

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES) OF THE CITY OF MENIFEE, ADOPTING A MAP OF THE AREA PROPOSED TO BE ANNEXED (ANNEXATION NO. 18) AND AUTHORIZING THE LEVY OF SPECIAL TAXES THEREIN

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), on November 1, 2017, the City Council (the "City Council") of the City of Menifee (the "City") approved Resolution No. 17-654 establishing Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee, County of Riverside, State of California (the "CFD No. 2017-1") for the purpose of levying special taxes on parcels of taxable property therein, which taxes would be used to provide certain services necessary to meet increased demands placed upon the City by development; and

WHEREAS, the City Council has received a written instrument to initiate and conduct proceedings pursuant to the Act, to annex territory into CFD No. 2017-1 and to consent to the shortening of election time requirements, waiving of analysis and arguments, and waiving of all notice requirements relating to the conduct of the election; and

WHEREAS, the City Council has been advised that certain property owners have requested that the area described in Exhibit A be annexed territory into the boundaries of CFD No. 2017-1, and that a rate and method of apportionment of the special tax to be levied therein be established.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menifee, California, acting as the Legislative Body of Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee, determined and order as follows:

Section 1. Intent to Annex. The City Council, acting as the legislative body of the CFD No. 2017-1 hereby declares that it proposes and intends to conduct proceedings pursuant to Article 3.5 of the Act for the annexation into the CFD No. 2017-1 of the territory described in Exhibit A attached hereto. The City Council determines that the public convenience and necessity require that such territory be annexed to CFD No. 2017-1.

Section 2. Name of the Community Facilities District. The existing community facilities district is known as "Community Facilities District No. 2017-1 (Maintenance Services)."

Section 3. Description of Territory Included in Existing CFD No. 2017-1. The boundaries of the territory currently included in the CFD No. 2017-1 are described and shown on that certain map entitled "Proposed Boundary Map – Community Facilities District No. 2017-1 (Maintenance Services) City of Menifee, County of Riverside, State of California", as recorded on November 7, 2017 in Book 81 of Maps of Assessment and Community Facilities Districts, at Page 69, and as Document No. 2017-0465706 in the official records of the County of Riverside, as amended by the following:

Section 4. Description of Territory Proposed to be Annexed, Annexation Map. The territory proposed to be annexed is included within the boundaries within which property may annex to CFD No. 2017-1 and is more particularly described and shown on that certain map entitled "Boundaries – Potential Annexation Area Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee, County of Riverside, State of California," as recorded on November 7, 2017 in Book 81 of Maps of Assessment and Community Facilities Districts, at Page 70, and as Document No. 2017-0465707 in the official records

of the County of Riverside. The territory proposed to be annexed to the CFD No. 2017-1 is described in Exhibit A attached hereto and by this reference made a part hereof. Such territory is also shown and described on the map thereof entitled "Annexation Map No. 18, Community Facilities District No. 2017-1 (Maintenance Services), City of Menifee, County of Riverside, State of California," which is on file with the Acting City Clerk (the "Annexation Map") and attached hereto as Exhibit D.

Section 5. Description of Authorized Services. The services proposed to be financed by the territory proposed to be annexed to the CFD No. 2017-1 (the "Services") are the same as those services authorized to be financed by the existing territory in the CFD No. 2017-1 and are described in Exhibit B attached hereto. The cost of providing the Services includes "Administrative Expenses," which include costs associated with the creation of CFD No. 2017-1, determination of the amount of special taxes, collection or payment of special taxes, or costs otherwise incurred in order to carry out the authorized purposes of CFD No. 2017-1. The Services authorized to be financed by CFD No. 2017-1 are in addition to those currently provided in the territory of CFD No. 2017-1 and do not supplant Services already available within that territory.

Section 6. Plan for Providing Services. The Services will be provided within the territory proposed to be annexed to the CFD No. 2017-1 and the existing territory in the CFD No. 2017-1 on the same basis.

Section 7. Levy of Special Taxes. Except where funds are otherwise available, a special tax sufficient to pay the costs of the Services (including Administrative Expenses), secured by recordation of a continuing lien against all nonexempt real property in CFD No. 2017-1, will be levied annually within the territory proposed to be annexed to the CFD No. 2017-1. The rate and method of apportionment, and manner of collection of the special tax are specified in Exhibit C.

Section 8. No Alteration of the Special Tax Levied in the Existing CFD No. 2017-1. The City Council does not propose to alter the special tax rate levied within the existing territory in the CFD No. 2017-1.

Section 9. Adoption of Annexation Map. Pursuant to Section 3110.5 of the Streets and Highways Code, the City Council adopts the Annexation Map as the map of the area proposed to be annexed to the CFD No. 2017-1. Pursuant to Section 3111 of said Code, the Acting City Clerk shall file the original of the Annexation map in his or her office and shall file a copy of the Annexation Map with the County Recorder of the County of Riverside no later than 15 days prior to the date of the hearing specified in Section 7 hereof.

Section 10. Public Hearing. The City Council hereby fixes 6:00 p.m., or as soon thereafter as practicable, on Wednesday, April 5, 2023 in the City Council Chambers located at 29844 Haun Road, Menifee, California 92586, as the time and place when and where the City Council will conduct a public hearing on the proposed annexation of the area depicted on the Annexation Map and described in Exhibit A hereto territory to the CFD No. 2017-1.

Section 11. Notice of Public Hearing. The Acting City Clerk is hereby directed to publish, or cause to be published, a notice of said public hearing, in substantially the form attached hereto as Exhibit F, one time in a newspaper of general circulation published in the area of CFD No. 2017-1. The publication of said notice shall be completed at least seven days prior to the date herein fixed for said hearing. Said notice shall contain the information prescribed by Section 53339.4 of the Act.

Section 12. Mailing Ballots. In anticipation of its action on Wednesday, April 5, 2023, to call the election on the annexation for the same date, pursuant to waiver of election time limits from the landowners, the City Council hereby authorizes the Acting City Clerk to mail to each landowner in the territory proposed to be annexed to the CFD No. 2017-1 a ballot in substantially the form set forth in Exhibit G hereto. A copy of the waiver and consent form signed by the property owner is attached hereto as Exhibit E and incorporated herein by this reference.

Section 13. Authorization to Take Action. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

Section 14. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2023

Bill Zimmerman, Mayor

Attest:

Kay Vinson, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney

EXHIBIT A

DESCRIPTION OF PROPOSED TERRITORY TO BE ANNEXED

The City of Menifee Community Facilities District No. 2017-1 (Maintenance Services) (the "CFD No. 2017-1") Annexation No. 18 is currently comprised of two (2) parcels, located within the City boundaries. The property is identified by the following Riverside County Assessor's Parcel Number (APN).

