

## EXHIBIT “A”

### RATES AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR IMPROVEMENT AREA NO. 1 OF COMMUNITY FACILITIES DISTRICT NO. 45 (JURUPA VALLEY) OF JURUPA COMMUNITY SERVICES DISTRICT

A Special Tax shall be applicable to each Parcel of Taxable Property located in Improvement Area No. 1 within the boundaries of Community Facilities District No. 45 (Jurupa Valley) of Jurupa Community Services District (“CFD No. 45”). The amount of Special Tax to be levied on a Parcel of Taxable Property in any Fiscal Year shall be determined by the Board of Directors of Jurupa Community Services District (hereinafter the “District”) acting in its capacity as the legislative body of CFD No. 45 (hereinafter the “Board of Directors”), as provided in Sections B, C and D. All of the Taxable Property in Improvement Area No. 1 shall be taxed for the purposes, to the extent and in the manner herein provided.

#### A. DEFINITIONS

“**Act**” means the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code of the State of California.

“**Administrative Expenses**” means all ordinary and necessary costs and expenses of the District in administering CFD No. 45, as allowed by the Act, which shall include, without limitation, all costs and expenses arising out of or resulting from the annual levy and collection of the Special Tax and payment of debt service on the outstanding bonds of CFD No. 45, any litigation involving CFD No. 45, continuing disclosure undertakings of the District as imposed by applicable laws and regulations, communication with bondholders and normal administrative expenses (including any District overhead and salaries).

“**Administrator**” means the General Manager of the District, or his/her designee.

“**Alternative Special Tax Rate**” means with respect to Parcels of Developed Property classified as Residential Property the amount of \$1,956 per Parcel for such Parcels in Improvement Area No. 1 or an amount determined pursuant to Section I, if applicable.

“**Assessor’s Parcel Map**” means an official map of the Assessor of the County of Riverside designating parcels by Assessor’s Parcel Numbers.

“**Assessor’s Parcel Number**” means that identification number assigned to a parcel by the County Assessor of the County.

“**Board of Directors**” means the Board of Directors of the District.

“**CFD No. 45**” means Community Facilities District No. 45 (Jurupa Valley) of the District.

**“Church Property”** means all property which, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, has been developed or has been approved by the County or the City for development for use as a church sanctuary, synagogue or other such place of worship, which may or may not include associated buildings which are to be used for religious educational purposes, and which is exempt from taxation pursuant to Section 214 of the Revenue and Taxation Code of the State of California.

**“City”** means the City of Jurupa Valley, California.

**“County”** means the County of Riverside, California.

**“Debt Service and Facilities Special Tax Requirement”** means for Improvement Area No. 1 the amount required in any Fiscal Year after taking into consideration available funds pursuant to the bond indenture: (1) to pay principal of and interest on all outstanding bonds of CFD No. 45 for Improvement Area No. 1, (2) to pay Administrative Expenses attributable to such bonds and the levy and collection of the Special Taxes, (3) to pay costs of credit enhancement for such bonds and any amount required to be rebated to the United States with respect to such bonds, (4) to replenish the reserve fund for such bonds, and (5) to provide any amounts which the Board of Directors determines are necessary to pay the costs of the provision, construction and acquisition of the Facilities and/or to accumulate funds therefor.

**“Developed Property”** means, for each Fiscal Year, for purposes of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Residential Property and Non-Residential Property for which, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, a building permit has been issued that allows residential dwelling units or non-residential buildings to be constructed.

**“District”** means Jurupa Community Services District.

**“Exempt Property”** means property that is exempt from the levy of the Special Tax pursuant to the Act or Section E below.

**“Facilities”** means: (a) water system facilities, including capacity in existing facilities, and sewer system facilities, including capacity in existing facilities and sewage treatment and disposal capacity, and the share of the facilities as described in that certain Agreement Providing for Construction and Reimbursement of Costs of Master Plan Sewer Facility (Benefit Area B), of the District, and (b) any other improvements or facilities designated by the District, with an estimated useful life of five (5) years or longer, which are eligible for financing under the Act.

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

**“Improvement Area”** means Improvement Area No. 1 of CFD No. 45 as shown on the map of the boundaries thereof.

**“Improvement Area No. 1”** means Improvement Area No. 1 of CFD No. 45 as shown on the map of the boundaries thereof.

**“Land Use Regulations”** means the General Plan, Community Plan, Zoning Ordinance, any Specific Plan, and any other applicable land use regulations of the County or the City, or any successor agency.

**“Maximum Special Tax for Debt Service and Facilities”** means for Improvement Area No. 1 the maximum amount of Special Tax, determined pursuant to Section C that can be levied by the Board of Directors in any Fiscal Year on a Parcel of Taxable Property to satisfy the Debt Service and Facilities Special Tax Requirement.

**“Net Acre or Acreage”** means the land area of a Parcel as shown on an Assessor's Parcel Map, or if the land area of a Parcel is not shown on such a map, the land area shown on or calculated based on the applicable recorded final map, recorded parcel map or other recorded County parcel map.

**“Non-Residential Property”** means for purposes of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Developed Property for which a building permit has been issued for the purpose of constructing a non-residential building or upon which such a building has been constructed.

**“Parcel”** means a lot or parcel which, or any portion of which, is located within the boundaries of Improvement Area No. 1 and which is shown on the then current applicable Assessor's Parcel Map(s) with an assigned Assessor's Parcel Number.

**“Park and Open Space Property”** means all property that, as of March 1 of the Fiscal Year preceding the Fiscal Year for which the Special Tax is being levied, has been developed or has been approved by the County or the City for development for active park or open space uses, conveyed to and controlled by a public agency, as specified in the Land Use Regulations.

**“Property Owners’ Association Property”** means all property that, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, has been conveyed, dedicated or irrevocably offered for dedication to a property owners’ association for recreational or open-space use, as specified in the Land Use Regulations.

**“Public School Property”** means all property that, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, has been conveyed, dedicated, or irrevocably offered for dedication or leased for a term of ten (10) years or more to a public agency for the purpose of providing public school facilities, as specified in the Land Use Regulations, and that is exempt from general ad valorem taxation.

**“Residential Property”** means for each Fiscal Year, for the purpose of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Developed Property for which a building permit has been issued for purposes of constructing one or more residential dwelling units or upon which a residential dwelling unit has been constructed.

**“Residential Floor Area”** means all of the square footage of living area of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio or similar area, on a Parcel. The determination of Residential Floor Area shall be made by reference to the building permit(s) for the Parcel.

