

RESOLUTION NO. 4141

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 2007-1 (VILLAGE WALK); AND MAKING FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH.

WHEREAS, the City of Perris (the “City”) will be 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 2007-1 (Village Walk) of the City of Perris (“District”) and for the issuance of bonds by the District; and

WHEREAS, the owner of the property within said District is Riverside 9 Group, LLC (the “Owner”); 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 attached hereto as Exhibit A, a Joint Community Facilities Agreement (the “EMWD Agreement”), among the Owner, the City, and Eastern Municipal Water District (“EMWD”); and

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

WHEREAS, the Developer has reviewed and will approve the EMWD Agreement; and

WHEREAS, the City has determined that it is necessary and desirable to enter into the EMWD Agreement and that it is in the best interests of the City;

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 EMWD Agreement on file with the City Clerk be and is hereby approved. The Mayor, City Manager or Assistant City Manager is hereby authorized and directed to execute the EMWD Agreement on behalf of the City with such execution to be attested to by the City Clerk.

ADOPTED, SIGNED and APPROVED this 26th day of August, 2008.

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 4144 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 26th day of August, 2008, by the following called vote:

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

City Clerk, Judy L. Haughney

Exhibit A

[See Attached Agreement]

DRAFT