Assessor Parcel Number(s)	Owner Name
364-190-004	AG EHC II (LEN) CA 1, LP
364-190-005	AG EHC II (LEN) CA 1, LP

EXHIBIT B

DESCRIPTION OF AUTHORIZED SERVICES

APPENDIX B

CITY OF MENIFEE COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)

DESCRIPTION OF AUTHORIZED SERVICES

The services which may be funded with proceeds of the special tax of CFD No. 2017-1, as provided by Section 53313 of the Act, will include all costs attributable to maintaining, servicing, cleaning, repairing and/or replacing landscaped areas (may include reserves for replacement) in public street right-of-way, public landscaping, public open spaces and other similar landscaped areas officially dedicated for public use. These services including the following:

(a) maintenance and lighting of parks, parkways, streets, roads and open space, which maintenance and lighting services may include, without limitation, furnishing of electrical power to street lights; repair and replacement of damaged or inoperative light bulbs, fixtures and standards; maintenance (including irrigation and replacement) of landscaping vegetation situated on or adjacent to parks, parkways, streets, roads and open space; maintenance and repair of irrigation facilities; maintenance of public signage; graffiti removal from and maintenance and repair of public structures situated on parks, parkways, streets, roads and open space; maintenance and repair of playground or recreation program equipment or facilities situated on any park; and

(b) maintenance and operation of water quality improvements which include storm drainage and flood protection facilities, including, without limitation, drainage inlets, catch basin inserts, infiltration basins, flood control channels, fossil fuel filters, and similar facilities. Maintenance services may include but is not limited to the repair, removal or replacement of all or part of any of the water quality improvements, fossil fuel filters within the public right-of-way including the removal of petroleum hydrocarbons and other pollutants from water runoff, or appurtenant facilities, clearing of inlets and outlets; erosion repairs; and cleanup to improvements, and other items necessary for the maintenance and servicing of the water quality basin improvements within flood control channel improvements; and

(c) public street sweeping, on the segments of the arterials within the boundaries of CFD No. 2017-1; as well as local roads within residential subdivisions located within CFD No. 2017-1; and any portions adjacent to the properties within CFD No. 2017-1; and

In addition to payment of the cost and expense of the forgoing services, proceeds of the special tax may be expended to pay "Administrative Expenses," as said term is defined in the Rate and Method of Apportionment.

The above services may be financed by proceeds of the special tax of CFD No. 2017-1 only to the extent that they are in addition to those provided in the territory of CFD No. 2017-1 before CFD No. 2017-1 was created or those provided in the territory annexed to CFD No. 2017-1 before the territory was annexed, as applicable.

EXHIBIT C

RATE AND METHOD OF APPORTIONMENT

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR
COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)
OF THE CITY OF MENIFEE**

A Special Tax (the "Special Tax") shall be levied on and collected from each Assessor's Parcel (defined below) in Community Facilities District No. 2017-1 (Maintenance Services) (the "CFD No. 2017-1" or "CFD"; defined below), in each Fiscal Year, (defined below), commencing in the Fiscal Year beginning July 1, 2018, in an amount determined by the City Council of the City of Menifee, acting in its capacity as the legislative body of CFD No. 2017-1, by applying the rate and method of apportionment set forth below. All of the real property in CFD No. 2017-1, unless exempted by law or by the provisions herein, shall be taxed to the extent and in the manner provided herein.

A. DEFINITIONS

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on any Assessor's Parcel Map, or if the land area is not shown on the Assessor's Parcel Map, the land area as shown on the applicable Final Map, or if the area is not shown on the applicable Final Map, the land area shall be calculated by the Administrator.

"Administrative Expenses" means the actual or reasonably estimated costs directly related to the formation, annexation, and administration of CFD No. 2017-1 including, but not limited to: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or designee thereof or both); the costs to the City, CFD No. 2017-1, or any designee thereof associated with fulfilling the CFD No. 2017-1 disclosure requirements; the costs associated with responding to public inquiries regarding the Special Taxes; the costs of the City, CFD No. 2017-1 or any designee thereof related to an appeal of the Special Tax; and the City's annual administration fees including payment of a proportional share of City overhead and salaries and benefits of any City employees whose duties are related to the administration of CFD No. 2017-1 and third party expenses related to CFD No. 2017-1. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2017-1 for any other administrative purposes of CFD No. 2017-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Administrator" means the City Manager of the City of Menifee, or his or her designee.

"Approved Property" means all Assessor's Parcels of Taxable Property that are included in a Final Map that was recorded prior to the March 1 preceding the Fiscal Year in which the Special Tax is being levied, and that have not been issued a building permit on or prior to the June 1 preceding the Fiscal year in which the special tax is being levied.

"Assessor's Parcel" means a lot or parcel of land that is identifiable by an Assessor's Parcel Number by the County Assessor of the County of Riverside.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means that identification number assigned to a parcel by the County Assessor of the County.

"Building Square Footage" or "BSF" means the floor area square footage reflected on the original

construction building permit issued for construction of a building of Non-Residential Property and any Building Square Footage subsequently added to a building of such Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

“Calendar Year” means the period commencing January 1 of any year and ending the following December 31.

“CFD” or **“CFD No. 2017-1”** means the City of Menifee Community Facilities District No. 2017-1 (Maintenance Services).

“City” means the City of Menifee.

“Contingent Services” means services permitted under the Mello-Roos Community Facilities Act of 1982 including, without limitation, those services authorized to be funded by CFD No. 2017-1 as set forth in the documents adopted by the City Council at the time the CFD was formed to be provided by the City in the event the Administrator makes a determination pursuant to Section C(2) that a Property Owners’ Association fails to adequately provide such services.

“County” means the County of Riverside.

“Developed Property” means all Assessor’s Parcels of Taxable Property for which a building permit for new construction has been issued on or prior to June 1 preceding the Fiscal Year in which the Special Tax is being levied.

“Exempt Property” means all Assessors’ Parcels designated as being exempt from the Special Tax as provided for in Section G.

“Final Map” means a subdivision of property by recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 1352 that creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period from and including July 1st of any year to and including the following June 30th.

“Land Use Category” or **“LUC”** means any of the categories contained in Section B hereof to which an Assessor’s Parcel is assigned consistent with the land use approvals that have been received or proposed for the Assessor’s Parcel as of June 1 preceding the Fiscal Year in which the Special Tax is being levied.

“Maximum Special Tax” means either Maximum Special Tax A and/or Maximum Special Tax B (Contingent), as applicable.

“Maximum Special Tax A” means for each Assessor’s Parcel and each Fiscal Year, the maximum Special Tax A, as determined in accordance with Section C below that can be levied on such Assessor’s Parcel in such Fiscal Year.

“Maximum Special Tax B (Contingent)” means for each Assessor’s Parcel and each Fiscal Year, the maximum Special Tax B (Contingent), as determined in accordance with Section C below that can be levied on such Assessor’s Parcel in such Fiscal Year.

“Multi-Family Residential Property” or “MFR” means any Assessor’s Parcel of Residential Property upon which a building or buildings comprised of attached Residential Units sharing at least one common wall with another unit are constructed or are intended to be constructed.

“Non-Residential Property” or “NR” means all Assessor's Parcels of Taxable Property for which a building permit(s) was issued for a non-residential use. The Administrator shall make the determination if an Assessor’s Parcel is Non-Residential Property.

“Property Owner’s Association” or “POA” means the property owner’s association or homeowner’s association established to maintain certain landscaping within a Tax Zone.

“Proportionately” means for Taxable Property that is: (i) Developed Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is the same for all Parcels of Developed Property, (ii) Approved Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is the same for all Parcels of Approved Property, and (iii) Undeveloped Property that the ratio of the actual Special Tax levy per acre to the Maximum Special Tax per acre is the same for all Parcels of Undeveloped Property.

“Residential Unit” or “RU” means a residential unit that is used or intended to be used as a domicile by one or more persons, as determined by the Administrator.

“Residential Property” means all Assessor’s Parcels of Taxable Property upon which Residential Units have been constructed or are intended to be constructed or for which building permits have been or may be issued for purposes of constructing one or more Residential Units.

“Service(s)” means services permitted under the Mello-Roos Community Facilities Act of 1982 including, without limitation, those services authorized to be funded by CFD No. 2017-1 as set forth in the documents adopted by the City Council at the time the CFD was formed as identified in Appendix B.

“Single Family Residential Property” or “SFR” means any Residential Property other than Multi-Family Residential Property on an Assessor’s Parcel.

“Special Tax(es)” means the Special Tax A or Special Tax B (Contingent) to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property.