**“Special Tax(es)”** means the Special Tax to be levied, in each Fiscal Year, on all Parcels of Taxable Property in Improvement Area No. 1, pursuant to Sections B, C and D, to fund the Debt Service and Facilities Special Tax Requirement.

**“Table 1”** means Table 1 contained in Section C.

**“Taxable Property”** means all Parcels that are not exempt from the levy of Special Taxes pursuant to the Act or Section E.

**“Undeveloped Property”** means all Parcels of Taxable Property that are not categorized as Developed Property.

## **B. ASSIGNMENT TO DEVELOPMENT CATEGORIES AND RESIDENTIAL SIZE CLASSIFICATIONS**

For each Fiscal Year, commencing with the Fiscal Year that begins in the calendar year in which the Board of Directors determines that the levy of the Special Taxes shall commence, each Parcel of Taxable Property in Improvement Area No. 1 shall be categorized as either Developed Property or Undeveloped Property. Parcels of Developed Property shall further be categorized as Residential Property or Non-Residential Property.

For the purpose of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Residential Property in Improvement Area No. 1 shall be assigned to the applicable land use classification set forth in Table 1, based on the Residential Floor Area of the residential structure located on or to be constructed on the Parcel.

Determinations of the appropriate development category for each Parcel and the residential size classification for each Parcel of Residential Property in Improvement Area No. 1 shall be made by the Administrator, and shall be based upon a review of the Land Use Regulations and the building permit(s) applicable to each Parcel. All Parcels of Taxable Property shall be subject to the levy of the Special Tax based on the Maximum Special Tax for Debt Service and Facilities, determined as provided in Section C, and in accordance with the method of apportionment set forth in Section D.

## **C. MAXIMUM SPECIAL TAX**

1. The Maximum Special Tax for Debt Service and Facilities for a Parcel of Developed Property in Improvement Area No. 1 categorized as Residential Property shall be the greater of: (i) the applicable amount set forth in Table 1 or (ii) the Alternative Special Tax Rate. The Maximum Special Tax for Debt Service and Facilities for a Parcel of Developed Property categorized as Non-Residential

Property shall be the amount determined by multiplying the Net Acreage of the Parcel by the amount set forth in Table 1. The Maximum Special Tax for Debt Service and Facilities for a Parcel of Undeveloped Property in Improvement Area No. 1 shall be the amount determined by multiplying the Net Acreage of the Parcel by \$11,299 per Net Acre.

**Table 1**  
**Special Tax Amounts for Debt Service and Facilities for Developed Property**  
**Improvement Area No. 1**

Taxable Property	Land Use Classification (Residential Floor Area)	Special Tax for Debt Service and Facilities
Residential Property	Less than 2,901 SF	\$1,815 per Parcel
Residential Property	2,901 SF to 3,200 SF	\$1,882 per Parcel
Residential Property	3,201 SF to 3,600 SF	\$1,937 per Parcel
Residential Property	3,601 SF to 3,800 SF	\$1,992 per Parcel
Residential Property	Over 3,800 SF	\$2,041 per Parcel
Non-Residential Property	NA	\$11,299 per Net Acre

The abbreviation “SF” in Table 1 signifies square footage and the SF numbers in Table 1 are Residential Floor Areas of residential structures.

In accordance with Section 53321(d) of the Government Code of the State of California, the Maximum Special Tax for Debt Service and Facilities for each Parcel “used for private residential purposes,” as defined therein, shall be calculated and thereby established by the date on which the Parcel is first subject to the Special Tax. Under no circumstances will the Special Tax levied in any Fiscal Year on any parcel used for private residential purposes be increased as a consequence of delinquency or default in the payment of Special Taxes by the owner or owners of any other Parcel or Parcels by more than ten percent (10%) above the amount of the Special Tax that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

## **D. METHOD OF APPORTIONMENT AND LEVY OF THE SPECIAL TAX**

### **1. Special Tax**

Commencing with the Fiscal Year in which the Board of Directors determines that the levy of Special Taxes shall commence, and for each subsequent Fiscal Year, the Board of Directors shall determine the total amount of Special Taxes to be levied and collected in that Fiscal Year in order to satisfy the Debt Service and Facilities Special Tax Requirement for Improvement Area No. 1 for such Fiscal Year. The Board of Directors shall levy the Special Tax on all Parcels of Taxable Property in Improvement Area No. 1 in the following priority until it has levied the amount necessary to satisfy the Debt Service and Facilities Special Tax Requirement for Improvement Area No. 1 for the Fiscal Year as follows:

#### **(a) Debt Service and Facilities Special Tax Requirement.**

(1) First: The Special Tax shall be levied on all Parcels of Developed Property in equal percentages up to 100% of the applicable Special Tax amount set forth in Table 1; and

(2) Second: If additional funds are needed, the Special Tax shall be levied on all Parcels of Undeveloped Property in equal percentages up to 100% of the Maximum Special Tax for Debt Service and Facilities for Undeveloped Property; and

(3) Third: If additional funds are needed, the Special Tax shall be levied on all Parcels of Developed Property classified as Residential Property for which the Maximum Special Tax for Debt Service and Facilities is determined by application of the Alternative Special Tax Rate in equal percentages up to 100% of such Maximum Special Tax for Debt Service and Facilities.

No Special Tax shall be levied on Parcels of Undeveloped Property in Improvement Area No. 1 to provide any amounts which the Board of Directors determines are necessary to pay the costs of the provision, construction and acquisition of the Facilities and/or to accumulate funds therefor, as described in clause (5) of the definition of Debt Service and Facilities Special Tax Requirement for Improvement Area No. 1.

## **E. EXEMPTIONS**

The Special Tax related to the Debt Service and Facilities Special Tax Requirement shall not be levied on up to 20.01 Net Acres of Parcels of Exempt Property in Improvement Area No. 1 in the chronological order in which such property becomes any of the following:

1. Property that lies within dedications for public streets or publicly owned surface drainage channels.
2. Property Owners' Association Property.
3. Public School Property.

4. Park and Open Space Property.
5. Church Property.

Any Parcels described in the preceding paragraph that exceed 20.01 Net Acres in Improvement Area No. 1 shall be classified as Taxable Property and be subject to the Special Tax as either Developed Property or Undeveloped Property as provided for in Sections B, C, and D, unless the obligation to pay the Special Tax for any such Parcel is prepaid pursuant to Section H.

#### **F. MANNER OF COLLECTION**

The Special Taxes shall be collected in the same manner and at the same time as ad valorem property taxes 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; provided, however, that the District may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 45 with respect to Improvement Area No. 1.

