date of completion of the construction of said public facilities, not to exceed two years, election costs, and all costs and expenses of the bonds, including, but not limited to, fees for legal counsel, costs of obtaining credit ratings, bond insurance

premiums, fees for letters of credit or other credit enhancement costs, and printing costs?

PROPOSITION B: Shall special taxes be levied annually on taxable property within Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, to pay the principal of and interest on the bonds of the community facilities district issued and sold to finance the design, acquisition, construction, expansion, rehabilitation, and equipping and furnishing, as appropriate, of (a) street and road facilities (including the purchase of rights-of-way and construction or acquisition of street and road improvements); (b) water facilities, wastewater and sewer facilities and storm drains; (c) street lights, traffic lights and public utility facilities (including gas, electrical and telephone); and to serve the area within proposed Community Facilities District No. 91-1 (Perris Valley Spectrum); (d) school facilities, fire protection and suppression facilities and services and open space, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities; and (e) governmental facilities which the City Council of the City of Perris is authorized by law to contribute revenue to, or construct, own or operate, including but not limited to civic center improvements and facilities, municipal facilities and improvements, police, jail and detention facilities, parks, recreation facilities, parkways, open-surface facilities, museums and cultural facilities, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities and costs incidental thereto, to replenish the reserve fund for such bonds, or to accumulate funds for future bond payments, and to pay expenses incidental thereto and to the levy and collection of such special taxes, so long as such special taxes are needed to pay the principal of and interest on such bonds, and for such other purposes, at the special tax rates and pursuant to the method of apportioning such special taxes set forth in Exhibit "B" to Resolution No. 1913, adopted by the City Council of the City of Perris on January 28, 1991?

61694

When recorded return to:
City Clerk
City of Perris
101 North "D" Street
Perris, CA 92370

RECEIVED FOR RECORD
Mr. Paul [Signature] J.M.

FEB 25 1991

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ [Signature]

NOTICE OF SPECIAL TAX LIEN

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code, the undersigned City Clerk of the City of Perris, State of California, hereby gives notice that a lien to secure payment of special taxes which the City Council of the City of Perris, State of California, is authorized to levy is hereby imposed. The special taxes secured by this lien are authorized to be levied for the purpose of paying principal and interest on bonds, the proceeds of which are being used to finance the public facilities described in Exhibit "A" attached hereto.

The special taxes are authorized to be levied within and for Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California (the "District") described in Exhibit "B" attached hereto, which has now been officially formed and the lien of the special taxes is a continuing lien which shall secure each annual levy of the special taxes and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law or until the special taxes cease to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

61694-10073

Feb. 25, 1991

The rates, method of apportionment, and manner of collection of the authorized special taxes are as set forth in Exhibit "C" attached hereto. No provision has been made for the prepayment of the special tax obligation.

Notice is further given that upon the recording of this notice in the office of the County Recorder, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within the District in accordance with Section 3115.5 of the Streets and Highways Code.

The name(s) of the owner(s) of the real property included within the Community Facilities District as they appear on the latest secured assessment roll as of the date of recording of this notice are set forth in Exhibit "D" attached hereto.

Reference is made to the boundary map of the Community Facilities District recorded on January 11, 1991 in Book 31 of Maps of Assessment and Community Facilities Districts, at Page 36, and as Instrument No. 13249, in the office of the County Recorder for the County of Riverside, State of California, which map is now the final boundary map of Community Facilities District No. 91-1.

The assessor's tax parcel numbers of all parcels which are included within the Community Facilities District are also set forth in Exhibit "D" attached hereto.


For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons

0210-1-0807-1

Feb. 25, 1991

should contact the City Manager of the City of Perris, 101 North
"D" Street, Perris, California, telephone number (714) 943-6100.

Dated: February 12, 1991.



BETI AN HYNES, City Clerk
City of Perris, California

02 19 11 19 07 75

Feb. 25, 1991

EXHIBIT A
TYPES OF FACILITIES

The types of public facilities proposed to be provided within and financed by the proposed community facilities district are:

(a) street and road facilities (including the purchase of rights-of-way and construction or acquisition of street and road improvements);

(b) water facilities, wastewater and sewer facilities and storm drains;

(c) street lights, traffic lights and public utility facilities (including gas, electrical and telephone); and to serve the area within proposed Community Facilities District No. 91-1 (Perris Valley Spectrum);

(d) school facilities, fire protection and suppression facilities and services and open space, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities; and

(e) governmental facilities which the City Council of the City of Perris is authorized by law to contribute revenue to, or construct, own or operate, including but not limited to civic center improvements and facilities, municipal facilities and improvements, police, jail and detention facilities, parks, recreation facilities, parkways, open-surface facilities, museums and cultural facilities, including the payment of capital facilities fees to finance the construction and/or acquisition of such facilities.

2025-02-25

Feb. 25, 1991

EXHIBIT B

LEGAL DESCRIPTION

Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris, County of Riverside, State of California, includes the land situated in the State of California, County of Riverside, City of Perris, described as follows:

BEING A SUBDIVISION OF LOTS 1, 2, 3 AND 4 OF PARCEL MAP NO. 9000 AS RECORDED IN BOOK 42, PAGE 58, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 18, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN.