“Special Tax A” means the annual special tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Special Tax A Requirement.

“Special Tax A Requirement” means for each Tax Zone that amount to be collected in any Fiscal Year to pay for certain costs as required to meet the needs of such Tax Zone within CFD No. 2017-1 in both the current Fiscal Year and the next Fiscal Year. The costs to be covered shall be the direct costs for maintenance services including but not limited to (i) maintenance and lighting of parks, parkways, streets, roads and open space, (ii) maintenance and operation of water quality improvements, (iii) public street sweeping, (iv) fund an operating reserve for the costs of Services as determined by the Administrator, and (v) Administrative Expenses. Under no circumstances shall the Special Tax A Requirement include funds for Bonds.

“Special Tax B (Contingent)” means the annual special tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Special Tax B (Contingent) Requirement, if required.

"Special Tax B (Contingent) Requirement" means that amount required in any Fiscal Year, if the POA is unable to maintain the Contingent Service(s) to: (i) pay the costs of Contingent Services incurred or otherwise payable in the Calendar Year commencing in such Fiscal Year; (ii) fund an operating reserve for the costs of Contingent Services as determined by the Administrator; less a credit for funds available to reduce the annual Special Tax B (Contingent) levy as determined by the Administrator.

"Taxable Property" means all Assessor's Parcels within CFD No. 2017-1, which are not Exempt Property.

"Taxable Unit" means a Residential Unit, Building Square Footage, or an Acre.

"Tax Zone" means a mutually exclusive geographic area, within which particular Special Tax rates may be levied pursuant to this Rate and Method of Apportionment of Special Tax. Appendix C identifies the Tax Zone in CFD No. 2017-1 at formation; additional Tax Zones may be created when property is annexed into the CFD.

"Tax Zone 1" means the specific geographic area identified on the CFD Boundary Map as Tax Zone 1.

"Tract(s)" means an area of land; i) within a subdivision identified by a particular tract number on a Final Map, ii) identified within a Parcel Map; or iii) identified within lot line adjustment approved for subdivision.

"Undeveloped Property" means, for each Fiscal Year, all Taxable Property not classified as Developed Property or Approved Property.

B. ASSIGNMENT TO LAND USE CATEGORIES

For each Fiscal Year, all Assessor's Parcels of Taxable Property within CFD No. 2017-1 shall be classified as Developed Property, Approved Property, or Undeveloped Property, and shall be subject to the levy of Special Taxes as determined pursuant to Sections C and D below. Assessor's Parcels of Developed Property and Approved Property shall be classified as either Residential Property or Non-Residential Property. Residential Property shall be further classified as Single Family Residential Property or Multi-Family Residential Property and the number of Residential Units shall be determined by the Administrator.

C. MAXIMUM SPECIAL TAX RATES

For purposes of determining the applicable Maximum Special Tax for Assessor's Parcels of Developed Property and Approved Property which are classified as Residential Property, all such Assessor's Parcels shall be assigned the number of Residential Unit(s) constructed or to be constructed thereon as specified in or shown on the building permit(s) issued or Final Map as determined by the Administrator. Once a single family attached or multi-family building or buildings have been built on an Assessor's Parcel, the Administrator shall determine the actual number of Residential Units contained within the building or buildings, and the Special Tax A levied against the Assessor's Parcel in the next Fiscal Year shall be calculated by multiplying the actual number of Residential Units by the Maximum Special Tax per Residential Unit for the Tax Zone below or as included in Appendix A as each annexation occurs.

For purposes of determining the applicable Maximum Special Tax for Assessor's Parcels of Developed Property and Approved Property which are classified as Non-Residential Property, all such Assessor's Parcels shall be assigned the number of Building Square Footage or Acres as shown on the Final Map as determined by the Administrator. Once the Administrator determines the actual number of

Building Square Footage or Acres for the Assessor's Parcels, the Special Tax A levied against the Assessor's Parcel in the next Fiscal Year shall be calculated by multiplying the number of Building Square Footage or Acres by the Maximum Special Tax per Taxable Unit identified for the applicable Tax Zone below or as included in Appendix A as each annexation occurs.

1. Special Tax A

a. Developed Property

(i) Maximum Special Tax A

The Maximum Special Tax A for each Assessor's Parcel of Developed Property shall be specific to each Tax Zone within the CFD. When additional property is annexed into CFD No. 2017-1, the rate and method adopted for the annexed property shall reflect the Maximum Special Tax A for the Tax Zones annexed and included in Appendix A. The Maximum Special Tax A for Developed Property for Fiscal Year 2018-19 within Tax Zone 1 is identified in Table 1 below:

**TABLE 1
MAXIMUM SPECIAL TAX A RATES
DEVELOPED PROPERTY**

Tax Zone	Tract	Land Use Category	Taxable Unit	Maximum Special Tax A
1	TR 36299-1 & PM 9504	Single Family Residential Property	RU	\$158
		Multi-Family Residential Property	RU	\$158
		Non-Residential Property	Acre	\$1,714

(ii) Increase in the Maximum Special Tax A

On each July 1, commencing on July 1, 2019 the Maximum Special Tax A for Developed Property shall increase by i) the percentage increase in the Consumer Price Index (All Items) for Los Angeles - Riverside - Orange County (1982-84 = 100) since the beginning of the preceding Fiscal Year, or ii) by two percent (2.0%), whichever is greater.

(iii) Multiple Land Use Categories

In some instances, an Assessor's Parcel of Developed Property may contain more than one Land Use Category. The Maximum Special Tax A that can be levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax A that can be levied for each Land Use Category located on that Assessor's Parcel. For an Assessor's Parcel that contains more than one land use, the Acreage of such Assessor's Parcel shall be allocated to each type of property based on the amount of Acreage designated for each land use as determined by reference to the site plan approved for such Assessor's Parcel. The Administrator's allocation to each type of property shall be final.

b. Approved Property

The Maximum Special Tax A for each Assessor's Parcel of Approved Property shall be specific to each Tax Zone within the CFD. When additional property is annexed into CFD No. 2017-1, the rate and method adopted for the annexed property shall reflect the Maximum Special Tax A for the Tax Zone annexed and included in Appendix A. The Maximum Special Tax A for Approved Property for Fiscal Year 2018-19 within Tax Zone 1 is identified in Table 2 below:

**TABLE 2
MAXIMUM SPECIAL TAX A RATES
APPROVED PROPERTY**

Tax Zone	Tract	Land Use Category	Taxable Unit	Maximum Special Tax A
1	TR 36299-1 & PM 9504	Single Family Residential Property	RU	\$158
		Multi-Family Residential Property	RU	\$158
		Non-Residential Property	Acre	\$1,714

On each July 1, commencing on July 1, 2019 the Maximum Special Tax A for Approved Property shall increase by i) the percentage increase in the Consumer Price Index (All Items) for Los Angeles - Riverside - Orange County (1982-84 = 100) since the beginning of the preceding Fiscal Year, or ii) by two percent (2.0%), whichever is greater.

c. Undeveloped Property

The Maximum Special Tax A for each Assessor's Parcel of Undeveloped Property shall be specific to each Tax Zone within the CFD. When additional property is annexed into CFD No. 2017-1, the rate and method adopted for the annexed property shall reflect the Maximum Special Tax A for the Tax Zone annexed and included in Appendix A. The Maximum Special Tax A for Undeveloped Property for Fiscal Year 2018-19 within Tax Zone 1 is identified in Table 3 below:

**TABLE 3
MAXIMUM SPECIAL TAX A RATES
UNDEVELOPED PROPERTY**

Tax Zone	Tracts	Taxable Unit	Maximum Special Tax A
1	TR 36299-1 & PM 9504	Acre	\$1,515

On each July 1, commencing on July 1, 2019 the Maximum Special Tax A for Undeveloped Property shall increase by i) the percentage increase in the Consumer Price Index (All Items) for Los Angeles - Riverside - Orange County (1982-84 = 100) since the beginning of the preceding Fiscal Year, or ii) by two percent (2.0%), whichever is greater.