#### **G. DURATION OF SPECIAL TAX LEVIES**

Pursuant to Section 53321(d) of the Government Code of the State of California, the tax year after which no further Special Tax shall be levied or collected with respect to any Parcel to satisfy the Debt Service and Facilities Special Tax Requirement shall be Fiscal Year 2058-59.

#### **H. PREPAYMENT**

As used in this Section H, the terms in quotes have the meanings given to them below:

“Improvement Area Facilities Amount” means the amount of \$3,950,000 for the Improvement Area expressed in 2014 dollars, which shall increase on January 1, 2015 and on each January 1 thereafter, by the percentage increase in Construction Index since the preceding January 1, or such lesser amount (i) as shall be determined by the Administrator to be sufficient to provide for the construction and acquisition of all of the public facilities, or (ii) as shall be determined by the Board of Directors at the time of the adoption of a covenant that CFD No. 45 will not issue any additional bonds.

“Construction Fund” means a fund or account established by the Indenture to hold funds which are to be used to pay costs associated with the construction and acquisition of public facilities for an Improvement Area.

“Construction Index” means the Engineering News-Record Building Cost Index for the City of Los Angeles. If this index ceases to be published, the Construction Index shall be another index which is determined by the Administrator to be reasonably comparable to such index.

“Exempt Property” means property that is exempt from the levy of the Special Tax pursuant to Section E.

“Future Facilities Costs” means the amount determined by subtracting from the Improvement Area Facilities Amount (i) the amount available in the Construction Fund, (ii) the amount previously disbursed from the Construction Fund, to pay the costs of the Facilities, (iii) the amount of Special Taxes previously collected that have been used or are available to pay for the costs of the Facilities, and (iv) the estimated amount of income that will be earned from the investment of such available amount prior to the date upon which the prepayment is to be made.

“Improvement Area” means Improvement Area No. 1.

“Indenture” means the bond indenture, fiscal agent agreement or resolution pursuant to which the bonds of CFD No. 45 are issued for an Improvement Area and which establishes a construction or improvement fund into which proceeds of the sale of the bonds are deposited to pay for the construction and acquisition of public facilities for an Improvement Area.

“Outstanding Bonds” means all bonds of CFD No. 45 that have been issued for an Improvement Area and which will remain outstanding after the first date following the current Fiscal Year on which interest on or interest on and principal of such bonds will be paid, excluding bonds to be redeemed on a later date with Prepayment Amounts (as defined below) for other Parcels for which the Special Tax Obligation for Debt Service and Facilities has been prepaid.

“Special Tax Obligation for Debt Service and Facilities” means the total amount of Special Taxes which could be levied on a Parcel in an Improvement Area based on the Maximum Special Tax for Debt Service and Facilities for the Parcel through the date of final maturity of the Outstanding Bonds.

## **1. Prepayment in Full**

The Special Tax Obligation for Debt Service and Facilities may only be prepaid and permanently satisfied for a Parcel of Developed Property in an Improvement Area, a Parcel of Undeveloped Property in an Improvement Area for which a building permit has been issued, or a Parcel of Church Property, Park and Open Space Property, Property Owners’ Association Property or Public School Property that is not Exempt Property. The Special Tax Obligation for Debt Service and Facilities for a Parcel in an Improvement Area may be fully prepaid and the obligation of the Parcel to pay the Special Tax permanently satisfied as described herein; provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to the Parcel at the time of prepayment. An owner of a Parcel intending to prepay the Special Tax Obligation for Debt Service and Facilities for the Parcel shall provide the Administrator with written notice of the owner’s intent to prepay, and within fifteen (15) days of receipt of such notice, the Administrator shall notify such owner of the amount of a non-refundable deposit to cover the cost to be incurred by the District and CFD No. 45 in determining the Prepayment Amount for the Parcel. Within thirty (30) days of receipt of such non-refundable deposit, the Administrator shall notify the owner of the Prepayment Amount for the Parcel. Prepayment must be made not later than sixty (60) days prior to

any redemption date for any bonds which will be redeemed with the Prepayment Amount.

The Prepayment Amount shall be calculated as follows (Except as provided above, capitalized terms have the meanings given below.):

Bond Redemption Amount  
plus Redemption Premium  
plus Prepaid Facilities Amount  
plus Defeasance Amount  
plus Administration Costs  
less Reserve Fund Credit  
equals Prepayment Amount

The Prepayment Amount shall be calculated, as of the proposed prepayment date, as follows:

**Paragraph No.:**

1. For a Parcel of Developed Property, determine the Maximum Special Tax for Debt Service and Facilities for the Parcel. For a Parcel of Undeveloped Property, determine the Maximum Special Tax for Debt Service and Facilities for the Parcel as though it was Developed Property, based on the building permit(s) issued for the Parcel. For a Parcel of Church Property, Park and Open Space Property, Property Owners' Association Property or Public School Property which is not Exempt Property, determine the Maximum Special Tax for Debt Service and Facilities for the Parcel.
2. Divide the Maximum Special Tax for Debt Service and Facilities for the Parcel, determined pursuant to paragraph 1, by the total estimated amount of the Maximum Special Taxes for Debt Service and Facilities that could be levied on all Parcels of Developed Property in the Improvement Area at Buildout of the Improvement Area, including the prepaying Parcel and excluding any Parcels in the Improvement Area which have previously prepaid the Special Tax Obligation for Debt Service and Facilities.
3. Multiply the aggregate principal amount of the Outstanding Bonds by the percentage derived pursuant to paragraph 2 to determine the principal amount of the Outstanding Bonds to be redeemed with the Prepayment Amount (the "*Bond Redemption Amount*").
4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (the "*Redemption Premium*").
5. Determine the Future Facilities Costs for the Improvement Area.