BEGINNING AT THE CENTERLINE INTERSECTION OF PERRIS BOULEVARD AND ORANGE AVENUE, SAID INTERSECTION BEING THE SOUTHEAST CORNER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE & MERIDIAN; THENCE NORTH 0°08'28" WEST, 1980.31 FEET; THENCE NORTH 89°08'31" WEST, 1318.14 FEET; THENCE SOUTH 0°11'10" EAST, 1985.69 FEET; THENCE SOUTH 89°22'30" EAST, 1135.89 FEET; THENCE NORTH 0°37'30" EAST, 60.00 FEET; THENCE SOUTH 89°22'30" EAST, 40.00 FEET; THENCE SOUTH 0°37'30" WEST, 60.00 FEET; THENCE SOUTH 89°22'30" EAST, 160.61 FEET TO THE POINT OF BEGINNING.

2019-11-09 07:51

Feb. 25, 1991



EXHIBIT C
 RATE AND METHOD OF APPORTIONMENT OF
 SPECIAL TAX
 FOR COMMUNITY FACILITIES DISTRICT NO. 91-1
 (Perris Valley Spectrum)
 OF
 CITY OF PERRIS

The Special Tax is to be levied by the City on behalf of the District each Fiscal Year pursuant to Table No. 1 for Fiscal Year 1992/93, and pursuant to Table No. 2 thereafter, and in an amount sufficient to pay Debt Service on the Bonds, all Administrative Fees or Expenses of the City related to the Bonds, and the annual administration of the District and all payments required under the Administration Agreement for the Bonds and any supplements thereto. In addition, the City pledges for the repayment of the Bonds the Agency Contribution as defined below. The Special Tax may be levied each Fiscal Year in an aggregate amount not to exceed \$950,000. The maximum bonded indebtedness for the District is \$9,000,000.

The actual Special Tax to be levied each Fiscal Year will be calculated for each Parcel as follows:

$$\frac{\text{Taxable Sq. Ft. of Parcel}}{\text{Total Taxable Sq. Ft. of District}} \times \text{Annual Cost} = \text{Special Tax}$$

Definitions

Annual Costs for any Fiscal Year equals the sum of (i) annual Debt Service on the Bonds for the current Bond Year; (ii) the estimated Administrative Fees or Expenses of the City for such Fiscal Year; (iii) the amount, if any, necessary to replenish the Reserve Fund on the Bonds to the level required under the Administration Agreement; (iv) any other payment required under the Administration Agreement and any amendment thereto; (v) less the Agency Contribution for such Fiscal Year.

Administration Agreement means the agreement by that name approved by the Resolution of Issuance.

Administrative Fees or Expenses means any or all of the following: the fees and expenses of the Fiscal Agent (including any fees or expenses of its counsel), the expenses of the City in carrying out its duties under the Administration Agreement or otherwise with respect to the District (including, but not limited to, the levying and collection of the Special Taxes) including the fees and expenses of its counsel, an allocable share of the salaries of the City staff directly related thereto and a proportionate amount of

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Feb. 25, 1991

City general administrative overhead related thereto, any amounts paid by the City from its general funds with respect to the District, and all other costs and expenses of the City or the Fiscal Agent incurred in connection with the Administration Agreement or otherwise with respect to the District.

Agency means the Redevelopment Agency of the City of Perris, County of Riverside, California.

Agency Contribution means for any Fiscal Year an amount equal to the Tax Increment Revenues to be received by the Agency in such Fiscal Year as certified in a report of an Independent Financial Consultant; provided that in no event shall the Agency Contribution in any Fiscal Year exceed an amount necessary, together with funds on deposit in the Bond Fund, to pay (i) the debt service due on the Bonds in such Fiscal Year, (ii) Administrative Expenses in such Fiscal Year, and (iii) the amount, if any, to increase the deposit in the Reserve Fund to the Reserve Requirement (the "Maximum Agency Contribution"). In addition, if the amount of Tax Increment Revenues described above, together with funds on deposit in the Bond Fund, are not in an amount equal to the Maximum Agency Contribution in any Fiscal Year prior to Fiscal Year 2006/07, the Agency Contribution shall include Sales and Use Tax Revenues to the extent received in the prior Fiscal Year; provided that in no event shall such Sales and Use Taxes exceed the lesser of (i) an amount, together with Tax Increment Revenues as described above, equal to the Maximum Agency Contribution, (ii) prior to Fiscal Year 1996/97 an amount equal to 50% of the Sales and Use Taxes received in excess of \$400,000, or (iii) in Fiscal Years 1997/98 to 2006/07 an amount equal to 25% of the Sales and Use Taxes received in excess of \$400,000 (the "Maximum Sales and Use Tax Contribution").

Bonds means the Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris 1991 Special Tax Bonds.

Bond Fund is the fund by that name created under the Administration Agreement.

Debt Service for any Fiscal Year is the total annual principal and interest payment on the Bonds for the next succeeding March 1 (the March 1 in such Fiscal Year) and the following September 1 (the September 1 in the next Fiscal Year), less investment earnings on the Reserve Fund available for that purpose and not required under the Fiscal Agent Agreement to be set aside in a separate account to be used to make payments to the United States pursuant to the Federal Tax Code, and less any capitalized interest and any other amounts on deposit in the Bond Fund under the Fiscal Agent Agreement as of the first day of such Fiscal Year.

District means the Community Facilities District No. 91-1 (Perris Valley Spectrum) of the City of Perris.

225-1007-3

Feb. 25, 1991

Fiscal Year means the period starting on July 1 and ending the following June 30.

Improvements are the public improvements designated in the Resolution of Formation to be financed by the District.

Parcel is the Assessor's parcels (or portions thereof) that are within the boundaries of the District based on the equalized rolls of the County of Riverside as of March 1 of each year.

Reserve Fund is the fund of that name created under the Administration Agreement.

Resolution of Issuance is any Resolution adopted by the City authorizing the issuance of the Bonds to be secured by the levy of a Special Tax within the District.