2. Special Tax B (Contingent)

The City Council shall levy Special Tax B (Contingent) only in the event the POA defaults in its obligation to maintain the Contingent Services, which default shall be deemed to have occurred, as determined by the Administrator, in each of the following circumstances:

- (a) The POA files for bankruptcy;
- (b) The POA is dissolved;
- (c) The POA ceases to levy annual assessments for the Contingent Services; or
- (d) The POA fails to provide the Contingent Services at the same level as the City provides similar services and maintains similar improvements throughout the City and within ninety (90) days after written notice from the City, or such longer period permitted by the City Manager, fails to remedy the deficiency to the reasonable satisfaction of the City Council.

a. Developed Property

(i) Maximum Special Tax B (Contingent)

The Maximum Special Tax B (Contingent) for each Assessor's Parcel of Taxable Property is shown in Table 4 and shall be specific to each Tax Zone within the CFD. When additional property is annexed into CFD No. 2017-1, the rate and method adopted for the annexed property shall reflect the Maximum Special Tax B (Contingent) for the Tax Zones annexed and included in Appendix A. The Maximum Special Tax B (Contingent) for Fiscal Year 2018-19 within Tax Zone 1 is identified in Table 4 below:

**TABLE 4
MAXIMUM SPECIAL TAX B (CONTINGENT) RATES
DEVELOPED PROPERTY**

Tax Zone	Tract	Land Use Category	Taxable Unit	Maximum Special Tax B (Contingent)
1	TR 36299-1 & PM 9504	Single Family Residential Property	RU	\$0
		Multi-Family Residential Property	RU	\$0
		Non-Residential Property	Acre	\$0

(ii) Increase in the Maximum Special Tax B (Contingent)

On each July 1, commencing on July 1, 2019 the Maximum Special Tax B (Contingent) for Developed Property shall increase by i) the percentage increase in the Consumer Price Index (All Items) for Los Angeles - Riverside - Orange County (1982-84 = 100) since the beginning of the preceding Fiscal Year, or ii) by two percent (2.0%), whichever is greater.

(iii) Multiple Land Use Categories

In some instances, an Assessor's Parcel of Developed Property may contain more than one Land Use Category. The Maximum Special Tax B (Contingent) that can be levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax B (Contingent) that can be levied for each Land Use Category located on that Assessor's Parcel. For an Assessor's Parcel that contains more than one land use, the Acreage of such Assessor's Parcel shall be allocated to each type of property based on the amount of Acreage designated for each land use as determined by reference to the site plan approved for such Assessor's Parcel. The Administrator's allocation to each type of property shall be final.

b. Approved Property

The Maximum Special Tax B (Contingent) for each Assessor's Parcel of Approved Property shall be specific to each Tax Zone within the CFD. When additional property is annexed into CFD No. 2017-1, the rate and method adopted for the annexed property shall reflect the Maximum Special Tax B (Contingent) for the Tax Zone annexed and included in Appendix A. The Maximum Special Tax B (Contingent) for Fiscal Year 2018-19 within Tax Zone 1 is identified in Table 5 below:

**TABLE 5
MAXIMUM SPECIAL TAX B (CONTINGENT) RATES
APPROVED PROPERTY**

Tax Zone	Tract	Land Use Category	Taxable Unit	Maximum Special Tax B (Contingent)
1	TR 36299-1 & PM 9504	Single Family Residential Property	RU	\$0
		Multi-Family Residential Property	RU	\$0
		Non-Residential Property	Acre	\$0

On each July 1, commencing on July 1, 2019 the Maximum Special Tax B (Contingent) for Approved Property shall increase by i) the percentage increase in the Consumer Price Index (All Items) for Los Angeles - Riverside - Orange County (1982-84 = 100) since the beginning of the preceding Fiscal Year, or ii) by two percent (2.0%), whichever is greater.

c. Undeveloped Property

The Maximum Special Tax B (Contingent) for each Assessor's Parcel of Undeveloped Property shall be specific to each Tax Zone within the CFD. When additional property is annexed into CFD No. 2017-1, the rate and method adopted for the annexed property shall reflect the Maximum Special Tax B (Contingent) for the Tax Zone annexed and included in Appendix A. The Maximum Special Tax B (Contingent) for Fiscal Year 2018-19 within Tax Zone 1 is identified in Table 6 below:

**TABLE 6
MAXIMUM SPECIAL TAX B (CONTINGENT) RATES
UNDEVELOPED PROPERTY**

Tax Zone	Tracts	Taxable Unit	Maximum Special Tax B (Contingent)
1	TR 36299-1 & PM 9504	Acre	\$0

On each July 1, commencing on July 1, 2019 the Maximum Special Tax B (Contingent) for Undeveloped Property shall increase by i) the percentage increase in the Consumer Price Index (All Items) for Los Angeles - Riverside - Orange County (1982-84 = 100) since the beginning of the preceding Fiscal Year, or ii) by two percent (2.0%), whichever is greater.

D. METHOD OF APPORTIONMENT OF ANNUAL SPECIAL TAX

1. Special Tax A

Commencing with Fiscal Year 2018-19 and for each following Fiscal Year, the City Council shall determine the Special Tax A Requirement for each Tax Zone and shall levy the Special Tax A on all Assessor's Parcels of Taxable Property within such Tax Zone until the aggregate amount of Special Tax A equals the Special Tax A Requirement for such Tax Zone. The Special Tax A shall be levied for each Fiscal Year as follows:

First: The Special Tax A shall be levied Proportionately on all Assessor's Parcels of Developed Property up to 100% of the applicable Maximum Special Tax A to satisfy the Special Tax A Requirement;

Second: If additional moneys are needed to satisfy the Special Tax A Requirement after the first step has been completed, the Special Tax A shall be levied Proportionately on each Parcel of Approved

Property at up to 100% of the Maximum Special Tax A for Approved Property;

Third: If additional monies are needed to satisfy the Special Tax A Requirement after the first two steps has been completed, the Special Tax A shall be levied Proportionately on all Assessor's Parcels of Undeveloped Property up to 100% of the Maximum Special Tax A for Undeveloped Property.

2. Special Tax B (Contingent)

Commencing with the first Fiscal Year in which Special Tax B (Contingent) is authorized to be levied and for each following Fiscal Year, the City Council shall determine the Special Tax B (Contingent) Requirement for each Tax Zone, if any, and shall levy the Special Tax on all Assessor's Parcels of Taxable Property within such Tax Zone until the aggregate amount of Special Tax B (Contingent) equals the Special Tax B (Contingent) Requirement for such Tax Zone. The Special Tax B (Contingent) shall be levied for each Fiscal Year as follows:

First: The Special Tax shall be levied Proportionately on all Assessor's Parcels of Developed Property up to 100% of the applicable Maximum Special Tax B (Contingent) to satisfy the Special Tax B (Contingent) Requirement;

Second: If additional moneys are needed to satisfy the Special Tax B (Contingent) Requirement after the first step has been completed, the Special Tax B (Contingent) shall be levied Proportionately on each Parcel of Approved Property at up to 100% of the Maximum Special Tax B (Contingent) for Approved Property;

Third: If additional monies are needed to satisfy the Special Tax B (Contingent) Requirement after the first two steps has been completed, the Special Tax B (Contingent) shall be levied Proportionately on all Assessor's Parcels of Undeveloped Property up to 100% of the Maximum Special Tax B (Contingent) for Undeveloped Property.

E. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed to CFD No. 2017-1 from time to time. As each annexation is proposed, an analysis will be prepared to determine the annual cost for providing Services to such properties. Based on this analysis, any properties to be annexed, pursuant to California Government Code section 53339 et seq. will be assigned the appropriate Maximum Special Tax rates for the Tax Zone when annexed and included in Appendix A.

F. DURATION OF SPECIAL TAX

For each Fiscal Year, the Special Tax A shall be levied as long as the Services are being provided.

For each Fiscal Year, the Special Tax B (Contingent) shall be levied as long as the Contingent Services are being provided.

G. EXEMPTIONS

The City shall classify as Exempt Property within CFD No. 2017-1, all Assessor's; (i) which are owned by, irrevocably offered for dedication, encumbered by or restricted in use by any public entity; (ii) with public or utility easements making impractical their utilization for other than the purposes set forth in the easement; (iii) which are privately owned but are encumbered by or restricted solely for public uses; or (iv) which are in use in the performance of a public function as determined by the Administrator.

H. APPEALS

Any property owner claiming that the amount or application of the Special Taxes are not correct may file a written notice of appeal with the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The Administrator of CFD No. 2017-1 shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made, but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

I. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 2017-1 may collect the Special Tax at a different time or in a different manner if necessary to meet its financial obligations.

APPENDIX A
CITY OF MENIFEE
COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)
COST ESTIMATE

Special Tax A Services - The estimate breaks down the costs of providing one year's maintenance services for Fiscal Year 2023-24. These services are being funded by the levy of Special Tax A for Community Facilities District No. 2017-1 Tax Zone 18.

TAX ZONE 18 (SERVICES)
TR 37131

Item	Description	Estimated Cost
1	Landscaping	\$55,808
2	Lighting	\$2,584
3	Streets	\$13,525
4	Drainage	\$8,571
5	Parks	\$66,510
6	Graffiti	\$1,002
7	Reserves	\$6,975
8	Administration	\$7,535
Total		\$162,510

Special Tax B Contingent Services – The estimate breaks down the costs of providing one year's contingent maintenance services for Fiscal Year 2023-24. If necessary, these services will be funded by the levy of Special Tax B (Contingent) for Community Facilities District No. 2017-1 Tax Zone 18.

TAX ZONE 18 (CONTINGENT SERVICES)
TR 37131

Item	Description	Estimated Cost
1	Drainage	\$9,835
2	Reserves	\$984
3	Administration	\$885
Total		\$11,704

TAX ZONE 18
FY 2023-24 MAXIMUM SPECIAL TAX RATES

Land Use Category	Taxable Unit	Maximum Special Tax A	Maximum Special Tax B
Developed	Unit	\$533	\$38
Approved	Unit	\$533	\$38
Undeveloped	Acre	\$4,107	\$296

MAXIMUM SPECIAL TAXES ASSIGNED TO EACH TAX ZONE

Tax Zone	Fiscal Year Included	Tract	No. of Taxable Units	Land Use Category	Taxable Unit	Maximum Special Tax A	Maximum Special Tax B (Contingent)	Subdivider
1	2018-19	36299-1 & PM 9504	426	SFR	RU	\$158	\$0	Stark Meniffee Land, LLC
			548	MFR	RU	\$158	\$0	Stark Meniffee Land, LLC & Meniffee Multifamily, LLC
			27.68	NR	Acre	\$1,714	\$0	Several
2	2020-21	TR 37576	65	SFR	RU	\$539	\$43	Meritage Homes
3	2020-21	TR 28859	161	SFR	RU	\$727	\$0	Woodside O5S
4	2020-21	TTM 31098	258	SFR	RU	\$878	\$0	Lennar Homes of California, Inc.
5	2020-21	TTM 36852	68	SFR	RU	\$755	\$151	Strata Holland, LLC
6	2021-22	TTM 37668	175	SFR	RU	\$765	\$295	Meritage Homes of California, Inc.
7	2022-23	TTM 31456	176	SFR	RU	\$996	\$0	RCFC Investments, LLC
8	2021-22	TR 32102 & TR 32102-1	256	SFR	RU	\$674	\$0	Diamond Brother Five Partnership, LP and Pulte Home Company, LLC
9	2021-22	TTM 37400	174	SFR	RU	\$703	\$0	D.R. Horton Los Angeles Holding Company, Inc.
10	2022-23	TPM 37380	3.62	NR	Acre	\$3,588	\$1,646	Briggs & 74, LLC
11	To Be Determined							
12	2022-23	TR 37408 & TR 37409	1,022	SFR	RU	\$963	\$5	BLC Fleming LLC
13	2022-23	TR 36803	80	SFR	RU	\$556	\$171	FPG Sun Meniffee 80 LLC
14	2022-23	TR 32628	303	SFR	RU	\$281	\$45	FPG Tricon Meniffee Property LLC
15	2022-23	PLN 20-0167	9.92	MFR/NR	Acre	\$3,865	\$2,375	Boulders Meniffee LLC
16	2022-23	LLA 17-007	12.48	MFR	Acre	\$3,273	\$2,119	Jefferson Meniffee, LLC
17	2023-24	PM 37145	4.82	NR	Acre	\$3,137	\$0	VSK Investments, LLC
18	2023-24	TR 37131	305	SFR	RU	\$533	\$38	AG EHC II (LEN) CA 1, LP
19	2023-24	PLN 22-0199	0.96	NR	Acre	\$2,995	\$0	DSMD Cajun Properties

ESCALATION OF MAXIMUM SPECIAL TAXES

On each July 1, commencing on July 1, 2019 the Maximum Special Tax shall increase by i) the percentage increase in the Consumer Price Index (All Items) for Los Angeles - Riverside - Orange County (1982-84 = 100) since the beginning of the preceding Fiscal Year, or ii) by two percent (2.0%), whichever is greater.

APPENDIX B

CITY OF MENIFEE COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)

DESCRIPTION OF AUTHORIZED SERVICES

The services which may be funded with proceeds of the special tax of CFD No. 2017-1, as provided by Section 53313 of the Act, will include all costs attributable to maintaining, servicing, cleaning, repairing and/or replacing landscaped areas (may include reserves for replacement) in public street right-of-way, public landscaping, public open spaces and other similar landscaped areas officially dedicated for public use. These services including the following:

(a) maintenance and lighting of parks, parkways, streets, roads and open space, which maintenance and lighting services may include, without limitation, furnishing of electrical power to street lights and traffic signals; repair and replacement of damaged or inoperative light bulbs, fixtures and standards; maintenance (including irrigation and replacement) of landscaping vegetation situated on or adjacent to parks, parkways, streets, roads and open space; maintenance and repair of irrigation facilities; maintenance of public signage; graffiti removal from and maintenance and repair of public structures situated on parks, parkways, streets, roads and open space; maintenance and repair of playground or recreation program equipment or facilities situated on any park; and

(b) maintenance and operation of water quality improvements which include storm drainage and flood protection facilities, including, without limitation, drainage inlets, catch basin inserts, infiltration basins, flood control channels, fossil fuel filters, and similar facilities. Maintenance services may include but is not limited to the repair, removal or replacement of all or part of any of the water quality improvements, fossil fuel filters within the public right-of-way including the removal of petroleum hydrocarbons and other pollutants from water runoff, or appurtenant facilities, clearing of inlets and outlets; erosion repairs; and cleanup to improvements, and other items necessary for the maintenance and servicing of the water quality basin improvements within flood control channel improvements; and

(c) public street sweeping, on the segments of the arterials within the boundaries of CFD No. 2017-1; as well as local roads within residential subdivisions located within CFD No. 2017-1; and any portions adjacent to the properties within CFD No. 2017-1; and

In addition to payment of the cost and expense of the forgoing services, proceeds of the special tax may be expended to pay "Administrative Expenses," as said term is defined in the Rate and Method of Apportionment.

