

RESOLUTION NUMBER 3371

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND AUTHORIZING EXECUTION OF A JOINT COMMUNITY FACILITIES AGREEMENT IN CONNECTION WITH THE FORMATION OF COMMUNITY FACILITIES DISTRICT 2005-1 (PERRIS VALLEY VISTAS); AND MAKING FINDINGS AND DETERMINATIONS THEREWITH

WHEREAS, the City of Perris (the “City”) is taking proceedings pursuant to the Mello-Roos Community Facilities Act of 1982 (constituting Sections 53311 et seq. of the Government Code of the State of California) for the formation of Community Facilities District 2005-1 (Perris Valley Vistas) of the City of Perris (“District”) and for the issuance of bonds by the District; and

WHEREAS, the developer of property within said District is Fortland, Inc., a California corporation (the “Developer”); and

WHEREAS, pursuant to Section 53316.2 of the Act, a community facilities district is authorized to finance facilities to be owned or operated by an entity other than the agency that created the community facilities district pursuant to a joint community facilities agreement; and

WHEREAS, there is on file in the office of the Clerk a Joint Community Facilities Agreement (the “JCFA”), among the Developer, the City and EMWD; and

WHEREAS, the governing board of EMWD has approved the JCFA presented at this meeting; and

WHEREAS, the Developer has approved and executed the JCFA;

WHEREAS, the City has determined that it is necessary and desirable to enter into the JCFA to authorize the District to contribute revenue to the construction or acquisition of the facilities to be owned and operated by EMWD in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. That the recitals set forth hereinabove are true and correct in all respects.

Section 2. That said form of JCFA on file with the Clerk of the City be and is hereby approved. The City Manager or Finance Director is hereby authorized and directed to execute the JCFA on behalf of the City, with such execution to be attested to by the City Clerk.

ADOPTED, SIGNED and ***APPROVED*** this 22nd day of February, 2005.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3371 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 22nd day of February, 2005, and that it was so adopted by the following called vote:

AYES: Yarbrough, Motte, Rogers, Busch

NOES:

ABSENT: Landers

ABSTAIN:

City Clerk, Margaret Rey