Sales and Use Taxes means the Sales and Use Taxes received by the Agency within the District pursuant to Section 7202.6 of the Revenue and Taxation Code of the State of California.

Special Tax is any tax authorized under Section 53340 of the California Government Code to be levied by the City within the District.

Taxable Square Footage is all of the area of a Parcel within the District which is not exempt from the Special Tax pursuant to Section 53311, et. seq. of the California Government Code.

Tax Increment Revenues shall mean moneys received by the Agency after the Closing Date derived from that portion of taxes levied upon assessable property within the District allocated to the City pursuant to Article 6 of Chapter 6 of the Law and Section 16 of Article XVI of the Constitution of the State of California. Notwithstanding the foregoing, Tax Increment Revenues shall not include (a) taxes defined as "Tax Revenues" in any Indenture for the issuance of Tax Allocation Bonds for Redevelopment Project II of the Agency unless and until such "Tax Revenues" are deemed to be "surplus" within the meaning of such Indenture; (b) amounts owed by the Agency under any pass-through agreement pursuant to Section 33401(b) of the California Health and Safety Code; and (c) taxes allocated to the Agency that are required by Section 33334.2 of the California Health and Safety Code to be used by the Agency for increasing and improving the supply of low and moderate income housing.

Total Taxable Square Footage of the District means the aggregate Taxable Square Footage of each Parcel in the District.

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Feb. 25, 1991



2001-07-25

Feb. 25, 1991

TABLE NO. 1
 COMMUNITY FACILITIES DISTRICT NO. 91-1
 (PERRIS VALLEY SPECTRUM)
 OF THE CITY OF PERRIS
 CALENDAR OF EVENTS THROUGH SEPTEMBER, 1993

<u>Date</u>	<u>Event</u>
03/91	Bond Closing
09/91	Interest Payment (Funded)
10/91	Projected opening date of Shopping Center
01/92	Agency receives first installment of Tax Increment (Supplemental only), if any
03/92	Interest Payment (Funded)
05/92	Agency receives second installment of Tax Increment (Supplemental only), if any
06/92	(1) Agency projects Tax Increment for Fiscal Year 1992/93 (2) City determines amount of Tax Increment funds and investment earnings currently available (3) City determines amount of sales and use tax available for the period ending June 30 and transfers such amount to the Fiscal Agent (4) City sets tax rate
09/92	Interest Payment (Funded)
01/93	Agency receives first installment of Tax Increment
03/93	Interest Payment
06/93	City sets tax rate (see 06/92) above
09/93	Principal and interest payment

06-15074-

Feb. 25, 1991

TABLE NO. 2
COMMUNITY FACILITIES DISTRICT NO. 91-1
(PERRIS VALLEY SPECTRUM)
OF THE CITY OF PERRIS
CALENDAR OF EVENTS
TYPICAL YEAR AFTER CAPITALIZED INTEREST PERIOD

<u>Date</u>	<u>Event</u>
July	(1) Agency projects Tax Increment for current Fiscal Year (2) City determines available funds on deposit with Fiscal Agent after making provision for September Debt Service payment (3) City determines amount of sales and use taxes available from prior Fiscal Year not to exceed Agency Contribution and transfers such amount to the Fiscal Agent (4) City sets tax rate
September	Interest and principal payment date (paid from prior Fiscal Year collections)
January	Agency receives first installment of Tax Increment applied to March Debt Service payment
March	Interest payment date
May	Agency receives first installment of Tax Increment applied to September Debt Service payment
July	City sets tax rate
September	Interest and principal payment

EXHIBIT D

Assessor Parcel Numbers and Property Owner List

Within

City of Perris Community Facilities District No. 91-1
(Perris Valley Spectrum)

Assessor Parcel Nos.

305-080-013
305-080-014
305-080-015
305-080-016

North Perris/Stockton Associates

02 09 - 10 07 3-

Feb. 25, 1991



**ALESHIRE
WYNDER, LLP**
ATTORNEYS AT LAW
www.awattorneys.com

Email: lcheung@awattorneys.com

Orange County Office:
18881 Von Karman Avenue
Suite 400
Irvine, California 92612
Phone 949.223.1170
Fax 949.223.1180

Los Angeles Office:
South Bay Centre
1515 West 190th Street
South Tower, Suite 565
Gardena, California 90248
Phone 310.527.6660
Fax 310.532.7395

May 11, 2009

Don Kent
Treasurer-Tax Collector
P.O. Box 12005
Riverside, CA 92502-2205

Re: Claim for Excess Proceeds From the Sale of Tax-Defaulted Property
Assessment No.: 305080046-8

Dear Mr. Kent:

Enclosed please find information relating to Claim For Excess Proceeds From The Sale Of Tax-Defaulted Property – APN 305-080-046-8.

If you have any questions, please feel free to contact me.

Very truly yours,

ALESHIRE & WYNDER, LLP


Lesley Cheung



**ALESHIRE
WYNDER, LLP**
ATTORNEYS AT LAW
www.awattorneys.com

Email: lcheung@awattorneys.com

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Gardena, California 90248
Phone 310.527.6660
Fax 310.532.7395

May 12, 2009

Don Kent
Treasurer-Tax Collector
P.O. Box 12005
Riverside, CA 92502-2205

Re: Claim for Excess Proceeds From the Sale of Tax-Defaulted Property
Assessment No.: 305080046-8

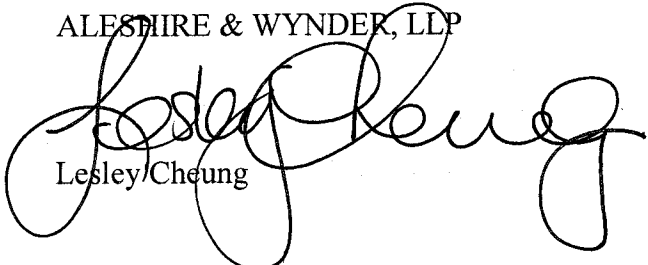
Dear Mr. Kent:

Enclosed please find additional information relating to Claim For Excess Proceeds From The Sale Of Tax-Defaulted Property – APN 305-080-046-8.