The above services may be financed by proceeds of the special tax of CFD No. 2017-1 only to the extent that they are in addition to those provided in the territory of CFD No. 2017-1 before CFD No. 2017-1 was created or those provided in the territory annexed to CFD No. 2017-1 before the territory was annexed, as applicable.

APPENDIX C

CITY OF MENIFEE

COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)

PROPOSED BOUNDARIES

EXHIBIT D

ANNEXATION AND POTENTIAL ANNEXATION BOUNDARY MAPS

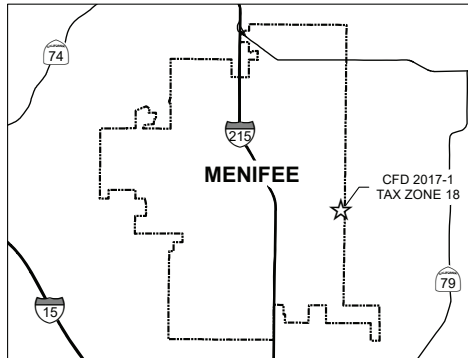
ANNEXATION MAP NO. 18 **COMMUNITY FACILITIES DISTRICT NO. 2017-1** **(MAINTENANCE SERVICES)** **CITY OF MENIFEE** **COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

THIS MAP SHOWS THE BOUNDARIES OF AREAS TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES), OF THE CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

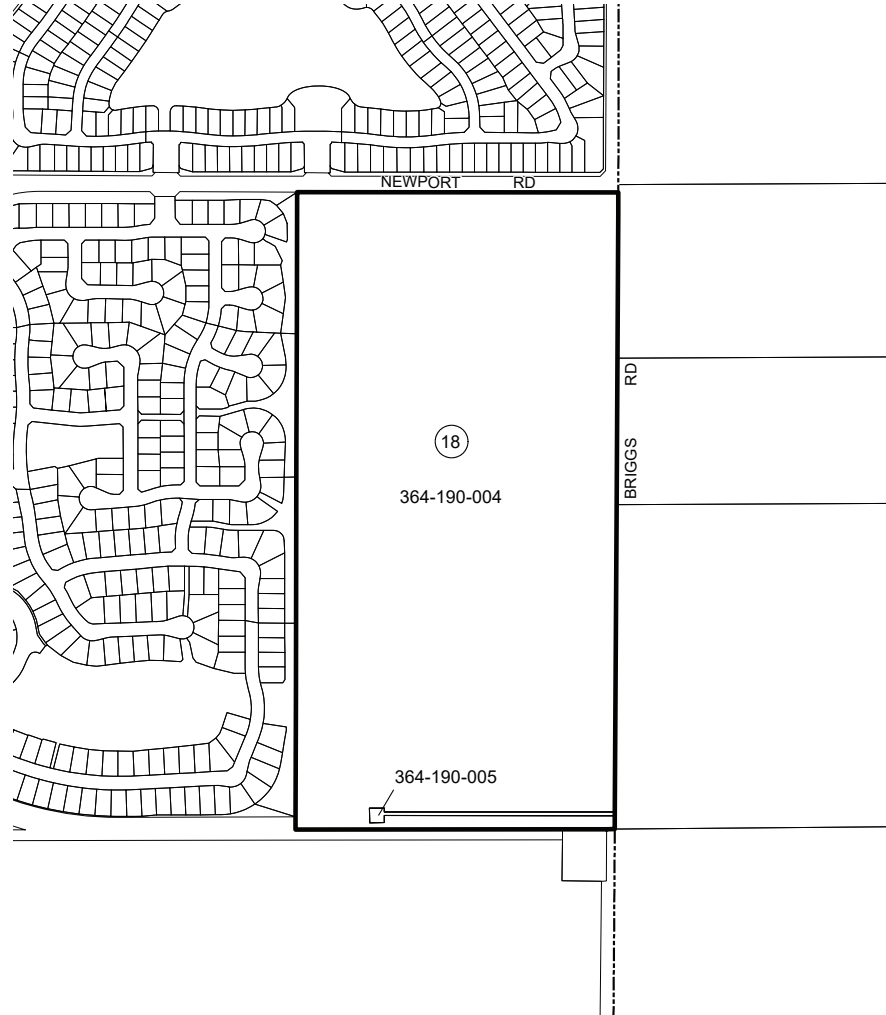
THE BOUNDARIES OF WHICH COMMUNITY FACILITIES DISTRICT ARE SHOWN AND DESCRIBED ON THE MAP THEREOF WHICH WAS PREVIOUSLY RECORDED ON NOVEMBER 7, 2017 IN BOOK 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AT PAGE 69 AND AS INSTRUMENT NO. 2017-0465706 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES), OF THE CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MENIFEE AT A REGULAR MEETING THEREOF, HELD ON ____ DAY OF ____, 20____,
 BY ITS RESOLUTION NO. _____

 CITY CLERK
 CITY OF MENIFEE



THIS ANNEXATION MAP CORRECTLY SHOWS THE LOT OR PARCEL OF LAND INCLUDED WITHIN THE BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. FOR DETAILS CONCERNING THE LINES AND DIMENSIONS OF LOTS OR PARCEL REFER TO THE COUNTY ASSESSOR MAPS FOR FISCAL YEAR 2022-23.



FILED IN THE OFFICE OF THE CITY CLERK, CITY OF MENIFEE, THIS ____ DAY OF _____, 20____.

 CITY CLERK
 CITY OF MENIFEE

FILED THIS ____ DAY OF _____, 20____ AT THE HOUR OF ____ O'CLOCK __M IN BOOK ____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE ____ IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: _____ NO.: _____
 PETER ALDANA, ASSESSOR, COUNTY CLERK, RECORDER

BY: _____
 DEPUTY

LEGEND

- ANNEXATION AREA BOUNDARY
- PARCEL LINE
- CITY BOUNDARY
- XXX-XXX-XXX ASSESSOR PARCEL NUMBER
- 18 TAX ZONE



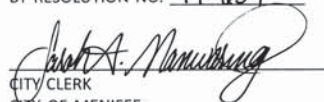
COPY 81/70

SHEET 1 OF 1 SHEET

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF POTENTIAL ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES), CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MENIFEE AT A REGULAR MEETING THEREOF, HELD ON 1st DAY OF

