

RESOLUTION NUMBER 4471

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, CALIFORNIA, WAIVING PENALTIES AND
INTEREST FOR CERTAIN PARCELS WITHIN
COMMUNITY FACILITIES DISTRICTS 90-1, 93-1, AND 91-1
PURSUANT TO GOVERNMENT CODE § 53340***

WHEREAS, a settlement has been reached between the City of Perris (“City”) and Juan Salas and Sandra Corvera (“Salas and Corvera”) regarding the property, as described in the Legal Description attached as Exhibit “A.” Under the settlement, Salas and Corvera will pay all past and currently due special taxes, all administrative fees, and half of the outstanding attorneys’ fees. In exchange, the City will agree to waive all penalties and interest in the amount of \$590.59 for the property that accrued on the delinquent CFD Taxes. The special tax delinquencies at the Property were caused by former owners. As such, the special tax delinquencies associated with the property occurred through no fault of Salas and Corvera.

WHEREAS, a settlement has been reached between the City of Perris (“City”) and Home Expo Financial, Inc. (“Home Expo”) regarding the property, as described in the Legal Description attached as Exhibit “B.” Under the settlement, the Home Expo has agreed to pay all past and currently due special taxes and costs in full. In exchange, the City will agree to waive all penalties and interest in the amount of \$1,993.42 for the property that accrued on the delinquent CFD Taxes. The special tax delinquencies at the Property were caused by former owners. As such, the special tax delinquencies associated with the property occurred through no fault of the Home Expo.

WHEREAS, a settlement has been reached between the City of Perris (“City”) and Jaime and Maria Gomez, Froylan Alfaro, and Daniel Reynoso (“Gomez, Alfaro, and Reynoso”) regarding the property, as described in the Legal Description attached as Exhibit “C.” Under the settlement, the City will agree to waive all penalties and interest in the amount of \$40,331.07 for the property that accrued on the delinquent CFD Taxes if the next purchaser of the property pays all past and currently due special taxes and costs in full. The special tax delinquencies at the Property were caused by former owners. As such, the special tax delinquencies associated with the property occurred through no fault of Gomez, Alfaro, and Reynoso.

WHEREAS, Government Code § 53340, subdivision (f), authorizes the City to waive the delinquency penalties and redemption penalties, including the Penalties and Interest for the Property, pursuant to the findings made by the City Council below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The City Council finds that each of the conditions under Government Code § 53340, subdivision (f), are met as follows:

- A. The waivers provided for herein will be applied only to present delinquencies, and shall not be applied to penalties and interest that accrue on any subsequent special taxes that become delinquent, if any;
- B. All past and currently due special taxes were paid or will be paid in full by Salas and Corvera, Home Expo, and Gomez, Alfaro and Reynoso;
- C. The current owners, Salas and Corvera, Home Expo, and Gomez, Alfaro, and Reynoso receiving the waiver did not cause the delinquencies; and
- D. The waivers provided for herein are in the best interest of the bondholders in that it will result in the payment of past special taxes and facilitate the development of the properties, thus providing greater security for future special taxes.

3. Upon approval of this resolution, the City shall direct the City's Finance Director and tax consultant Willdan Financial Services to implement the waivers of the Penalties and Interest and take any and all other actions as may be necessary to effect the waivers contemplated by this resolution. Such waiver shall be irrevocable.

ADOPTED, SIGNED and APPROVED this 14th day of February, 2012

Daryl R. Busch, Mayor

Attest:

JUDY L. HAUGHNEY, C.M.C.
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PERRIS)

I, JUDY L. HAUGHNEY, City Clerk of the City of Perris, California, do hereby certify that Resolution Number 4471 was adopted by the City Council of the City of Perris at a regular meeting held on the 14th day of February, 2012, and that the same was adopted by the following vote:

AYES: YARBROUGH, LANDERS, EVANS, ROGERS, BUSCH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

JUDY L. HAUGHNEY, C.M.C.
CITY CLERK

EXHIBIT "A"

LOT 5 OF TRACT 23825-3 IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP ON FILE IN BOOK 233, PAGES 67 THROUGH 71, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

APN: 306-745-012-8 (Formerly 306-745-012)

EXHIBIT "B"

LOT 107 OF TRACT NO. 24499-1, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 242, PAGES 18 THROUGH 23, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN, GEOTHERMAL STEAM AND ALL PRODUCTS DERIVED FROM ANY OF THE FOREGOING, THAT MAY BE WITHIN OR UNDER SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFORE, AND STORING IN AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LANDS, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THE SAID LAND, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE SAID LAND AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, STORE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 500 FEET OF THE SUBSURFACE OF SAID LAND.

APN: 303-333-019-1

EXHIBIT "C"

THAT PORTION OF PARCEL 9 OF PARCEL MAP 26437, AS SHOWN BY MAP ON FILE IN BOOK 169, PAGES 66 THROUGH 71 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE EAST LINE OF BARRETT AVENUE (39.00 FEET HALF WIDTH) DISTANT N. 0°11'10" W., 1021.83 FEET FROM THE NORTHWEST CORNER OF PARCEL 1, ALL AS SHOWN ON SAID PARCEL MAP NO. 26437; THENCE CONTINUING ALONG SAID STREET 0°11'10" W., 66.42 FEET; THENCE N. 89°48'50" E., 188.85 FEET; THENCE S. 0°11'10" E., 66.42 FEET; THENCE S. 89°48'50" W., 188.85 FEET TO THE POINT OF BEGINNING

APN: 305-080-063-3