If you have any questions, please feel free to contact me.

Very truly yours,

ALESHIRE & WYNDER, LLP


Lesley Cheung

Enclosure

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on this card so that we can return the card to you.
- Attach this card to the back of the envelope or on the front if space permits.

1. Article Addressed to:

EP179 Item29
 Lesley Cheung
 Attorney on behalf of City of
 18881 Von Karman Ave, Ste
 Irvine, CA 92612

2. Article Number
 (Transfer from service label)

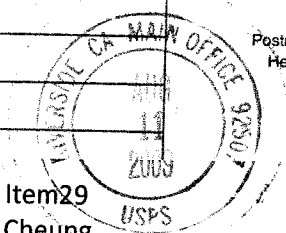
PS Form 3811, August 2001

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
Sent To	EP179 Item29	
Street, Apt. No., or PO Box No.	Lesley Cheung	
City, State, ZIP+4 [®]	Attorney on behalf of City of Perris 18881 Von Karman Ave, Ste 400 Irvine, CA 92612	



August 10, 2009

Lesley Cheung
 Attorney for City of Perris
 18881 Von Karman Ave, Ste 400
 Irvine, CA 92612

Re: Apn: 305080046-8
 TC 179 Item 29
 Date of Sale: March 17, 2009

Domestic Return Receipt

102595-02-M-15

Dear Lesley Cheung:

This office is in receipt of your claim for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Tax Collector in making the determination.

- Notarized Affidavit for Collection of Personal Property under California Probate Code 13100
- Notarized Statement of different/misspelled name for
- Notarized Statement Giving Rights to Collect/Claim on behalf of the City of Perris**
- Copy of Trust/Will (Complete)
- Certified Death Certificate's of
- Copy of Birth Certificate

- Copy of Marriage Certificate for
- Original Note/Payment Book
- Updated Statement of Monies Owed (as of dated of tax sale)**
- Articles of Incorporation (if applicable Statement by Domestic Stock)
- Court Order Appointing Administrator
- Deed (Quitclaim/Grant etc...)
- Other -We are going to need a breakdown of the years that you are collecting for and the outstanding balance as of the date of our tax sale**

If you should have any questions, please contact me at the number listed below.

Sincerely,

Desiree Taylor

Desiree Taylor
 Tax Enforcement Unit
 (951) 955-3842
 (951) 955-3990 Fax

Taylor, Desiree

From: lcheung@awattorneys.com
Sent: Thursday, August 20, 2009 5:04 PM
To: Taylor, Desiree
Subject: Perris Claim for Excess Proceeds: APN 305-080-046
Attachments: Mime.822

Desiree,

The City of Perris submitted a claim for excess proceeds as to the above described parcel earlier this year. The only other claimant is Ken Steele. He and I spoke today on the telephone. Both he and I are in the agreement that we want the excess proceeds to go to the City, to help pay off the CFD delinquencies. To better expedite the process, especially since both claimants consent, is there any way to stipulate to such distribution to the City? And if so, what type of document do you recommend - letters, a stipulation?

Also, I did receive your August 10th letter for additional documentation to prove the City's right to claim the excess proceeds. Is there a deadline to submit such additional documentation? I will work to get them as soon as possible and will call if I have any additional questions.

Thank you
Lesley Cheung, Esq.
Aleshire & Wynder, LLP
18881 Von Karman Avenue, Ste 400
Irvine, California 92612
(T): (949) 223-1170
(F): (949) 223-1180



**ALESHIRE &
WYNDER, LLP**
ATTORNEYS AT LAW
www.awattorneys.com

RESPOND TO ORANGE COUNTY OFFICE

Email: lcheung@awattorneys.com

Orange County
18881 Von Karman Ave., Suite 400
Irvine, CA 92612
P 949.223.1170 • F 949.223.1180

Los Angeles
South Bay Centre, South Tower
1515 West 190th St., Suite 565
Gardena, CA 90248
P 310.527.6660 • F 310.532.7395

Sacramento
980 9th St., 16th Floor
Sacramento, CA 95814
P 916.449.9690 • F 916.449.9689

September 29, 2009

Desiree Taylor
Tax Enforcement Unit
Riverside County Treasurer
P.O. Box 12005
Riverside, CA 92502-2205

Re: APN 205-080-046-8
TC 179 Item 29
Date of Sale: March 17, 2008

RECEIVED
2009 OCT - 8 AM 11: 39
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

Dear Ms. Taylor:

Our office serves as the City Attorney's Office for the City of Perris (the "City"). Our office submitted a Claim for Excess Tax Proceeds on May 8, 2009 and supplemental documentation again on May 12, 2009.

We received a letter dated August 10, 2009 requesting additional documentation. (See August 10, 2009 letter from Desiree Taylor, attached.) Attached hereto are:

- A notarized statement giving rights to collect/claim on behalf of the City of Perris. (See, notarized statement by James Fructuoso, dated September 16, 2009.)
- An updated statement of monies owed (as of dated of tax sale). (See, email from Dezirae Webb dated August 25, 2009 and Special Tax Delinquency Report for City of Perris.)
- A breakdown of the years that the City is collecting for and the outstanding balance as of the date of the tax sale. (See, Special Tax Delinquency Report for City of Perris.)

