

## ITEM 4.6

### **CITY MANAGER'S REPORT JANUARY 11, 2021, CITY COUNCIL REGULAR MEETING**

**ITEM: APPROVAL OF FINAL MAP, CFD ANNEXATION, IRREVOCABLE OFFER OF DEDICATION, AND SUBDIVISION IMPROVEMENT AGREEMENT FOR 30 LOTS IN TRACT 4052 VILLAGE "JJ" WITHIN LAKESIDE WEST DISTRICT OF RIVER ISLANDS**

**RECOMMENDATION: Adopt Resolution Approving Final Map for Tract 4052 Village "JJ" within the Lakeside West District, Totaling 30 Single Family Lots, CFD Annexation No. 16, an Irrevocable Offer of Dedication, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC**

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#### **SUMMARY:**

The proposed Final Map for Tract 4052 will be the first of two final tract maps within the Village "JJ" area. Kiper Homes is proposing thirty (30) 47' x 100' single-family lots. A Vicinity Map is included as Attachment "B".

Staff recommends that the City Council approve the proposed attached Final Map Tract 4052, Village "JJ", Annexation No. 16 of the City of Lathrop Community Facilities District (CFD) 2013-1, an Irrevocable Offer of Dedication for Shrute Drive, Posey Street, Enneking Drive and Mulholland Drive, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC ("River Islands").

#### **BACKGROUND:**

The City of Lathrop City Council approved Vesting Tentative Map (VTM) 3694 on March 27, 2007 and an amended VTM 3694 with updated conditions of approval on June 1, 2015. On December 2, 2020, the City of Lathrop Planning Commission approved a Neighborhood Design Plan (NDP) and Architectural Guidelines and Design Standards (AG/DS) for the Lakeside West District, known as Stage 2B, within Phase 1 of the project. While the NDP contains conceptual guidance on parks within the Lakeside West District, a Master Parks Plan includes revisions to the parks and open spaces within the Stage 2B area and is pending Planning Commission action. The land for the proposed Final Map for Tract 4052 is within the geographic boundaries of VTM 3694 and Stage 2B.

As required by the City's subdivision ordinance, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee specific offsite and onsite improvements. The total cost of the On-site Improvements within Village "JJ" is \$2,072,000. Because this map is not adjacent to other approved maps, it also needs to guarantee the roads and utilities that will connect it to other guaranteed improvements. The full cost of these Off-site Improvements is \$298,000.

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**JANUARY 11, 2021, CITY COUNCIL REGULAR MEETING**  
**APPROVAL OF FINAL MAP, CFD ANNEXATION, IRREVOCABLE OFFER OF DEDICATION, AND SIA FOR 30 LOTS IN TRACT 4052 VILLAGE “JJ” WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS**

However, a large percentage of the On-site and all of the Off-site Improvements have already been construction and therefore do not need to be guaranteed. Performance and labor & material securities have been provided to the City with the SIA in the amount of:

Total Cost of <b>On-site</b> Improvements: \$1,727,000 x 120%	\$2,072,000
Unfinished On-site Improvement Total:	\$438,000
Performance Bond (120% of Unfinished On-site Improvements):	\$525,600
Labor & Materials Bond (50% of Performance Bond)	\$262,800
Future Maintenance Bond (10% of Total On-site Improvements)	\$207,200

Total Cost of <b>Off-site</b> Improvements:	\$298,000
Unfinished Off-site Improvement Total:	\$0
Performance Bond (120% of Unfinished Off-site Improvements):	\$0
Labor & Materials Bond (50% of Performance Bond)	\$0
Future Maintenance Bond (10% of Total Off-site Improvements)	\$29,800

The SIA for Tract 4052 refers to the Agreement for Dedication, Inspection, and Guarantee of Streets and Public Improvements (“Off-site Agreement”) that was approved by the City on September 30, 2013. Although the Off-site Agreement applies to Tract 4052, the Final Map will not trigger any additional offsite improvements or security.