6. Multiply the Future Facilities Costs by the percentage derived pursuant to paragraph 2 to determine the amount of the Future Facilities Costs to be prepaid (the "*Prepaid Facilities Amount*").
7. Determine the amount needed to pay interest on the Bond Redemption Amount for the Improvement Area from the first bond interest payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
8. Determine the unpaid amount of the Special Taxes levied on the Parcel in the current Fiscal Year.
9. Estimate the earnings on the investment of the Prepayment Amount, less the Prepaid Facilities Amount and the Administration Costs (as defined below), from the date of prepayment until the redemption date for the Outstanding Bonds which will be redeemed with the Prepayment Amount (the "*Net Prepayment Amount*").
10. Add the amounts derived pursuant to paragraphs 7 and 8 and subtract the amount derived pursuant to paragraph 9 to derive the Defeasance Amount (the "*Defeasance Amount*").
11. Determine the amount which will be needed and will not be paid from a non-refundable deposit by the owner of the prepaying Parcel for paying the costs of (i) determining the Prepayment Amount, (ii) investing the Net Prepayment Amount, (iii) redeeming the Outstanding Bonds, and (iv) recording any notices to evidence the prepayment and satisfaction of the Special Tax Obligation for Debt Service and Facilities for the Parcel (the "*Administration Costs*").
12. Determine the amount of the reserve fund credit (the "*Reserve Fund Credit*") which shall be the lesser of: (a) the amount, if any, by which the "Reserve Requirement" (as defined in the Indenture) will be reduced as a result of the redemption of Outstanding Bonds with the Prepayment Amount (the "Reduced Reserve Requirement") or (b) the amount (which shall not be less than zero) derived by subtracting the Reduced Reserve Requirement from the amount which will be on deposit in the Reserve Fund for the Outstanding Bonds on the prepayment date.
13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Prepaid Facilities Amount, the Defeasance Amount and the Administration Costs less the Reserve Fund Credit.
14. Upon receipt of the Prepayment Amount, the funds representing the Bond Redemption Amount, the Redemption Premium, and the Defeasance Amount shall be deposited into the appropriate fund established under the Indenture for the redemption of Outstanding Bonds and shall be used, along with the amount representing the Reserve Fund Credit which shall be transferred from the Reserve Fund to the appropriate account under the Indenture, to redeem an

aggregate principal amount of Outstanding Bonds which is equally divisible by \$5,000 and, to the extent of any portion of the sum thereof which is not so utilized, to pay interest on and principal of Outstanding Bonds. The Prepaid Facilities Amount shall be deposited into the Construction Fund. The Administration Costs shall be retained by the District and used to pay or reimburse such costs.

Upon receipt of the Prepayment Amount, the Board of Directors shall cause the appropriate notice to be recorded in compliance with the Act to acknowledge that the Special Tax Obligation for Debt Service and Facilities for the prepaying Parcel has been prepaid and satisfied and to cancel the Special Tax lien securing payment of Special Taxes for the Debt Service and Facilities Special Tax Requirement for the Improvement Area.

Notwithstanding the foregoing, no Prepayment shall be allowed for any Parcel in either Improvement Area unless the total amount of the Maximum Special Taxes for Debt Service and Facilities that may be levied on Taxable Property in the Improvement Area (excluding Parcels of Property Owners' Association Property, Public School Property and Church Property that are Taxable Property), both before and after expected buildout of the property in the Improvement Area, as then approved by the County or the City, after the proposed Prepayment would be at least equal to the sum of (i) an amount equal to 110 percent of maximum annual debt service on all Outstanding Bonds for the Improvement Area, as determined by the Administrator, a financial advisor or a special tax consultant, at the option of the Administrator, plus (ii) Administrative Expenses in the amount of \$20,000.

## **2. Partial Prepayment**

An owner of not less than fifteen (15) Parcels of Developed Property classified as Residential Property in an Improvement Area may partially prepay the Special Tax Obligation for Debt Service and Facilities for all such Parcels. The owner of a Parcel of Undeveloped Property (i) for which a subdivision map has been recorded, (ii) that will be classified as Residential Property and (iii) for which a building permit has been issued, may partially prepay the Special Tax Obligation for Debt Service and Facilities for not less than fifteen (15) of such Parcels. The amount of the Partial Prepayment shall be calculated pursuant to Section H.1 as modified by the following formula:

$$PP = ((P_E - A) \times F) + A$$

These terms have the following meaning:

PP = the Partial Prepayment

$P_E$  = the Prepayment Amount calculated according to Section H.1

F = the percentage by which the owner of the Parcels is partially prepaying the Special Tax Obligation for Debt Service and Facilities.

A = the Administrative Costs calculated pursuant to Section H.1

The owner of such Parcels who desires to partially prepay the Special Tax Obligation for Debt Service and Facilities shall notify the Administrator of (i) the owner's intent to partially prepay the Special Tax Obligation for Debt Service and Facilities and, (ii) the percentage by which the Special Tax Obligation for Debt Service and Facilities for all such Parcels will be prepaid, and within fifteen (15) days of receipt of such notice, the Administrator shall notify such owner of the amount of a non-refundable deposit determined to cover the costs to be incurred by the District and CFD No. 45 in determining the amount of the Partial Prepayment for such Parcels. Within thirty (30) days of receipt of such non-refundable deposit, the Administrator shall notify the owner of the Partial Prepayment amount applicable to each of such Parcels. A Partial Prepayment must be paid not later than sixty (60) days prior to the redemption date for any Outstanding Bonds which will be redeemed with the Partial Prepayment.

Upon receipt of a Partial Prepayment of the Special Tax Obligation for Debt Service and Facilities for any such Parcels, the Administrator shall (i) allocate the amount of the Partial Prepayment pursuant to Paragraph 14 of Section H.1 and (ii) note on the records of CFD No. 45 that there has been a Partial Prepayment of the Special Tax Obligation for Debt Service and Facilities for such Parcels and that the amount of Special Taxes which shall continue to be levied on such Parcels pursuant to Section D shall be reduced based on the percentage (1.00 - F) of the remaining Special Tax Obligation for Debt Service and Facilities for such Parcels.

Notwithstanding the foregoing, no Partial Prepayment shall be allowed for any Parcel in any Improvement Area unless the total amount of the Maximum Special Taxes for Debt Service and Facilities that may be levied on Taxable Property in the Improvement Area (excluding Parcels of Property Owners' Association Property, Public School Property and Church Property that are Taxable Property), both before and after expected buildout of the property in the Improvement Area, as then approved by the County or the City, after the proposed Partial Prepayment would be at least equal to the sum of (i) an amount equal to 110 percent of maximum annual debt service on all Outstanding Bonds for the Improvement Area, as determined by the Administrator, a financial advisor or a special tax consultant, at the option of the Administrator, plus (ii) Administrative Expenses in the amount of \$20,000.

## **I. CHANGES TO TENTATIVE TRACTS**

The Alternative Special Tax Rate for Improvement Area No. 1 has been established based on the land use configurations shown on the subdivision map for Tentative Tract No. 31768. In the event any portion of Tract No. 31768 is modified by the County or the City, the Alternative Special Tax Rate for Improvement Area No. 1 for all Parcels of Developed Property in the modified portion of such tract that is located in such Improvement Area which are classified as Residential Property shall be determined, if such Parcels are located in Improvement Area No. 1, by (i) multiplying the total square footage of such Parcel or Parcels by \$0.2594 per square foot, and (ii) by dividing the product thus obtained by the number of lots in the modified portion thereof.