Please do not hesitate to contact me directly should you have any questions about this matter or need any further information. Thank you for your time and consideration.



Desiree Taylor
September 29, 2009
Page 2

Very truly yours,

ALESHIRE & WYNDER, LLP

A large, fluid, handwritten signature in black ink, which appears to read 'Lesley Cheung'. The signature is written over the printed name and firm name.

Lesley Cheung

cc: James Fructuoso, Assistant Finance Director
Lynn Buchanan, Special Districts Coordinator
Dezirae Webb, Willdan Financial Services

JON CHRISTENSEN
ASSISTANT TREASURER-TAX COLLECTOR
SUE BAUER
SR. CHIEF DEPUTY TREASURER-TAX COLLECTOR
DEBBIE BASHE
INFORMATION TECHNOLOGY OFFICER II
GIOVANE PIZANO
INVESTMENT MANAGER



DON KENT
TREASURER

GARY COTTERILL
CHIEF DEPUTY TREASURER-TAX COLLECTOR
MATT JENNINGS
CHIEF DEPUTY TREASURER-TAX COLLECTOR
MELISSA JOHNSON
CHIEF DEPUTY TREASURER-TAX COLLECTOR
ADRIANNA GOMEZ
ADMINISTRATIVE SERVICES MANAGER I

August 10, 2009

Lesley Cheung
Attorney for City of Perris
18881 Von Karman Ave, Ste 400
Irvine, CA 92612

Re: Apn: 305080046-8
TC 179 Item 29
Date of Sale: March 17, 2008

Dear Lesley Cheung:

This office is in receipt of your claim for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Tax Collector in making the determination.

- | | |
|---|--|
| <input type="checkbox"/> Notarized Affidavit for Collection of Personal Property under California Probate Code 13100 | <input type="checkbox"/> Copy of Marriage Certificate for Original Note/Payment Book |
| <input type="checkbox"/> Notarized Statement of different/mis spelled name for | <input checked="" type="checkbox"/> Updated Statement of Monies Owed (as of dated of tax sale) |
| <input checked="" type="checkbox"/> Notarized Statement Giving Rights to Collect/Claim on behalf of the City of Perris | <input type="checkbox"/> Articles of Incorporation (if applicable Statement by Domestic Stock) |
| <input type="checkbox"/> Copy of Trust/Will (Complete) | <input type="checkbox"/> Court Order Appointing Administrator |
| <input type="checkbox"/> Certified Death Certificate's of | <input type="checkbox"/> Deed (Quitclaim/Grant etc...) |
| <input type="checkbox"/> Copy of Birth Certificate | <input checked="" type="checkbox"/> Other -We are going to need a breakdown of the years that you are collecting for and the outstanding balance as of the date of our tax sale |

If you should have any questions, please contact me at the number listed below.

Sincerely,

Desiree Taylor

Desiree Taylor
Tax Enforcement Unit
(951) 955-3842
(951) 955-3990 Fax

RIVERSIDE COUNTY TREASURER-TAX COLLECTOR

4080 LEMON STREET, 4TH FLOOR * P.O. BOX 12005 * RIVERSIDE, CALIFORNIA 92502
WWW.RIVERSIDETAXINFO.COM * (951) 955-3900 * 1(877) 748-2689 * FAX (951) 955-3923

September 16, 2009

To Whom It May Concern:

My name is James Fructuoso and I am the Assistant Finance Director for the City of Perris, a public body, corporate and politic. The law firm of Aleshire & Wynder serves as the City Attorney for the City of Perris and as such, is authorized to make claims for excess tax proceeds on behalf of the City of Perris.

Sincerely,



James Fructuoso
Assistant Finance Director

STATE OF CALIFORNIA)
) ss.
COUNTY OF)

On Sept. 17, 2009, before me, Vicki Kasad, a Notary Public, personally appeared James Fructuoso, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



Special Tax Delinquency Report

City of Perris

District CFD/CFD 91-1 - Community Facilities District No. 91-1, Perris Valley Spectrum

A Active **fa** Foreclosure Action **U** SBE **H** Handbilled
P Paid Off **S** Split **F** Parcel in Foreclosure **B** Bankrupt
F Finished **L** Foreclosure Letter Sent **S** Hold/Special Circumstance **J** Judgement
R Refunded **N** Notice of Intent / Slip Requested **F** Fees **Total Due** **Flags** **Special Circumstance** **Date Due**

APN	APN Status	Original Assessment	Owner Name	Address	City/State/Zip	Site Address	Due Date	Installment Amount	Penalty	Interest	Fees	Total Due	Flags	Special Circumstance	Date Due
A 1a							12/10/1998	28,612.64	2,861.26	51,931.99	0.00	83,405.89	TF		05/08/2009
A 1a							04/10/1999	28,612.64	2,861.26	51,931.99	0.00	83,405.89	TF		05/08/2009
A 1a							12/10/1999	16,785.93	1,678.59	27,445.11	0.00	45,909.63	TF		05/08/2009
A 1a							04/10/2000	16,785.93	1,678.59	27,445.11	0.00	45,909.63	TF		05/08/2009
A 1a							12/10/2001	17,100.11	1,710.01	21,802.50	0.00	40,612.62	T		05/08/2009
A 1a							04/10/2002	17,100.11	1,710.01	21,802.50	0.00	40,612.62	T		05/08/2009
A 1a							12/10/2002	15,363.69	1,536.37	16,823.58	0.00	33,723.64	T		05/08/2009
A 1a							04/10/2003	15,363.69	1,536.37	16,823.58	0.00	33,723.64	T		05/08/2009
A 1a							12/10/2003	14,953.37	1,495.34	13,682.30	0.00	30,131.01	T		05/08/2009
A 1a							04/10/2004	14,953.37	1,495.34	13,682.30	0.00	30,131.01	T		05/08/2009
A 1a							12/10/2004	15,398.37	1,539.84	11,318.02	0.00	28,256.23	T		05/08/2009
A 1a							04/10/2005	15,398.37	1,539.84	11,318.02	0.00	28,256.23	T		05/08/2009
A 1a							12/10/2005	21,617.86	2,161.79	11,997.99	0.00	35,777.64	TF		05/08/2009
A 1a							04/10/2006	21,617.86	2,161.79	11,997.99	0.00	35,777.64	TF		05/08/2009
Total Delinquent:									\$367,555.54	\$36,755.60	\$551,172.81	0.00	\$955,484.35		