Acceptance of the public improvements will be processed by staff at a later date and when the unfinished improvements are completed. Prior to acceptance, River Islands will be required to provide a one (1) year warranty bond in the amounts noted above.

Village “JJ” will need to be annexed into the four different Community Facilities Districts (CFD’s) for maintenance purposes. The CFDs are for the City, RD 2062, RIPFA 2020-1 (Stage 2B Public Improvements), and River Islands Public Financing Authority (RIPFA). CFD 2013-1 City of Lathrop Annexation No. 16, CFD 2013-1 Island RD 2062 Annexation No. 14, and CFD 2013-1 RIPFA Annexation No. 14 are administered by Island RD 2062 and RIPFA and are included as part of the escrow instructions for recordation purposes only and are not a direct impact to the City. The applicant has signed the appropriate documentation to commit to the annexations, and the final map recordation is contingent on the annexations.

River Islands has provided an Irrevocable Offer of Dedication (IOD) for public right-of-way purposes for Shrute Drive, Posey Street, Enneking Drive and Mulholland Drive, plus Public Utility Easements bordering these future streets, included as Attachment “D”.

**JANUARY 11, 2021, CITY COUNCIL REGULAR MEETING**

**APPROVAL OF FINAL MAP, CFD ANNEXATION, IRREVOCABLE OFFER OF DEDICATION, AND SIA FOR 30 LOTS IN TRACT 4052 VILLAGE “JJ” WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS**

The IOD is necessary for the vehicle and utility access to Tract 4052, but is not part of the large parcel that encompasses Tract 4052 and therefore must be dedicated by a document separate from the Final Map. As the intervening streets are dedicated with future final maps, the City will formally accept the street dedication at that time. The IOD’s provide the City with immediate access to these roadways. If development is delayed for whatever reason, and the intervening streets are not incorporated into a final map in the near future, the City will accept the irrevocable offers of dedication at that time.

River Islands must satisfy the Escrow Instructions, included as Attachment “E”, to guarantee the payment of all fees and execution of the documents related to the SIA.

**REASON FOR RECOMMENDATION:**

River Islands has fulfilled all of the requirements of the City’s subdivision ordinance as listed below:

<b>Documents</b>	<b>Status</b>
1. Final Map ready for signature	Completed
2. Subdivision Improvement Agreement	Completed
3. On-site Performance Security – Uncompleted Landscaping and Miscellaneous Improvements	Completed
4. On-site Labor and Materials Security – Uncompleted Landscaping and Miscellaneous Improvements	Completed
5. Off-site Performance Security – All Complete, no security required	Completed
6. Off-site Labor and Materials Security – All Complete, no security required	Completed
7. Street Improvement, Landscape, Light & Joint Trench	Completed
8. Geotechnical Report	Completed
9. Agreement for Backbone Improvements and Parks (Agreement for Dedication, Inspection and Guarantee of Streets and Public Improvements)	Completed
10. Approval of 3 <sup>rd</sup> Amendment to Development Agreement that guarantees creation of CFD for City Maintenance and Shortfalls, and Guarantee of Developer CFDs for Developer/other public agency Maintenance	Completed
11. Allocation of Water and Sewer capacity	Completed
12. Recommendation for approval from Stewart Tract Design Review Committee	Completed
13. Submitted Certificate of Insurance, Tax Letter	Completed

**JANUARY 11, 2021, CITY COUNCIL REGULAR MEETING**

**APPROVAL OF FINAL MAP, CFD ANNEXATION, IRREVOCABLE OFFER OF DEDICATION, AND SIA FOR 30 LOTS IN TRACT 4052 VILLAGE “JJ” WITHIN LAKESIDE EAST DISTRICT OF RIVER ISLANDS**

14. Submitted Preliminary Guarantee of Title	Completed
15. Escrow Instructions	Completed
16. Village JJ -Annexation No. 16 of City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities)	Approval Pending with this item
17. Irrevocable Offer of Dedication and Certificate of Acceptance	Approval pending with this item
<b>Fees</b>	<b>Status</b>
1. Final Map plan check fee	Paid
2. Improvement Plans - Plan check and inspection fees	Paid
3. Sierra Club Settlement fee	To be paid in escrow

**FISCAL IMPACT:**

There is no budget impact to the City as all costs are covered by development fees and any shortfalls in the City’s maintenance and operating costs are covered by the CFDs.