**RATES AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR  
IMPROVEMENT AREA NO. 2 OF  
COMMUNITY FACILITIES DISTRICT NO. 45 (JURUPA VALLEY) OF  
JURUPA COMMUNITY SERVICES DISTRICT**

A Special Tax shall be applicable to each Parcel of Taxable Property located in Improvement Area No. 2 within the boundaries of Community Facilities District No. 45 (Jurupa Valley) of Jurupa Community Services District (“CFD No. 45”). The amount of Special Tax to be levied on a Parcel of Taxable Property in any Fiscal Year shall be determined by the Board of Directors of Jurupa Community Services District (hereinafter the “District”) acting in its capacity as the legislative body of CFD No. 45 (hereinafter the “Board of Directors”), as provided in Sections B, C and D. All of the Taxable Property in Improvement Area No. 2 shall be taxed for the purposes, to the extent and in the manner herein provided.

**A. DEFINITIONS**

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“**Administrator**” means the General Manager of the District, or his/her designee.

“**Alternative Special Tax Rate**” means with respect to Parcels of Developed Property classified as Residential Property the amount of \$1,956 per Parcel for such Parcels in Improvement Area No. 2 or an amount determined pursuant to Section I, if applicable.

“**Assessor’s Parcel Map**” means an official map of the Assessor of the County of Riverside designating parcels by Assessor’s Parcel Numbers.

“**Assessor’s Parcel Number**” means that identification number assigned to a parcel by the County Assessor of the County.

“**Board of Directors**” means the Board of Directors of the District.

“**CFD No. 45**” means Community Facilities District No. 45 (Jurupa Valley) of the District.

**“Church Property”** means all property which, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, has been developed or has been approved by the County or the City for development for use as a church sanctuary, synagogue or other such place of worship, which may or may not include associated buildings which are to be used for religious educational purposes, and which is exempt from taxation pursuant to Section 214 of the Revenue and Taxation Code of the State of California.

**“City”** means the City of Jurupa Valley, California.

**“County”** means the County of Riverside, California.

**“Debt Service and Facilities Special Tax Requirement”** means for Improvement Area No. 2 the amount required in any Fiscal Year after taking into consideration available funds pursuant to the bond indenture: (1) to pay principal of and interest on all outstanding bonds of CFD No. 45 for Improvement Area No. 2, (2) to pay Administrative Expenses attributable to such bonds and the levy and collection of the Special Taxes, (3) to pay costs of credit enhancement for such bonds and any amount required to be rebated to the United States with respect to such bonds, (4) to replenish the reserve fund for such bonds, and (5) to provide any amounts which the Board of Directors determines are necessary to pay the costs of the provision, construction and acquisition of the Facilities and/or to accumulate funds therefor.

**“Developed Property”** means, for each Fiscal Year, for purposes of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Residential Property and Non-Residential Property for which, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, a building permit has been issued that allows residential dwelling units or non-residential buildings to be constructed.

**“District”** means Jurupa Community Services District.

**“Exempt Property”** means property that is exempt from the levy of the Special Tax pursuant to the Act or Section E below.

**“Facilities”** means: (a) water system facilities, including capacity in existing facilities, and sewer system facilities, including capacity in existing facilities and sewage treatment and disposal capacity, and the share of the facilities as described in that certain Agreement Providing for Construction and Reimbursement of Costs of Master Plan Sewer Facility (Benefit Area B), of the District, and (b) any other improvements or facilities designated by the District, with an estimated useful life of five (5) years or longer, which are eligible for financing under the Act.

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

**“Improvement Area”** means Improvement Area No. 2 of CFD No. 45 as shown on the map of the boundaries thereof.

**“Improvement Area No. 2”** means Improvement Area No. 2 of CFD No. 45 as shown on the map of the boundaries thereof.

**“Land Use Regulations”** means the General Plan, Community Plan, Zoning Ordinance, any Specific Plan, and any other applicable land use regulations of the County or the City, or any successor agency.

**“Maximum Special Tax for Debt Service and Facilities”** means for Improvement Area No. 2 the maximum amount of Special Tax, determined pursuant to Section C that can be levied by the Board of Directors in any Fiscal Year on a Parcel of Taxable Property to satisfy the Debt Service and Facilities Special Tax Requirement.

**“Net Acre or Acreage”** means the land area of a Parcel as shown on an Assessor's Parcel Map, or if the land area of a Parcel is not shown on such a map, the land area shown on or calculated based on the applicable recorded final map, recorded parcel map or other recorded County parcel map.

**“Non-Residential Property”** means for purposes of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Developed Property for which a building permit has been issued for the purpose of constructing a non-residential building or upon which such a building has been constructed.

**“Parcel”** means a lot or parcel which, or any portion of which, is located within the boundaries of Improvement Area No. 2 and which is shown on the then current applicable Assessor's Parcel Map(s) with an assigned Assessor's Parcel Number.

**“Park and Open Space Property”** means all property that, as of March 1 of the Fiscal Year preceding the Fiscal Year for which the Special Tax is being levied, has been developed or has been approved by the County or the City for development for active park or open space uses, conveyed to and controlled by a public agency, as specified in the Land Use Regulations.

**“Property Owners' Association Property”** means all property that, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, has been conveyed, dedicated or irrevocably offered for dedication to a property owners' association for recreational or open-space use, as specified in the Land Use Regulations.

**“Public School Property”** means all property that, as of March 1 preceding the Fiscal Year for which the Special Tax is being levied, has been conveyed, dedicated, or irrevocably offered for dedication or leased for a term of ten (10) years or more to a public agency for the purpose of providing public school facilities, as specified in the Land Use Regulations, and that is exempt from general ad valorem taxation.

**“Residential Property”** means for each Fiscal Year, for the purpose of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Developed Property for which a building permit has been issued for purposes of constructing one or more residential dwelling units or upon which a residential dwelling unit has been constructed.

**“Residential Floor Area”** means all of the square footage of living area of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio or similar area, on a Parcel. The determination of Residential Floor Area shall be made by reference to the building permit(s) for the Parcel.

**“Special Tax(es)”** means the Special Tax to be levied, in each Fiscal Year, on all Parcels of Taxable Property in Improvement Area No. 2, pursuant to Sections B, C and D, to fund the Debt Service and Facilities Special Tax Requirement.