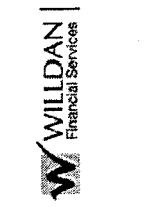
305-080-046-8 A 1a STEELE KENNETH A & P O BOX 9598 LAGUNA BEACH, CA 92652
 STEELE ANA



Special Tax Delinquency Report City of Perris

District CFD/CFD 91-1 - Community Facilities District No. 91-1, Perris Valley Spectrum

APN	APN Status	Original Assessment	Owner Name	Address	City/State/Zip	Site Address	Flags	R Reminder Letter Sent	D Demand Letter Sent	L Foreclosure Letter Sent	N Notice of Intent / Ship Requested	T Removal confirmed	P Payment Plan	U SBE	F Parcel in Foreclosure	S Hold/Special Circumstance	H Handbilled	B Bankrupt	J Judgement								
																			Payroll & Interest Based Total 7/31/09								
																			Penalty	Interest	Fees	Total Due	Flags	Special Circumstance	Date		
	A fa										12/10/1995	4,223.00	4,223.00	9,945.95	0.00	14,591.25	TF		05/08/2009								
	A fa										04/10/1986	4,223.00	4,223.00	9,945.85	0.00	14,591.25	TF		05/08/2009								
	A fa										12/10/1986	4,030.50	4,030.50	8,786.70	0.00	13,200.25	DTLF		05/08/2009								
	A fa										04/10/1987	4,030.50	4,030.50	8,786.70	0.00	13,200.25	DTLF		05/08/2009								
	A fa										12/10/1987	3,788.50	3,788.50	7,578.34	0.00	11,756.69	DTLF		05/08/2009								
	A fa										04/10/1988	3,788.50	3,788.50	7,578.34	0.00	11,756.69	DTLF		05/08/2009								
	A fa										12/10/1988	7,542.57	7,542.57	13,686.94	0.00	21,986.77	TF		05/08/2009								
	A fa										04/10/1989	7,542.57	7,542.57	13,686.94	0.00	21,986.77	TF		05/08/2009								
	A fa										12/10/1989	4,424.93	4,424.93	7,234.33	0.00	12,101.75	TF		05/08/2009								
	A fa										04/10/2000	4,424.93	4,424.93	7,234.33	0.00	12,101.75	TF		05/08/2009								
Total Delinquent:																			\$52,376.50	\$5,237.65	\$105,425.66	0.00	\$163,039.81				
305-080-047.9	A fa		PERRIS 15 INV	32823 TEMECULA PKWY	TEMECULA, CA 92592						04/10/1995	\$23,714.00	\$23,714.00	\$60,114.99	\$0.00	\$86,200.39	DTLF		05/08/2009								
	A fa										12/10/1995	23,089.00	23,089.00	54,375.38	0.00	79,773.28	TF		05/08/2009								
	A fa										04/10/1996	23,089.00	23,089.00	54,375.38	0.00	79,773.28	TF		05/08/2009								
	A fa										12/10/1996	22,036.50	22,036.50	47,929.75	0.00	72,169.90	DTLF		05/08/2009								
	A fa										04/10/1997	22,036.50	22,036.50	47,929.75	0.00	72,169.90	DTLF		05/08/2009								



Lesley Cheung

From: Dezirae Webb [dwebb@willdan.com]
Sent: Tuesday, August 25, 2009 7:58 AM
To: Lesley Cheung
Subject: RE: claim steele
Follow Up Flag: Follow up
Flag Status: Red

Lesley,

The monies owned for APN 305-080-046-5 as of the date of the tax sale (3/17/2008) was as follows:

As of 3/17/2008

Total Principal: \$52,376.50
Total Penalties: \$5,237.65
Total Interest: \$92,855.10
Total Admin: \$917.00
TOTAL: \$151,386.25

The amount above represents stripped delinquent installments for tax years 1994/95, 1995/96, 1996/97, 1997/98, 1998/99 and 1999/00.

Please note the Total provided does not include legal fees.

As far as a Notarized Statement Giving Rights to Collect/Claim on behalf of the City of Perris, I believe this would be a document drawn up between Aleshire & Wynder and the City, possibly a copy of your contract with the City.

Please let me know if you have any questions or if I can be of further assistance.