**ATTACHMENTS:**

- A. Resolution Approving Final Map for Tract 4052 Village “JJ” within the Lakeside East District, Totaling 30 Single Family Lots, City of Lathrop CFD Annexation No. 16, an Irrevocable Offer of Dedication, and a Subdivision Improvement Agreement with River Islands Stage 2B, LLC
- B. Village “JJ” Vicinity Map
- C. Subdivision Improvement Agreement between the City of Lathrop and River Islands Stage 2B, LLC, a Delaware limited liability company, for Tract 4052, Village “JJ”
- D. Irrevocable Offers of Dedication for Shrute Drive, Posey Street, Enneking Drive and Mulholland Drive plus dedication of Public Utility Easements adjacent to those roadways
- E. Escrow Instructions for Final Map Tract 4052 Village “JJ”

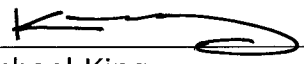


**CITY MANAGER'S REPORT**  
**JANUARY 11, 2021, CITY COUNCIL REGULAR MEETING**  
**APPROVAL OF FINAL MAP, CFD ANNEXATION, IRREVOCABLE OFFER OF**  
**DEDICATION, AND SIA FOR 30 LOTS IN TRACT 4052 VILLAGE "JJ" WITHIN**  
**LAKESIDE EAST DISTRICT OF RIVER ISLANDS**

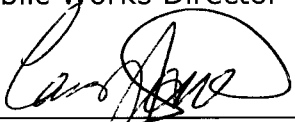
**APPROVALS**

  
\_\_\_\_\_  
Glenn Gebhardt  
City Engineer

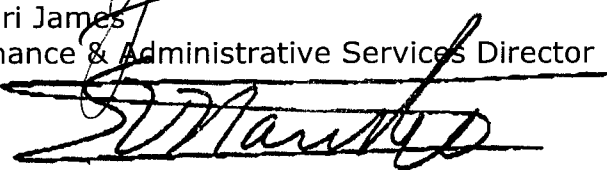
1/3/21  
Date

  
\_\_\_\_\_  
Michael King  
Public Works Director


1/4/2021  
Date

  
\_\_\_\_\_  
Cari James  
Finance & Administrative Services Director

1/4/2021  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

1/4/2021  
Date

  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

1.4.21  
Date

**RESOLUTION NO. 21-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING FINAL MAP FOR TRACT 4052 VILLAGE "JJ" WITHIN THE LAKESIDE WEST DISTRICT, TOTALING 30 SINGLE FAMILY LOTS, CITY OF LATHROP CFD ANNEXATION NO. 16, AN IRREVOCABLE OFFER OF DEDICATION, AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH RIVER ISLANDS STAGE 2B, LLC**

**WHEREAS**, the City of Lathrop City Council approved Vesting Tentative Map (VTM) 3694 on March 27, 2007 and an amended VTM 3694 with updated conditions of approval on June 1, 2015; and

**WHEREAS**, on December 2, 2020, the City of Lathrop Planning Commission approved a Neighborhood Design Plan (NDP) and Architectural Guidelines and Design Standards (AG/DS) for the Lakeside West District, known as Stage 2B, within Phase 1 of the project; and

**WHEREAS**, the land for the proposed Final Map for Tract 4052 is within the geographic boundaries of VTM 3694 and Stage 2B; and

**WHEREAS**, as required by the City's subdivision ordinance, all final maps must include a Subdivision Improvement Agreement (SIA) to guarantee specific offsite and onsite improvements; and

**WHEREAS**, performance and labor & material securities have been provided to the City with the SIA in the amount shown below; and