**“Table 1”** means Table 1 contained in Section C.

**“Taxable Property”** means all Parcels that are not exempt from the levy of Special Taxes pursuant to the Act or Section E.

**“Undeveloped Property”** means all Parcels of Taxable Property that are not categorized as Developed Property.

## **B. ASSIGNMENT TO DEVELOPMENT CATEGORIES AND RESIDENTIAL SIZE CLASSIFICATIONS**

For each Fiscal Year, commencing with the Fiscal Year that begins in the calendar year in which the Board of Directors determines that the levy of the Special Taxes shall commence, each Parcel of Taxable Property in Improvement Area No. 2 shall be categorized as either Developed Property or Undeveloped Property. Parcels of Developed Property shall further be categorized as Residential Property or Non-Residential Property.

For the purpose of the levy of Special Taxes to satisfy the Debt Service and Facilities Special Tax Requirement, all Parcels of Residential Property in Improvement Area No. 2 shall be assigned to the applicable land use classification set forth in Table 1, based on the Residential Floor Area of the residential structure located on or to be constructed on the Parcel.

Determinations of the appropriate development category for each Parcel and the residential size classification for each Parcel of Residential Property in Improvement Area No. 2 shall be made by the Administrator, and shall be based upon a review of the Land Use Regulations and the building permit(s) applicable to each Parcel. All Parcels of Taxable Property shall be subject to the levy of the Special Tax based on the Maximum Special Tax for Debt Service and Facilities, determined as provided in Section C, and in accordance with the method of apportionment set forth in Section D.

## **C. MAXIMUM SPECIAL TAX**

1. The Maximum Special Tax for Debt Service and Facilities for a Parcel of Developed Property in Improvement Area No. 2 categorized as Residential Property shall be the greater of: (i) the applicable amount set forth in Table 1 or (ii) the Alternative Special Tax Rate. The Maximum Special Tax for Debt Service and Facilities for a Parcel of Developed Property categorized as Non-Residential

Property shall be the amount determined by multiplying the Net Acreage of the Parcel by the amount set forth in Table 1. The Maximum Special Tax for Debt Service and Facilities for a Parcel of Undeveloped Property in Improvement Area No. 2 shall be the amount determined by multiplying the Net Acreage of the Parcel by \$10,631 per Net Acre.

**Table 1**  
**Special Tax Amounts for Debt Service and Facilities for Developed Property**  
**Improvement Area No. 2**

Taxable Property	Land Use Classification (Residential Floor Area)	Special Tax for Debt Service and Facilities
Residential Property	Less than 2,901 SF	\$1,815 per Parcel
Residential Property	2,901 SF to 3,200 SF	\$1,882 per Parcel
Residential Property	3,201 SF to 3,600 SF	\$1,937 per Parcel
Residential Property	3,601 SF to 3,800 SF	\$1,992 per Parcel
Residential Property	Over 3,800 SF	\$2,041 per Parcel
Non-Residential Property	NA	\$10,631 per Net Acre

The abbreviation “SF” in Table 1 signifies square footage and the SF numbers in Table 1 are Residential Floor Areas of residential structures.

In accordance with Section 53321(d) of the Government Code of the State of California, the Maximum Special Tax for Debt Service and Facilities for each Parcel “used for private residential purposes,” as defined therein, shall be calculated and thereby established by the date on which the Parcel is first subject to the Special Tax. Under no circumstances will the Special Tax levied in any Fiscal Year on any parcel used for private residential purposes be increased as a consequence of delinquency or default in the payment of Special Taxes by the owner or owners of any other Parcel or Parcels by more than ten percent (10%) above the amount of the Special Tax that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

**D. METHOD OF APPORTIONMENT AND LEVY OF THE SPECIAL TAX**

1. Special Tax

Commencing with the Fiscal Year in which the Board of Directors determines that the levy of Special Taxes shall commence, and for each subsequent Fiscal Year, the Board of Directors shall determine the total amount of Special Taxes to be levied and collected in that Fiscal Year in order to satisfy the Debt Service and Facilities Special Tax Requirement for Improvement Area No. 2 for such Fiscal Year. The Board of Directors shall levy the Special Tax on all Parcels of Taxable Property in Improvement Area No. 2 in the following priority until it has levied the amount necessary to satisfy the Debt Service and Facilities Special Tax Requirement for Improvement Area No. 2 for the Fiscal Year as follows:

(a) Debt Service and Facilities Special Tax Requirement.

(1) First: The Special Tax shall be levied on all Parcels of Developed Property in equal percentages up to 100% of the applicable Special Tax amount set forth in Table 1; and

(2) Second: If additional funds are needed, the Special Tax shall be levied on all Parcels of Undeveloped Property in equal percentages up to 100% of the Maximum Special Tax for Debt Service and Facilities for Undeveloped Property; and

(3) Third: If additional funds are needed, the Special Tax shall be levied on all Parcels of Developed Property classified as Residential Property for which the Maximum Special Tax for Debt Service and Facilities is determined by application of the Alternative Special Tax Rate in equal percentages up to 100% of such Maximum Special Tax for Debt Service and Facilities.

No Special Tax shall be levied on Parcels of Undeveloped Property in Improvement Area No. 2 to provide any amounts which the Board of Directors determines are necessary to pay the costs of the provision, construction and acquisition of the Facilities and/or to accumulate funds therefor, as described in clause (5) of the definition of Debt Service and Facilities Special Tax Requirement for Improvement Area No. 2.

**E. EXEMPTIONS**

The Special Tax related to the Debt Service and Facilities Special Tax Requirement shall not be levied on up to 17.92 Net Acres of Parcels of Exempt Property in Improvement Area No. 2 in the chronological order in which such property becomes any of the following:

1. Property that lies within dedications for public streets or publicly owned surface drainage channels.
2. Property Owners' Association Property.
3. Public School Property.
4. Park and Open Space Property.
5. Church Property.

Any Parcels described in the preceding paragraph that exceed 17.92 Net Acres in Improvement Area No. 2 shall be classified as Taxable Property and be subject to the Special Tax as either Developed Property or Undeveloped Property as provided for in Sections B, C, and D, unless the obligation to pay the Special Tax for any such Parcel is prepaid pursuant to Section H.

**F. MANNER OF COLLECTION**

The Special Taxes shall be collected in the same manner and at the same time as ad valorem property taxes 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; provided, however, that the District may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of CFD No. 45 with respect to Improvement Area No. 2.

#### **G. DURATION OF SPECIAL TAX LEVIES**

Pursuant to Section 53321(d) of the Government Code of the State of California, the tax year after which no further Special Tax shall be levied or collected with respect to any Parcel to satisfy the Debt Service and Facilities Special Tax Requirement shall be Fiscal Year 2058-59.