Thank you,



Dezirae Webb
Analyst II

Willdan Financial Services (formerly MuniFinancial)
27368 Via Industria, Suite 110
Temecula, California 92590
T. 951.587.3547 800.755.6864
F. 951.587.3510 888.326.6864
Email: dwebb@willdan.com

9/28/2009

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Paul McDonnell, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 179 Item 29 Assessment No.: 305080046-8

Assessee: STEELE, KENNETH A & ANA & STREET, MICHAEL B

Situs: NONE

Date Sold: March 17, 2008

Date Deed to Purchaser Recorded: May 12, 2008

Final Date to Submit Claim: May 12, 2009

RECEIVED
 2008 JUN 16 PM 4: 40
 RIVERSIDE COUNTY
 TREAS - TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 57,288.68 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2001203280; recorded on 05-13-2001. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

<u>COPY of TAX DEED DATED 3-12-01</u>	<u>INSTR # 2001-203280</u>	<u>RECORDED 5-13-01</u>	<u>FIRST TAX DEED</u>
<u>11 11 11 11 11</u>	<u>3-17-08</u>	<u>INSTR # 2008-0251669</u>	<u>5-12-08</u>
			<u>SECOND TAX DEED</u>

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of JUN, 2008 at ORANGE CO. CA. USA BIRTH
County, State MIKLETTA

[Signature]
 Signature of Claimant

[Signature]
 Signature of Claimant

KENNETH A. STEELE
 Print Name

ANA STEELE
 Print Name

Kenneth Steele
P.O. Box 9598
 Street Address
Laguna Beach, CA 92652 USA

P.O. 9598
 Street Address

City, State, Zip 949
949 300 4400 OR 715 0300
 Phone Number

LAGUNA BEACH CA 92652
 City, State, Zip
949 463 4425
 Phone Number

Kenneth Steele
P.O. Box 9598
Laguna Beach, CA 92652 USA

949 715 0300

KENNETH A. STEELE AND ANA STEE
P.O. BOX 1324
COLTON, CA 92324

DOC 2001-203280

05/12/2001 08:00A Fee:6.00

Page 1 of 1 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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	1		1						
									Tv
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

TRA 008-079

Doc. Trans. Tax - computed on full value of property conveyed \$ 26.40

Paul McDonnell, Tax Collector

Melissa Johnson
Signature of Declarant

TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for Fiscal Year 1994-1995
and for nonpayment were duly declared to be in default 1995-305080046-0000

M
TV

Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and KENNETH A. STEELE AND ANA STEELE, HUSBAND AND WIFE AS JOINT TENANTS

("PURCHASER") conveys to the PURCHASER free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenue and Taxation Code, to the real property described herein which the SELLER sold to the PURCHASER at a public auction held on pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of NO TAXING AGENCY objected to the sale.

MARCH 12, 2001

\$23,755.00

accordance with law, the SELLER, hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to UCLD PROP LLC, described as follows:

305080046-8

Assessor's Parcel Number

IN THE CITY OF PERRIS

PARCEL 13 OF PARCEL MAP 26437, AS SHOWN BY MAP ON FILE IN BOOK 169, PAGES 66 THRU 71 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY.

OLD DEED

State of California Executed on
RIVERSIDE County MARCH 12, 2001 By Paul McDonnell
Tax Collector



On MARCH 12, 2001, before me, GARY L. ORSO, personally appeared PAUL MCDONNELL, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

GARY L. ORSO

Assessor/County Clerk-Recorder

James D. [Signature]
Deputy

KENNETH A STEELE AND ANA STEELE
PO BOX 9598
LAGUNA BEACH, CA 92652

DOC # 2008-0251669

05/12/2008 08:00A Fee:9.00

Page 1 of 1 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY	
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM	
							T008	CTY	UNI	023

TRA 008-079

Doc. Trans. Tax - computed on full value of property conveyed \$ 196.90

Paul McDonnell, Tax Collector

Karen Brandtman
Signature of Declarant

9

M
023

TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for Fiscal Year 2000-2001
and for nonpayment were duly declared to be in default 2002-305080046-0000
Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and
KENNETH A STEELE AND ANA STEELE, HUSBAND AND WIFE AS JOINT TENANTS

("PURCHASER") conveys to the PURCHASER free of all encumbrances of any kind existing
before the sale, except those referred to in §3712 of the Revenue and Taxation Code, to the real
property described herein which the SELLER sold to the PURCHASER at a public auction held on
pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6,
Chapter 7, Revenue and Taxation Code, for the sum of
\$179,000.00
NO TAXING AGENCY objected to the sale.

MARCH 17, 2008

\$179,000.00

In accordance with law, the SELLER, hereby grants to the PURCHASER that real
property situated in said county, State of California, last assessed to
STEELE, KENNETH A & ANA & STREET, MICHAEL B, described as follows:

305080046-8

Assessor's Parcel Number

IN THE CITY OF PERRIS

PARCEL 13 OF PARCEL MAP 26437, AS SHOWN BY MAP ON FILE IN BOOK 169, PAGE 66-71 OF PARCEL MAPS, RECORDS
OF RIVERSIDE COUNTY.

~~CORRECT TAX DEED~~

State of California
County of Riverside

Executed on
MARCH 17, 2008

By Paul McDonnell
Tax Collector

On 5/5/08, before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Paul McDonnell, Treasurer and Tax Collector
for Riverside County, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument
and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity
upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Larry W. Ward, Assessor, Clerk Recorder

By [Signature] Seal
Deputy

§§3708 & 3804 R&T Code



TDL 8-19 (6-97)

County Administrative Center- 4th Floor
4080 Lemon Street, P.O. Box 12005
Riverside, CA 92502-2205
(951) 955-3900 (760) 863-8900
(951) 955-3990 - Fax



