

RESOLUTION NO. 6781

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
REDLANDS DECLARING INTENTION TO ANNEX
TERRITORY TO COMMUNITY FACILITIES DISTRICT
NO. 2004-1 OF THE CITY OF REDLANDS AND ADOPTING A
MAP OF THE AREA PROPOSED TO BE ANNEXED
THERE TO (ANNEXATION NO. 6)**

WHEREAS, the City Council (the "City Council") of the City of Redlands (the "City") has established Community Facilities District No. 2004-1 of the City of Redlands, County of San Bernardino, State of California (the "Community Facilities District") for the purpose of levying special taxes on parcels of taxable property therein for the purpose of providing certain services which are necessary to meet increased demands placed upon the City as a result of the development of said real property; and

WHEREAS, the City has received a signed petition from the owners of certain parcels of property requesting that said parcels be annexed to the Community Facilities District, and agreeing to the annual levy of special taxes on said property sufficient to pay the costs of such services and costs incidental thereto; and

WHEREAS, the City Council is authorized by Article 3.5 (commencing with Section 53339) of Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982," to annex territory to the Community Facilities District by complying with the procedures set forth in said Article 3.5;

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED
BY THE CITY COUNCIL OF THE CITY OF REDLANDS AS FOLLOWS:**

Section 1. Intention. The City Council declares its intention to conduct proceedings pursuant to said Article 3.5 for the annexation to the Community Facilities District of the territory described in Exhibit "A" attached hereto (the "Territory"). The City Council determines that the public convenience and necessity require that the Territory be annexed to the Community Facilities District.

Section 2. Findings. The City Council finds that (i) more than 12 persons are registered to vote within the Territory, and (ii) pursuant to Section 53326 of the California Government Code, the vote in the special election on the annexation of the Territory to the Community Facilities District will, therefore, be by the registered voters residing within the Territory.

Section 3. Name of District. The name of the existing Community Facilities District is Community Facilities District No. 2004-1 of the City of Redlands, County of San Bernardino, State of California.

Section 4. Description of Territory; Annexation Map. The territory which is included in the Community Facilities District is described on the map of the Community Facilities District recorded on May 18, 2004 in Book 76 of Maps of Assessment and Community Facilities Districts, page 94, and as Instrument No. 2004-0347327 in the official records of the County of San Bernardino. The Territory is described in Exhibit "A" attached hereto and by this reference made a part hereof. The Territory is also shown and described on the map thereof entitled "Annexation Map No. 6, Community Facilities District No. 2004-1 of the City of Redlands, County of San Bernardino, State of California," which is on file with the City Clerk (the "Annexation Map").

Section 5. Types of Services; Incidental Expenses; Plan for Providing Services. The services that are provided and financed by the Community Facilities District are the maintenance of parks, parkways and open space including, but not limited to, the maintenance of street trees and landscape, within the Community Facilities District and in the surrounding area. The Community Facilities District also finances costs associated with the determination of the amount of and the levy and collection of special taxes which are levied to provide such services and costs otherwise incurred in order to carry out its authorized purposes. The services described above shall be provided, as needed, throughout the Community Facilities District, including the Territory, for the benefit of all owners of property and residents of the Community Facilities District and the Territory. All owners of taxable parcels of property within the Community Facilities District and the Territory, whose properties are assigned to the same Land Use Category (as defined in the Rates and Method of Apportionment of Special Tax for the Community Facilities District which is attached hereto as Exhibit "B"), shall pay special taxes at the same rate to finance the annual cost of providing such services.

Section 6. Special Taxes. Except where funds are otherwise available, special taxes sufficient to pay the costs of the services described in Section 5 above and the annual administrative expenses of the City and the Community Facilities District in determining, apportioning, levying and collecting such special taxes, shall be annually levied within the Territory. Pursuant to Section 53340 of the California Government Code, the special taxes shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes. The rates and method of apportionment of said special taxes shall be as set forth in Exhibit "B" attached hereto and by this reference made a part hereof. The rate of special tax to be levied on property within the Territory in any fiscal year to pay the cost of the services described in Section 5 above shall be equal to the rate of special tax which will be levied on all other property in the same Land Use category (as defined in Exhibit "B" hereto) to pay the cost of such services in such fiscal year.

Section 7. 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 Community Facilities District (*i.e.*, the Territory). Pursuant to Section 3111 of said Code, the City Clerk shall file the original of the Annexation Map in her office and shall file a copy of the Annexation Map with the County Recorder of the County of San Bernardino no later than 15 days prior to the date of the hearing specified in Section 8 hereof.

Section 8. Hearing. A public hearing on the proposed annexation of the Territory to the Community Facilities District shall be held at 7:00 p.m. on January 6, 2009 in the Council Chambers at the City of Redlands Civic Center, 35 Cajon Street, Redlands, California.

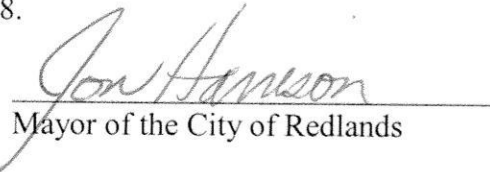
Section 9. Notice. The City Clerk shall publish a notice of the time and place of said hearing as required by Section 53322 of the California Government Code, and shall also give notice of the hearing by first class mail to each registered voter and landowner within the Territory as prescribed by Section 53339.4 of said Code. Said notice shall be published at least seven (7) days and mailed at least fifteen (15) days before the date of the hearing and shall contain the information required by said Section 53339.4.

Section 10. Description of Voting Procedures. The voting procedures to be followed in conducting the election on the proposition with respect to the levy of special taxes within the Territory shall be as follows:

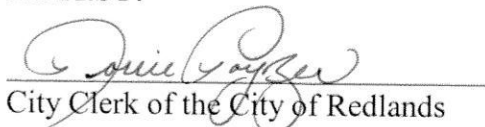
The special election shall be conducted by the City Clerk. The vote in the special election shall be the registered voters residing within the Territory. The special election shall be held on a date between 90 and 180 days following the conclusion of the public hearing, as may be selected by the City Council, pursuant to Section 53326 of the California Government Code ("Section 53326"). Pursuant to Section 53326, ballots for the special election shall be distributed to the qualified electors within the Territory by the City Clerk by mail with return postage prepaid, or by personal service, and the special election shall be conducted in conformance with the applicable requirements of Sections 53326, 53327 and 53327.5 of the California Government Code.

The procedures set forth in this section for conducting the special election, if it is held, may be modified as the City Council may determine to be necessary or desirable by a resolution subsequently adopted by the City Council.

ADOPTED this 18th day of November, 2008.


Mayor of the City of Redlands

ATTEST:

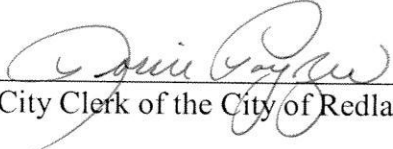

City Clerk of the City of Redlands

CERTIFICATE

I, Lorrie Poyzer, City Clerk of the City of Redlands, do hereby certify that the foregoing resolution was regularly adopted by the City Council of said City at a regular meeting of said Council duly held on the 18th day of November, 2008 by the following vote:

AYES: Councilmembers Gilbreath, Gallagher, Aguilar, Bean; Mayor Harrison
NOES: None
ABSENT: None
ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Redlands this 18th day of November, 2008.



City Clerk of the City of Redlands