#### **H. PREPAYMENT**

As used in this Section H, the terms in quotes have the meanings given to them below:

“Improvement Area Facilities Amount” means the amount of \$2,135,000 for the Improvement Area expressed in 2014 dollars, which shall increase on January 1, 2015 and on each January 1 thereafter, by the percentage increase in Construction Index since the preceding January 1, or such lesser amount (i) as shall be determined by the Administrator to be sufficient to provide for the construction and acquisition of all of the public facilities, or (ii) as shall be determined by the Board of Directors at the time of the adoption of a covenant that CFD No. 45 will not issue any additional bonds.

“Construction Fund” means a fund or account established by the Indenture to hold funds which are to be used to pay costs associated with the construction and acquisition of public facilities for an Improvement Area.

“Construction Index” means the Engineering News-Record Building Cost Index for the City of Los Angeles. If this index ceases to be published, the Construction Index shall be another index which is determined by the Administrator to be reasonably comparable to such index.

“Exempt Property” means property that is exempt from the levy of the Special Tax pursuant to Section E.

“Future Facilities Costs” means the amount determined by subtracting from the Improvement Area Facilities Amount (i) the amount available in the Construction Fund, (ii) the amount previously disbursed from the Construction Fund, to pay the costs of the Facilities, (iii) the amount of Special Taxes previously collected that have been used or are available to pay for the costs of the Facilities, and (iv) the estimated amount of income that will be earned from the investment of such available amount prior to the date upon which the prepayment is to be made.

“Improvement Area” means Improvement Area No. 2.

“Indenture” means the bond indenture, fiscal agent agreement or resolution pursuant to which the bonds of CFD No. 45 are issued for an Improvement Area and which establishes a construction or improvement fund into which proceeds of the sale of the

bonds are deposited to pay for the construction and acquisition of public facilities for an Improvement Area.

“Outstanding Bonds” means all bonds of CFD No. 45 that have been issued for an Improvement Area and which will remain outstanding after the first date following the current Fiscal Year on which interest on or interest on and principal of such bonds will be paid, excluding bonds to be redeemed on a later date with Prepayment Amounts (as defined below) for other Parcels for which the Special Tax Obligation for Debt Service and Facilities has been prepaid.

“Special Tax Obligation for Debt Service and Facilities” means the total amount of Special Taxes which could be levied on a Parcel in an Improvement Area based on the Maximum Special Tax for Debt Service and Facilities for the Parcel through the date of final maturity of the Outstanding Bonds.

### **1. Prepayment in Full**

The Special Tax Obligation for Debt Service and Facilities may only be prepaid and permanently satisfied for a Parcel of Developed Property in an Improvement Area, a Parcel of Undeveloped Property in an Improvement Area for which a building permit has been issued, or a Parcel of Church Property, Park and Open Space Property, Property Owners’ Association Property or Public School Property that is not Exempt Property. The Special Tax Obligation for Debt Service and Facilities for a Parcel in an Improvement Area may be fully prepaid and the obligation of the Parcel to pay the Special Tax permanently satisfied as described herein; provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to the Parcel at the time of prepayment. An owner of a Parcel intending to prepay the Special Tax Obligation for Debt Service and Facilities for the Parcel shall provide the Administrator with written notice of the owner’s intent to prepay, and within fifteen (15) days of receipt of such notice, the Administrator shall notify such owner of the amount of a non-refundable deposit to cover the cost to be incurred by the District and CFD No. 45 in determining the Prepayment Amount for the Parcel. Within thirty (30) days of receipt of such non-refundable deposit, the Administrator shall notify the owner of the Prepayment Amount for the Parcel. Prepayment must be made not later than sixty (60) days prior to any redemption date for any bonds which will be redeemed with the Prepayment Amount.

The Prepayment Amount shall be calculated as follows (Except as provided above, capitalized terms have the meanings given below.):

Bond Redemption Amount  
plus Redemption Premium  
plus Prepaid Facilities Amount  
plus Defeasance Amount  
plus Administration Costs  
less Reserve Fund Credit  
equals Prepayment Amount

The Prepayment Amount shall be calculated, as of the proposed prepayment date, as follows:

**Paragraph No.:**

1. For a Parcel of Developed Property, determine the Maximum Special Tax for Debt Service and Facilities for the Parcel. For a Parcel of Undeveloped Property, determine the Maximum Special Tax for Debt Service and Facilities for the Parcel as though it was Developed Property, based on the building permit(s) issued for the Parcel. For a Parcel of Church Property, Park and Open Space Property, Property Owners' Association Property or Public School Property which is not Exempt Property, determine the Maximum Special Tax for Debt Service and Facilities for the Parcel.
2. Divide the Maximum Special Tax for Debt Service and Facilities for the Parcel, determined pursuant to paragraph 1, by the total estimated amount of the Maximum Special Taxes for Debt Service and Facilities that could be levied on all Parcels of Developed Property in the Improvement Area at buildout of the Improvement Area, including the prepaying Parcel and excluding any Parcels in the Improvement Area which have previously prepaid the Special Tax Obligation for Debt Service and Facilities.
3. Multiply the aggregate principal amount of the Outstanding Bonds by the percentage derived pursuant to paragraph 2 to determine the principal amount of the Outstanding Bonds to be redeemed with the Prepayment Amount (the "*Bond Redemption Amount*").
4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (the "*Redemption Premium*").
5. Determine the Future Facilities Costs for the Improvement Area.
6. Multiply the Future Facilities Costs by the percentage derived pursuant to paragraph 2 to determine the amount of the Future Facilities Costs to be prepaid (the "*Prepaid Facilities Amount*").
7. Determine the amount needed to pay interest on the Bond Redemption Amount for the Improvement Area from the first bond interest payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
8. Determine the unpaid amount of the Special Taxes levied on the Parcel in the current Fiscal Year.
9. Estimate the earnings on the investment of the Prepayment Amount, less the Prepaid Facilities Amount and the Administration Costs (as defined below), from the date of prepayment until the redemption date for the Outstanding Bonds

which will be redeemed with the Prepayment Amount (the “*Net Prepayment Amount*”).

10. Add the amounts derived pursuant to paragraphs 7 and 8 and subtract the amount derived pursuant to paragraph 9 to derive the Defeasance Amount (the “*Defeasance Amount*”).

