

RESOLUTION NO. 17-18-03

A RESOLUTION OF INTENTION TO ANNEX TERRITORY TO LAMMERSVILLE JOINT UNIFIED SCHOOL DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2014-1 (MOUNTAIN HOUSE SCHOOL FACILITIES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

WHEREAS, this Governing Board (the "Governing Board") of the Lammersville Joint Unified School District (the "School District") has conducted proceedings to establish Community Facilities District No. 2014-1 (Mountain House School Facilities) (the "CFD") and an improvement area within the CFD designated "Improvement Area No. 1 of the Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities) ("Improvement Area No. 1") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, constituting Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"); and

WHEREAS, under the Act, this Governing Board, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD and Improvement Area No. 1, and now desires to undertake proceedings to annex territory to the CFD and Improvement Area No. 1.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. **Findings.** This Governing Board hereby finds and determines that public convenience and necessity require that territory be added to the CFD and Improvement Area No. 1.

2. **Territory Described.** The name of the existing CFD is "Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities)." The name of Improvement Area No. 1 is "Improvement Area No. 1 of the Lammersville Joint Unified School District Community Facilities District No. 2014-1 (Mountain House School Facilities)."

The territory included in the existing CFD and Improvement Area No. 1 is set forth in (i) the map of the CFD and Improvement Area No. 1 heretofore recorded as Document No. 2014-047627 in the office of the County Recorder for the County of San Joaquin, State of California on May 14, 2014, in Book 6 at Page 51 of Maps of Assessment and Community Facilities Districts and (ii) the Annexation Map No. 1 (Annexation Nos. 1-3) ("Annexation Map No. 1"), reference to which maps is hereby made.

The territory now proposed to be annexed to the CFD and Improvement Area No. 1 is as shown on the Annexation Map No. 2 for the Annexation No. 4 (Villages D1-D6) (the "Annexation Map") to the CFD and Improvement Area No. 1, on file with the Clerk of the Governing Board, the boundaries of which territory are hereby approved and to which map reference is hereby made for further particulars. The Clerk of the Governing Board is hereby directed to cause to be recorded such Annexation Map, showing the territory to be annexed, in the office of the County Recorder of the County of San Joaquin within fifteen days of the date of adoption of this resolution. The Clerk of the Governing Board is further hereby directed to cause to be recorded the

Annexation Map, showing the territory to be annexed, in the office of the County Recorder of the County of San Joaquin within fifteen days of the date of adoption of this resolution.

3. **The Facilities.** The types of public facilities financed by the CFD and Improvement Area No. 1 and pursuant to the Act consist of those facilities (the "Facilities") described in Exhibit A to the Governing Board's Resolution No. 13-14-19, which was adopted on June 18, 2014 (the "Resolution of Formation"). It is presently intended that the Facilities will be shared, without preference or priority, between the existing territory in Improvement Area No. 1 and the territory proposed to be annexed to Improvement Area No. 1.

4. **Special Tax.** Except to the extent that funds are otherwise available to the CFD from Improvement Area No. 1 to pay for the Facilities, a special tax sufficient to pay the costs thereof is intended to be levied annually within Improvement Area No. 1, and collected in the same manner as ordinary *ad valorem* property taxes.

The existing rate and method of apportionment of special tax (the "Rate and Method") among the parcels of real property within the existing territory of Improvement Area No. 1, as described in Exhibit B to the Resolution of Formation, will not be altered in connection with the proposed annexation.

The proposed rate and method of apportionment of the special tax among the parcels of real property within Improvement Area No. 1, as now in existence and following the annexation proposed herein, in sufficient detail to allow each landowner within the territory proposed to be annexed to Improvement Area No. 1 to estimate the maximum amount such owner will have to pay, are described in the Rate and Method.

5. **Hearing.** Wednesday, December 6, 2017 at 7:00 p.m. or as soon as possible thereafter, in this Governing Board's Board Room, 111 S. De Anza Blvd., Mountain House, California, be, and the same are hereby appointed and fixed as the time and place when and where this Governing Board, as legislative body for the CFD, will conduct a public hearing on the matters described in this Resolution.

6. **Notice.** The Clerk of the Governing Board is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD, including the area to be annexed to the CFD. The publication of said notice shall be completed at least seven days before the date herein set for said hearing. Such notice shall be substantially in the form specified in Section 53339.4 of the Act, with a summary form specifically authorized.

7. **Effective Date.** This Resolution shall take effect upon its adoption.

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PASSED AND ADOPTED at a special meeting of the Governing Board of Lammersville Joint Unified School District on the 6th day of November, 2017, by the following roll call vote:

Governing Board: Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

Roll Call Matthew Balzarini _____; Colin Clements _____; Anne Goodrich _____;

Sharon Lampel _____; David Pombo _____

ATTEST ON THIS DAY BY THE PRESIDENT AND CLERK (OR SECRETARY) OF THE BOARD:

President
Governing Board
Lammersville Joint Unified School District

Clerk
Governing Board
Lammersville Joint Unified School District