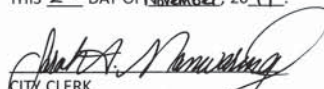
November 2017

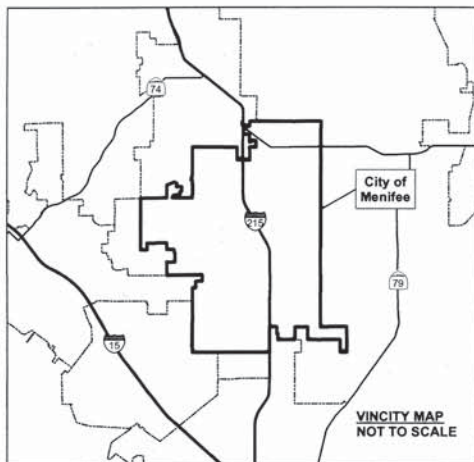
BY RESOLUTION NO. 17-1654


CITY CLERK
CITY OF MENIFEE

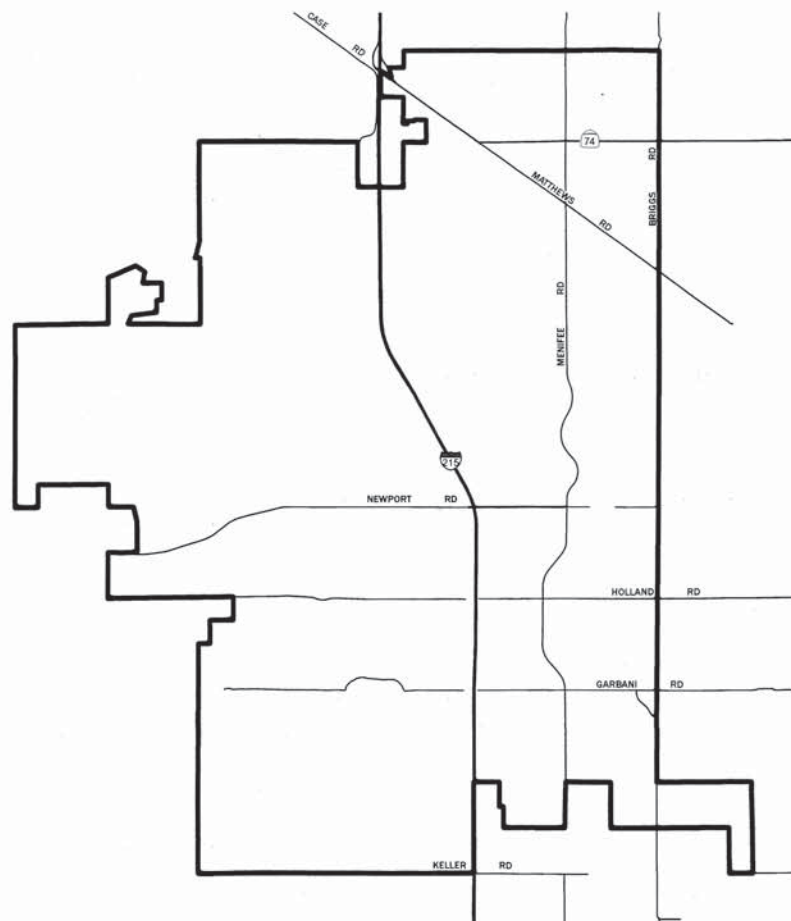
FILED IN THE OFFICE OF THE CITY CLERK, CITY OF MENIFEE,

THIS 2nd DAY OF November, 2017.


CITY CLERK
CITY OF MENIFEE



BOUNDARIES - POTENTIAL ANNEXATION AREA
COMMUNITY FACILITIES DISTRICT NO. 2017-1
(MAINTENANCE SERVICES)
CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



Legend

— ANNEXATION AREA BOUNDARY

RECORDED THIS 7th DAY OF November, 2017 AT
THE HOUR OF 1:49 O'CLOCK PM. IN BOOK 81
PAGE 70 OF MAPS OF ASSESSMENT AND COMMUNITY
FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY
RECORDER, IN THE COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA.

FEE: \$10.00 NO.: 2017-0465707
PETER ALDANA, ASSESSOR, COUNTY CLERK, RECORDER

BY: 
DEPUTY



EXHIBIT E

PETITION

**PETITION TO THE CITY COUNCIL OF THE CITY OF MENIFEE REQUESTING
ANNEXING TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2017-1
(MAINTENANCE SERVICES) OF PROPERTY WITHIN THE CITY OF MENIFEE AND
A WAIVER WITH RESPECTS TO CERTAIN PROCEDURAL MATTERS UNDER THE
MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 AND CONSENTING TO
THE LEVY OF SPECIAL TAXES THEREON TO PAY THE COSTS OF SERVICES TO
BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT**

1. The undersigned requests that the City Council of the City of Menifee, initiate and conduct proceedings pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act") (Government Code Section 53311 et seq.), to annex territory into Community Facilities District No. 2017-1 Maintenance Services) of the property described below and consents to the annual levy of special taxes on such property to pay the costs of services to be provided by the Community Facilities District.

2. The undersigned requests that the community facilities district provide any services that are permitted under the Act including, but not limited to, all necessary service, operations, administration and maintenance required to keep the landscape lighting, street lighting, traffic signals, flood control facilities, ground cover, shrubs, plants and trees, irrigation systems, graffiti removal, sidewalks and masonry walls, fencing entry monuments, tot lot equipment and associated appurtenant facilities within the district in a healthy, vigorous and satisfactory working condition.

3. The undersigned hereby certifies that as of the date indicated opposite its signature, it is the owner of all the property within the proposed boundaries of the Community Facilities District described in Exhibit A hereto and as shown on the map Exhibit B hereto.

4. The undersigned requests that a special election be held under the Act to authorize the special taxes for the proposed annexation into Community Facilities District No. 2017-1. The undersigned waives any requirement for the mailing of the ballot for the special election and expressly agrees that said election may be conducted by mailed or hand-delivered ballot to be returned as quickly as possible to the designated election official, being the office of the City Clerk and the undersigned request that the results of said election be canvassed and reported to the City Council at the same meeting of the City Council as the public hearing on annexing territory into Community Facilities District No. 2017-1 or at the next available meeting.

5. Pursuant to Sections 53326(a) and 53327(b) of the Act, the undersigned expressly waives all applicable waiting periods for the election and waives the requirement for analysis and arguments relating to the special election, and consents to not having such materials provided to the landowner in the ballot packet, and expressly waives any requirements as to the form of the ballot. The undersigned expressly waives all notice requirements relating to hearings and special elections (except for published notices required by the Act), and whether such requirements are found in the California Elections Code, the California Government Code or other laws or procedures, including but not limited to any notice provided for by compliance with the provisions of Section 4101 of the California Elections Code.

6. The undersigned hereby consents to and expressly waives any and all claims based on any irregularity, error, mistake or departure from the provisions of the Act or other laws of the State and any and all laws and requirements incorporated therein, and no step or action in any proceeding relative to annexing territory into Community Facilities District No. 2017-1 of the portion of the incorporated

area of the City of Menifee or the special election therein shall be invalidated or affected by any such irregularity, error, mistake or departure.

IN WITNESS WHEREOF, I hereunto set my hand this 24 day of August, 2022.

AG EHC II (LEN) CA 1, LP.,
a Delaware limited partnership

By: Steven S. Benson

Name: Steven S. Benson

Title: Manager of Essential Housing Asset Management, LLC, an
Arizona limited liability company, Authorized Agent of EHC II
(LEN) CA 1, L.P. a Delaware limited partnership

OWNER'S PROPERTY: APN 364-190-004, 364-190-005

TRACT MAP OR PARCEL MAP NO.
or PROJECT NO. Tract No. 37131

OWNER'S MAILING ADDRESS:

Essential Housing Asset Management, LLC

8585 E. Hartford Drive, Suite 118

Scottsdale, AZ 85255

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY COUNCIL OF THE CITY OF MENIFEE
THIS _____ DAY OF _____, 20____.

City Clerk of the City Council of the
City of Menifee

Acknowledgment Regarding Property to be Included into Community Facilities District No. 2017-1
(Maintenance Services)

The developer/property owner of (Tract No. / Assessor's Parcel No.) Tract No. 37131
hereby acknowledges that:

If the landscaping, drainage, lighting and eligible public improvements within the Community Facilities District No. 2017-1 (Maintenance Services) the maintenance areas of (Assessor's Parcel Nos.) 364-190-004, 364-190-005, which is to be included in the Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee are completed prior to the levy and collection of special taxes upon property within said tract for the maintenance of such landscape and improvements, the developer/property owner will continue to be responsible for and will maintain the landscaping, drainage, lighting, and eligible public improvements within such maintenance areas at its sole expense, and the City will not assume responsibility for the maintenance of such landscaping, drainage, lighting and eligible public improvements until such time as the City is able to collect such special taxes to pay the costs of the maintenance of such landscaping, drainage, lighting, and eligible public improvements.

