

RESOLUTION NUMBER 3759

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND AUTHORIZING EXECUTION OF JOINT COMMUNITY FACILITIES AGREEMENTS IN CONNECTION WITH THE CHANGE PROCEEDINGS RELATING TO IMPROVEMENT AREA NOS. 3 AND 4 OF COMMUNITY FACILITIES DISTRICT 2005-1 (PERRIS VALLEY VISTAS); AND MAKING FINDINGS AND DETERMINATIONS THEREWITH

WHEREAS, the City of Perris (the “City”) is undertaking change 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) to change the types of facilities to be financed and rate and method of apportionment of the special taxes for Improvement Areas Nos. 3 and 4 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 Improvement Area No. 3 of the District is Lennar Homes of California, Inc. (“Lennar”); and

WHEREAS, the developer of property within Improvement Area No. 4 of the District is Centex Homes, a California General Partnership (“Centex”); 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 related to Improvement Area No. 3 of the District (the “IA3 PESD JCFA”), among the City, Lennar and Perris Elementary School District (“PESD”); and

WHEREAS, there is on file in the office of the Clerk a Joint Community Facilities Agreement related to Improvement Area No. 4 of the District (the “IA4 VAL VERDE JCFA”), among the City, Centex and Val Verde Unified School District (“VAL VERDE”); and

WHEREAS, the governing board of PESD has approved the IA3 PESD JCFA and the governing board of VAL VERDE will consider approval of the IA4 VAL VERDE JCFA in September; and

WHEREAS, the Developer has approved the IA3 PESD JCFA and the IA4 VAL VERDE JCFA;

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 IA3 PESD JCFA on file with the Clerk of the City be, and is hereby, approved with such changes as may be approved by the City Manager or Finance Director, said officer's execution thereof to be conclusive evidence of said officer's approval. The City Manager or Finance Director is hereby authorized and directed to execute the IA3 PESD JCFA on behalf of the City, with such execution to be attested to by the City Clerk.

Section 3. That said form of IA4 VAL VERDE JCFA on file with the Clerk of the City be, and is hereby, approved with such changes as may be approved by the City Manager or Finance Director, said officer's execution thereof to be conclusive evidence of said officer's approval. The City Manager or Finance Director is hereby authorized and directed to execute the IA4 VAL VERDE JCFA on behalf of the City, with such execution to be attested to by the City Clerk.

ADOPTED, SIGNED and APPROVED this 29th day of August, 2006.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3759 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 29th day of August, 2006, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Judy L. Haughney