11. Determine the amount which will be needed and will not be paid from a non-refundable deposit by the owner of the prepaying Parcel for paying the costs of (i) determining the Prepayment Amount, (ii) investing the Net Prepayment Amount, (iii) redeeming the Outstanding Bonds, and (iv) recording any notices to evidence the prepayment and satisfaction of the Special Tax Obligation for Debt Service and Facilities for the Parcel (the “*Administration Costs*”).

12. Determine the amount of the reserve fund credit (the “*Reserve Fund Credit*”) which shall be the lesser of: (a) the amount, if any, by which the “Reserve Requirement” (as defined in the Indenture) will be reduced as a result of the redemption of Outstanding Bonds with the Prepayment Amount (the “Reduced Reserve Requirement”) or (b) the amount (which shall not be less than zero) derived by subtracting the Reduced Reserve Requirement from the amount which will be on deposit in the Reserve Fund for the Outstanding Bonds on the prepayment date.

13. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Prepaid Facilities Amount, the Defeasance Amount and the Administration Costs less the Reserve Fund Credit.

14. Upon receipt of the Prepayment Amount, the funds representing the Bond Redemption Amount, the Redemption Premium, and the Defeasance Amount shall be deposited into the appropriate fund established under the Indenture for the redemption of Outstanding Bonds and shall be used, along with the amount representing the Reserve Fund Credit which shall be transferred from the Reserve Fund to the appropriate account under the Indenture, to redeem an aggregate principal amount of Outstanding Bonds which is equally divisible by \$5,000 and, to the extent of any portion of the sum thereof which is not so utilized, to pay interest on and principal of Outstanding Bonds. The Prepaid Facilities Amount shall be deposited into the Construction Fund. The Administration Costs shall be retained by the District and used to pay or reimburse such costs.

Upon receipt of the Prepayment Amount, the Board of Directors shall cause the appropriate notice to be recorded in compliance with the Act to acknowledge that the Special Tax Obligation for Debt Service and Facilities for the prepaying Parcel has been prepaid and satisfied and to cancel the Special Tax lien securing payment of Special Taxes for the Debt Service and Facilities Special Tax Requirement for the Improvement Area.

Notwithstanding the foregoing, no Prepayment shall be allowed for any Parcel in either Improvement Area unless the total amount of the Maximum Special Taxes for Debt Service and Facilities that may be levied on Taxable Property in the Improvement Area (excluding Parcels of Property Owners' Association Property, Public School Property and Church Property that are Taxable Property), both before and after expected buildout of the property in the Improvement Area, as then approved by the County or the City, after the proposed Prepayment would be at least equal to the sum of (i) an amount equal to 110 percent of maximum annual debt service on all Outstanding Bonds for the Improvement Area, as determined by the Administrator, a financial advisor or a special tax consultant, at the option of the Administrator, plus (ii) Administrative Expenses in the amount of \$20,000.

## **2. Partial Prepayment**

An owner of not less than fifteen (15) Parcels of Developed Property classified as Residential Property in an Improvement Area may partially prepay the Special Tax Obligation for Debt Service and Facilities for all such Parcels. The owner of a Parcel of Undeveloped Property (i) for which a subdivision map has been recorded, (ii) that will be classified as Residential Property and (iii) for which a building permit has been issued, may partially prepay the Special Tax Obligation for Debt Service and Facilities for not less than fifteen (15) of such Parcels. The amount of the Partial Prepayment shall be calculated pursuant to Section H.1 as modified by the following formula:

$$PP = ((P_E - A) \times F) + A$$

These terms have the following meaning:

PP = the Partial Prepayment

$P_E$  = the Prepayment Amount calculated according to Section H.1

F = the percentage by which the owner of the Parcels is partially prepaying the Special Tax Obligation for Debt Service and Facilities.

A = the Administrative Costs calculated pursuant to Section H.1

The owner of such Parcels who desires to partially prepay the Special Tax Obligation for Debt Service and Facilities shall notify the Administrator of (i) the owner's intent to partially prepay the Special Tax Obligation for Debt Service and Facilities and, (ii) the percentage by which the Special Tax Obligation for Debt Service and Facilities for all such Parcels will be prepaid, and within fifteen (15) days of receipt of such notice, the Administrator shall notify such owner of the amount of a non-refundable deposit determined to cover the costs to be incurred by the District and CFD No. 45 in determining the amount of the Partial Prepayment for such Parcels. Within thirty (30) days of receipt of such non-refundable deposit, the Administrator shall notify the owner of the Partial Prepayment amount applicable to each of such Parcels. A Partial Prepayment must be paid not later than sixty (60) days prior to the redemption date for any Outstanding Bonds which will be redeemed with the Partial Prepayment.

Upon receipt of a Partial Prepayment of the Special Tax Obligation for Debt Service and Facilities for any such Parcels, the Administrator shall (i) allocate the amount of the Partial Prepayment pursuant to Paragraph 14 of Section H.1 and (ii) note on the records of CFD No. 45 that there has been a Partial Prepayment of the Special Tax Obligation for Debt Service and Facilities for such Parcels and that the amount of Special Taxes which shall continue to be levied on such Parcels pursuant to Section D shall be reduced based on the percentage (1.00 - F) of the remaining Special Tax Obligation for Debt Service and Facilities for such Parcels.

Notwithstanding the foregoing, no Partial Prepayment shall be allowed for any Parcel in any Improvement Area unless the total amount of the Maximum Special Taxes for Debt Service and Facilities that may be levied on Taxable Property in the Improvement Area (excluding Parcels of Property Owners' Association Property, Public School Property and Church Property that are Taxable Property), both before and after expected buildout of the property in the Improvement Area, as then approved by the County or the City, after the proposed Partial Prepayment would be at least equal to the sum of (i) an amount equal to 110 percent of maximum annual debt service on all Outstanding Bonds for the Improvement Area, as determined by the Administrator, a financial advisor or a special tax consultant, at the option of the Administrator, plus (ii) Administrative Expenses in the amount of \$20,000.

#### **I. CHANGES TO TENTATIVE TRACTS**

The Alternative Special Tax Rate for Improvement Area No. 2 has been established based on the land use configurations shown on the subdivision map for Tentative Tract No. 31778-1. In the event any portion of Tract No. 31778-1 is modified by the County or the City, the Alternative Special Tax Rate for Improvement Area No. 2 for all Parcels of Developed Property in the modified portion of such tract that is located in such Improvement Area which are classified as Residential Property shall be determined, if such Parcels are located in Improvement Area No. 2, by (i) multiplying the total square footage of such Parcel or Parcels by \$0.2440 per square foot, and (ii) by dividing the product thus obtained by the number of lots in the modified portion thereof.