

**PETITION FOR ANNEXATION
TO A COMMUNITY FACILITIES DISTRICT
(Including Waivers)**

November 1, 2017

To the Governing Board
Lammersville Joint Unified School District
111 S. De Anza Blvd.
Mountain House, CA 95391
Attention: Clerk of the Board

Members of the Board:

This is a petition to annex the land identified below (the "Property") to both the community facilities district created by the Lammersville Joint Unified School District (the "School District") designated "Lammersville Joint Unified School District 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") and to address related matters under the Mello-Roos Community Facilities Act of 1982, Sections 53311 and following of the California Government Code (the "Act"), and it states as follows:

1. Petitioner. This Petition is submitted by the record owner(s) of the fee simple title in the Property (the "Property Owner"). The undersigned warrants to the School District that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s). If requested by the School District, the Petitioner agrees, at its expense, to supply to the School District current title evidence so that the School District may supply any notice and ballot required under the Act for annexation of the Property to the CFD and Improvement Area No. 1.

2. Proceedings Requested. This Petition asks that the Governing Board of the School District (the "Governing Board") undertake proceedings under the Act to annex the Property to the CFD and Improvement Area No. 1.

3. Boundaries. This Petition asks that the territory to be annexed to the CFD and Improvement Area No. 1 consist of that shown on a map of the proposed boundaries of Annexation No. 4 (Villages D1-D6) to the CFD and Improvement Area No. 1, which map is filed with the Clerk of the Governing Board of the School District and which map is hereby made a part hereof and which map includes the Property.

4. Purpose. This Petition asks that the Property be annexed to the CFD and Improvement Area No. 1 and that special taxes (the "Special Taxes") be levied on the Property to finance the facilities (the "Facilities") described in Exhibit A hereto and made a part hereof.

5. Special Taxes. The Petitioner agrees that it has reviewed and preliminarily approves the Rate and Method of Apportionment of Special Taxes for Improvement Area No. 1 of the CFD (the "Rate and Method"). Petitioner acknowledges and preliminarily agrees that the Rate and Method will be used by the School District for the levy of Special Taxes on the

Property to pay for the Facilities, subject to the completion of annexation proceedings for the Property by the School District under the Act.

6. Election. The Petitioner asks that the special election be conducted under the Act by the School District and its officials on the questions of (i) annexation of the Property to the CFD and Improvement Area No. 1, (ii) levy of the Special Taxes, (iii) issuance of bonded indebtedness and other debt (as defined in the Act) for the CFD with respect to the Improvement Area in an aggregate principal amount not to exceed \$130,000,000 and (iv) an initial appropriations limit for Improvement Area No. 1 of \$130,000,000, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the Governing Board as the public hearing on such matters under the Act or as soon thereafter as possible.

7. Waivers. To expedite the annexation of the Property to the CFD and Improvement Area No. 1, the Petitioner waives all notices of hearing and all published notices regarding the annexation of the Property to the CFD and Improvement Area No. 1, notices of landowner election, applicable waiting periods under the Act for the holding of any public hearing and for election, and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

8. Authority Warranted. The Property Owner warrants to the School District with respect to the Property that the signatory is authorized to execute this Petition and that the submission of this Petition and participation in the School District's proceedings under the Act will not constitute a violation or event of default under any existing financing arrangement in any way affecting the Property Owner and such Property, including any "due-on-encumbrance" clauses under any existing deeds of trust secured by the Property. In the event that the Property Owner sells a portion of the Property, this Petition shall remain effective with respect to the remaining portion of the Property that is owned by the Property Owner.

9. Due Diligence and Disclosures. The Petitioner agrees to cooperate with the School District and its attorneys and consultants and to provide all information and disclosures required by the School District about the Special Taxes to purchasers of the Property or any part of it.

10. Agreements. The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the School District to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the School District's costs in annexing the Property to the CFD and Improvement Area No. 1. By executing this Petition, the Petitioner agrees to all of the above.

The Property is in San Joaquin County
Assessor Parcel No:
209-450-42

The Petitioner (record owner) is:
K. HOVNANIAN MEADOW VIEW AT
MOUNTAIN HOUSE, LLC

By: 
Mike Wyatt
Northern California Division President

and the Property contains a total of 10.35 acres.

The address of the above for
receiving any notice and ballot is:

3721 Douglas Blvd. #150
Roseville, CA 95661

EXHIBIT A

LAMMERSVILLE JOINT UNIFIED SCHOOL DISTRICT Community Facilities District No. 2014-1 (Mountain House School Facilities)

Annexation No. 4 (Villages D1-D6)

FACILITIES

It is intended that the CFD (and each improvement area therein) will be authorized to finance all or a portion of the costs of any of the following:

The school facilities identified in the School District's Facilities/Economic Master Plan that are required to meet the demands caused by development of the portion of the development described in the Mountain House Master Specific Plan approved by the County Board of Supervisors on November 10, 1994 (as amended) that is located in the CFD. Such school facilities shall include the design, engineering, construction and/or expansion and start-up costs of K-8 schools and a high school, as well as portable facilities, support facilities, school buses, maintenance and delivery vehicles, a district administration office, a support service center, and temporary contributions to District facility planning costs.

The Facilities to be financed shall include the costs of the acquisition of right-of-way the costs of design, engineering and planning, the costs of any environmental or traffic studies, (including right-of-way that is intended to be dedicated by the recording of a final map), surveys or other reports, costs related to landscaping and irrigation, soils testing, permits, plan check and inspection fees, insurance, legal and related overhead costs, coordination and supervision and any other costs or appurtenances related to any of the foregoing.

OTHER

The CFD (and each improvement area therein) may also finance any of the following:

1. Bond and other debt related expenses, including underwriters discount, reserve fund, capitalized interest, letter of credit fees and expenses, bond and disclosure counsel fees and expenses, bond remarketing costs, and all other incidental expenses.
2. Administrative fees of the School District and the bond trustee or fiscal agent related to the CFD and the Bonds and other debt.
3. Reimbursement of costs related to the formation of the CFD (and each improvement area therein) advanced by the School District, the landowner(s) in the CFD (and each improvement area therein), or any party related to any of the foregoing, as well as reimbursement of any costs advanced by the School District, the landowner(s) in the CFD (and each improvement area therein) or any party related to any of the foregoing, for facilities, fees or other purposes or costs of the CFD.