Palm Springs Office
997 E Tahquitz Canyon Way, Suite A
Palm Springs, CA 92262

E-mail: ttc@co.riverside.ca.us
www.countytreasurer.org

**COUNTY OF RIVERSIDE
TREASURER AND TAX COLLECTOR**

Temecula Office
40935 County Center Drive, Suite C
Temecula, CA 92591

June 9, 2008

STEELE, KENNETH A & ANA & STREET, MICHAEL B
P O BOX 9598
LAGUNA BEACH, CA 92652

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 305080046-8 Item: 29
Situs Address: None
Assessee: Steele, Kenneth A & Ana & Street, Michael B
Date Sold: March 17, 2008
Date Deed to Purchaser Recorded: May 12, 2008
Final Date to Submit Claim: May 12, 2009

Dear Sir or Madame:

The property referenced above was declared subject to the Tax Collector's power of sale for non-payment of taxes and later sold. Parties of Interest, as defined in Section 4675 of the California Revenue and Taxation Code (e.g., the last assessee and any lienholders of record), have a right to file a claim for any excess proceeds that remain after the tax liens and the costs of the sale have been satisfied. Our records show that you may be a party of interest, and we are enclosing for your convenience a claim form and a return envelope. Please note that your claim must be filed within one year of the date the deed to the purchaser was recorded (shown above). By law, we cannot accept claims after one year from this recording date. Claims submitted will be evaluated by our legal counsel and awarded in accordance with state law. The submission of a claim merely initiates that review.

The enclosed form is relatively simple and we must stress that most applicants will be able to fill it out without help. However, if you need help, please feel free to call upon our office by mail, telephone or in person and we will help you without charge. You may telephone us at (951) 955-3842.

If you prefer to have an agent file your claim for you, or if you should decide to sell your claim (often referred to as "assignment") so that the purchaser of the claim may receive the funds, please advise us and we will send the proper form.

Please note also that the statutory procedures and the County's internal procedures dictate that most claims will not be processed until at least twenty (20) months following the date of recordation of the tax deed.

Sincerely,

PAUL MCDONNELL
TREASURER-TAX COLLECTOR

By Desiree Taylor
Deputy

951 955 3948 TAX SALE

Ken and Ana Steele

PO Box 9598, Laguna Beach, CA 92652

Ph: 949-300-4400 Fx: 949-715-0303

October 4, 2010

Don Kent, Riverside County Treasurer/Tax Collector
Riverside County Treasurer
PO Box 12005
Riverside, CA 92502-2205

Sent via fax: (951) 955-3906

RE: Assessment Number 305080046-8, TC 179, Item 29
 APN 305-080-046
 Date of Sale: March 17, 2008

Dear Mr. Kent:

This letter is additional support of postponement of the hearing on the above-referenced property as scheduled for next week, and is submitted in conjunction with the letter previously sent on 9/27/10.

We received a copy of the letter submitted by the City of Perris and Deputy City Attorney Leslie Chung dated 9/30/10 to you, and contend that this letter misstates the facts as follows:

First, Ms. Chung claims that the City of Perris receives first priority as a lien holder pursuant to Revenue and Tax Code Section 4675(e). However, the City of Perris is not a lien holder. They are a bond issuer. The distinction between the two is highlighted as follows:

A lien is a legal claim against an asset which is used to secure a loan and which must be paid when the property is sold.

A bond is a debt instrument issued for a period of more than one year with the purpose of raising capital by borrowing.

The City of Perris has a bond interest in the property. They are not a lien holder. Applying the logic from Ms. Chung would mean that the City of Perris is more like a mortgage holder, which they are not.

Second, the bond was stripped from the property in [2000 for the 2001 tax sale] and, as such, the only among that is due and owing is for years [2008 and 2009]. This amounts to [\$ 16,000]. In this case, the excess proceeds totaled Fifty Seven Thousand Two Hundred Eight Eight dollars and Sixty Eight cents (\$57,288.68). It would be unfair and inappropriate to give the City of Perris the full amount of \$57K for a \$16K debt.

As stated before, I hope we can avoid a multiple litigation issue to the benefit everyone in this case. I am eager to work with you on the best solution. Please don't hesitate to contact me if you have any questions.

Regards,

KEN STEELE

Ken Steele

Submitted by Ken Steele
10/5/10 Item 9.11
(date)

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.64

9:30 a.m. being the time set for public hearing on the recommendation from Treasurer-Tax Collector regarding Public Hearing on Distribution of Excess Proceeds for Tax Sale No. 179, Item 29, last assessed to Kenneth A. Steele and Ana Steele, husband and wife as joint tenants, as to an Undivided 50% Interest and Michael B. Street, a single man, as to an Undivided 50% Interest, 5th District, the chairman called the matter for hearing.

Melissa Johnson, Chief Deputy, Treasurer-Tax Collector, presented the matter.

The following people spoke on the matter:

Ken Steele

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, October 5, 2010 at 9:30 a.m.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on _____ September 14, 2010 _____ of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors
Dated: September 14, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By: _____

Deputy

AGENDA NO.
9.64

xc: Treasurer, Prop. Owner, COB

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Ken Steele

Address: _____
(only if follow-up mail response requested)

City: _____ Zip: _____

Phone #: 949-300-4400

Date: 10-5-10 Agenda # 9.11

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: KEN STEELE

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Lesley Cheung

Address: 18881 Von Karman Ave. St400
(only if follow-up mail response requested)

City: Irvine Zip: 92612

Phone #: 949 250 5418

Date: 10/5/10 Agenda # 9.11

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak

W. JAMES

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: KEN STEELE

Address: _____
(only if follow-up mail response requested)

City: _____ Zip: _____

Phone #: 949-300-4400

Date: 10-05-2010 Agenda # 9.11

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
____ Support Oppose ____ Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

____ Support ____ Oppose ____ Neutral

I give my 3 minutes to: _____

10-5-10 9.11
9.11