DATED: 8/23/22

OWNER(S):

AG EHC II (LEN) CA 1, LP.,
a Delaware limited partnership

By: Steven S. Benson

Name: Steven S. Benson

Title: Manager of Essential Housing Asset Management, LLC, an Arizona limited liability company, Authorized Agent of EHC II (LEN) CA 1, L.P. a Delaware limited partnership

Acknowledgment Regarding Property to be Included into Community Facilities District No. 2017-1
(Maintenance Services)

The developer/property owner of (Tract No. / Assessor's Parcel No.) Tract No. 37131
hereby acknowledges that:

If the landscaping, drainage, lighting and eligible public improvements within the Community Facilities District No. 2017-1 (Maintenance Services) the maintenance areas of (Assessor's Parcel Nos.) 364-190-004, 364-190-005, which is to be included in the Community Facilities District No. 2017-1 (Maintenance Services) of the City of Menifee are completed prior to the levy and collection of special taxes upon property within said tract for the maintenance of such landscape and improvements, the developer/property owner will continue to be responsible for and will maintain the landscaping, drainage, lighting, and eligible public improvements within such maintenance areas at its sole expense, and the City will not assume responsibility for the maintenance of such landscaping, drainage, lighting and eligible public improvements until such time as the City is able to collect such special taxes to pay the costs of the maintenance of such landscaping, drainage, lighting, and eligible public improvements.

DATED: 8/23/22

OWNER(S):

AG EHC II (LEN) CA 1, LP.,
a Delaware limited partnership

By: Steven S. Benson

Name: Steven S. Benson

Manager of Essential Housing Asset Management, LLC, an
Title: Arizona limited liability company, Authorized Agent of EHC II
(LEN) CA 1, L.P. a Delaware limited partnership

EXHIBIT F

NOTICE OF PUBLIC HEARING

**NOTICE OF PUBLIC HEARING ON RESOLUTION OF INTENTION TO ANNEX
TERRITORY TO AN EXISTING COMMUNITY FACILITIES DISTRICT NO. 2017-1
(MAINTENANCE SERVICES) (ANNEXATION NO. 18)**

NOTICE IS HEREBY GIVEN that the City Council of the City of Menifee on February 15, 2023 adopted its Resolution No. 2023-__, in which it declared its intention to annex territory to existing Community Facilities District No. 2017-1 (Maintenance Services) (the "CFD No. 2017-1"), and to levy a special tax to pay for certain maintenance services, all pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5, Part 1, Division 2, Title 5 of the California Government Code. The resolution describes the territory to be annexed and describes the rate and method of apportionment of the proposed special tax. No change in the tax levied in the existing CFD No. 2017-1 is proposed.

NOTICE IS HEREBY FURTHER GIVEN that the City Council has fixed 6:00 p.m., or as soon thereafter as practicable, Wednesday, April 5, 2023 in the City Council Chambers located at 29844 Haun Road, Menifee, California 92586, as the time and place when and where the City Council will conduct a public hearing on the annexation of territory to CFD No. 2017-1. At the hearing, the testimony of all interest persons for or against the annexation of the territory or the levying of the special taxes will be heard. If and to the extent participation in the April 5, 2023 meeting must occur by teleconference, videoconference, or other electronic means authorized by the Ralph M. Brown Act or an Executive Order of the Governor of California, the means and methods for participating the meeting shall be posted on the Agenda for said meeting, which shall be posted at least 72 hours prior to the meeting on the City of Menifee (www.cityofmenifee.us), and outside of City Hall at 29844 Haun Road, Menifee, California 92586. A copy of the Agenda will be made available upon request to the Menifee City Clerk's office at 951-723-3471.

DATED: _____, 2023

Acting City Clerk of the City of Menifee

PUB: _____, 2023

EXHIBIT G

BALLOT

**CITY OF MENIFEE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)
ANNEXATION NO. 18**

(April 5, 2023)

This ballot is for the use of the authorized representative of the following owner of land within Community Facilities District No. 2017-1 (Maintenance Services) ("CFD No. 2017-1") of the City of Menifee:

<u>Name of Landowner</u>	<u>Number of Acres Owned</u>	<u>Total Votes</u>
AG EHC II (LEN) CA 1, LP	80.00	80

According to the provisions of the Mello-Roos Community Facilities Act of 1982, and resolutions of the City Council (the "Council") of the City of Menifee (the "City"), the above-named landowner is entitled to cast the number of votes shown above under the heading "Total Votes," representing the total votes for the property owned by said landowner. The City has sent the enclosed ballot to you so that you may vote on whether or not to approve the special tax.

This special tax ballot is for the use of the property owner of the parcels identified below, which parcels are located within the territory proposed to be annexed to the CFD No. 2017-1, City of Menifee, County of Riverside, State of California. Please advise the Acting City Clerk, at (951) 672-6777 if the name set forth below is incorrect or if you are no longer one of the owners of these parcels. This special tax ballot may be used to express either support for or opposition to the proposed special tax. To be counted, this special tax ballot must be signed below by the owner or, if the owner is not an individual, by an authorized representative of the owner. The ballot must then be delivered to the Acting City Clerk, either by mail or in person, as follows:

Mail

Delivery: If by mail, place ballot in the return envelope provided, and mail no later than March 22, 2023, two calendar weeks prior to the date set for the election. Mailing later than this deadline creates the risk that the special tax ballot may not be received in time to be counted.

Personal

Delivery: If in person, deliver to the Acting City Clerk at any time up to 5:00 p.m. on April 5, 2023, at the Clerk's office at 29844 Haun Road, City of Menifee, CA 92586.

However delivered, this ballot must be received by the Clerk prior to the close of the public meeting on April 5, 2023.

Very truly yours,

Kay Vinson
Acting City Clerk
City of Menifee

TO CAST THIS BALLOT, PLEASE RETURN THIS ENTIRE PAGE.

OFFICIAL SPECIAL TAX BALLOT

Name & Address of Property Owner:	Assessor's Parcel Number(s):
AG EHC II (LEN) CA 1, LP Attn: Spideh Bastani 980 Mentecito Drive, Suite 302 Corona, CA 92879	364-190-004 and 364-190-005

CITY OF MENIFEE
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
COMMUNITY FACILITIES DISTRICT NO. 2017-1 (MAINTENANCE SERVICES)

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT

<u>SPECIAL TAX BALLOT MEASURE</u>	MARK "YES" OR "NO" WITH AN "X":
Shall the City Council of the City of Menifee be authorized to levy a special tax on an annual basis at the rates and apportioned as described in Exhibit C to the Resolution Declaring its Intention to Annex territory to Community Facilities District No. 2017-1 (Maintenance Services) adopted by the City Council on February 15, 2023 (the "Resolution"), which is incorporated herein by this reference, within the territory identified on the map entitled "Annexation Map No. 18 of Community Facilities District No. 2017-1 (Maintenance Services) City of Menifee" to finance certain services as set forth in Section 5 to the Resolution (including incidental expenses), and shall an appropriation limit be established for the Community Facilities District No. 2017-1 (Maintenance Services) in the amount of special taxes collected?	YES _____ NO _____

Certification for Special Election Ballot

The undersigned is an authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed on _____, 20__.

Sepideh Bastani
Project Manager

Signature

Print Name