Total Cost of <b>On-site</b> Improvements: \$1,727,000 x 120%	\$2,072,000
Unfinished On-site Improvement Total:	\$438,000
Performance Bond (120% of Unfinished On-site Improvements):	\$525,600
Labor & Materials Bond (50% of Performance Bond)	\$262,800
Future Maintenance Bond (10% of Total On-site Improvements)	\$207,200

Total Cost of <b>Off-site</b> Improvements:	\$298,000
Unfinished Off-site Improvement Total: All Complete	\$0
Performance Bond (120% of Unfinished Off-site Improvements):	\$0
Labor & Materials Bond (50% of Performance Bond)	\$0
Future Maintenance Bond (10% of Total Off-site Improvements)	\$29,800

**WHEREAS**, acceptance of the public improvements will be processed by staff at a later date and when the unfinished improvements are completed. Prior to acceptance, River Islands will be required to provide a one (1) year warranty bond in the amounts noted above; and

**WHEREAS**, Village "JJ" needs to be annexed to the four different Community Facilities Districts (CFDs) for maintenance purposes. Staff recommends that Council approve CFD 2013-1 City of Lathrop Annexation No. 16. RIPFA 2020-1 (Stage 2B Public Improvements), CFD 2013-1 Island RD 2030 Annexation No. 14, and CFD 2013-1 RIPFA Annexation No. 14 are administered by Island RD 2030 and RIPFA and are included as part of the escrow instructions for recordation purposes only and are not a direct impact to the City; and

**WHEREAS**, River Islands Stage 2B, LLC has provided an Irrevocable Offer of Dedication (IOD) for right-of-way purposes for Shrute Drive, Posey Street, Enneking Drive and Mulholland Drive plus dedication of Public Utility Easements for public purposes adjacent to those streets, all included as Attachment "D" to the City Manager's Report. The IOD and adjacent PUEs are necessary for the vehicle and utility access to Tract 4052 but is not part of the large parcel that encompasses Tract 4052 and therefore must be dedicated by a document separate from the Final Map; and

**WHEREAS**, River Islands Stage 2B must satisfy the Escrow Instructions, included as Attachment "E" to the City Manager's Report, to guarantee the payment of all fees and execution of the documents related to the SIA.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lathrop that approves and accepts the following actions:

1. The Final Map for Tract 4052 is hereby approved as submitted for recordation with the San Joaquin County Assessor/Recorder/County Clerk Office. The recorded executed copy will be filed with the City Clerk.
2. The City Manager, or their designee, is authorized to execute a Subdivision Improvement Agreement with River Islands Stage 2B, LLC, Annexation of the City of Lathrop Community Facilities District No. 2013-1 No. 16 (River Islands Public Services and Facilities), and a Certificate of Acceptance for an Irrevocable Offer of Dedication for right-of-way purposes for Shrute Drive, Posey Street, Enneking Drive and Mulholland Drive plus dedication of Public Utility Easements for public purposes adjacent to those streets in substantially the form as attached to the January 11, 2021 staff report, the file executed copy will be filed with the City Clerk.

**PASSED AND ADOPTED** by the City Council of the City of Lathrop this 11<sup>th</sup> day of January, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

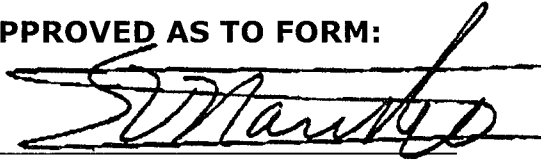
ABSENT:

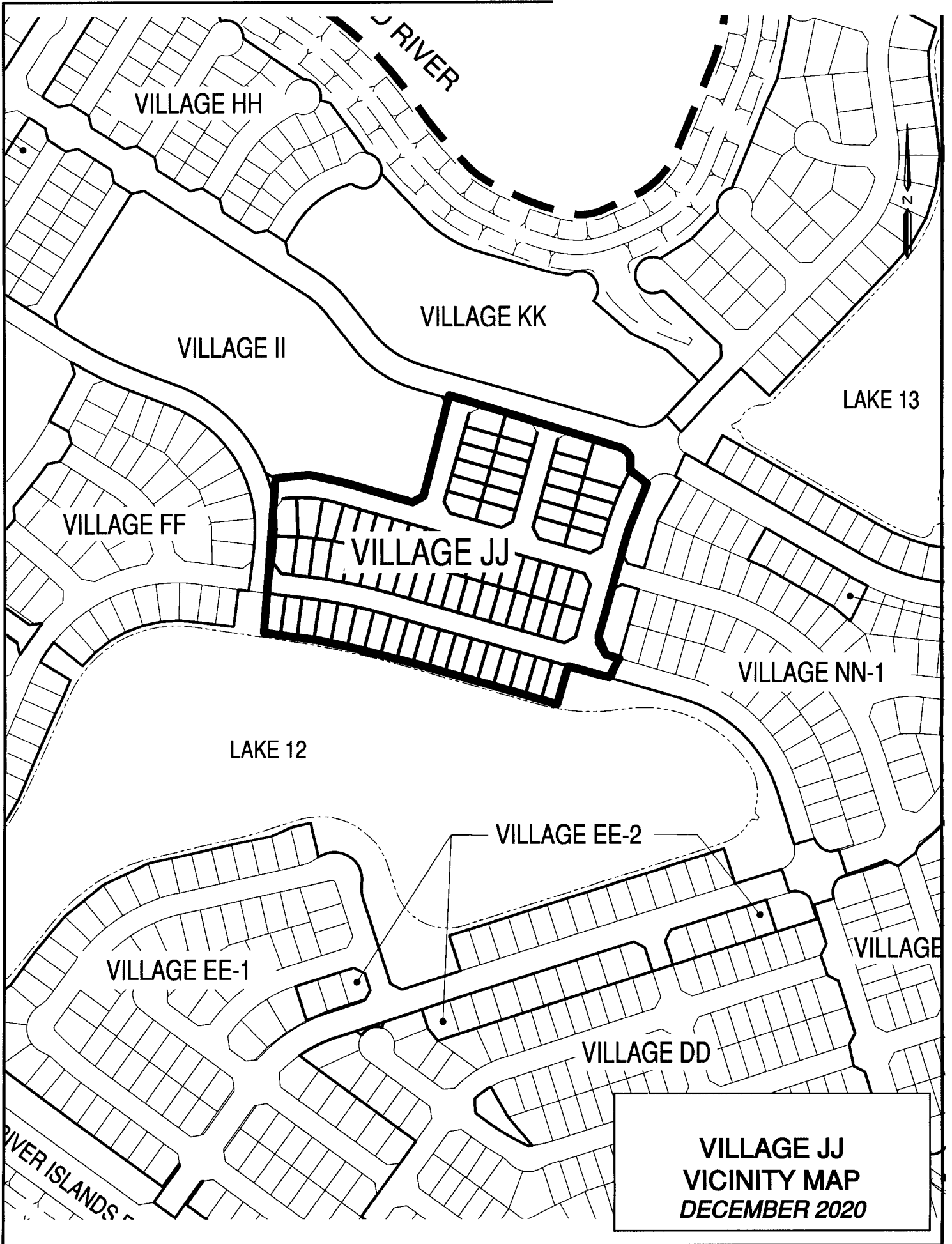
\_\_\_\_\_  
Sonny Dhaliwal, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Vargas, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney



**VILLAGE JJ  
VICINITY MAP  
DECEMBER 2020**

**SUBDIVISION IMPROVEMENT AGREEMENT**

**BY AND BETWEEN THE CITY OF LATHROP AND**

**RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY**

**FOR TRACT 4052 VILLAGE "JJ" 30 RESIDENTIAL LOTS**

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**RECITALS**

A. This Agreement is made and entered into this **11<sup>th</sup> day of January 2021**, by and between the CITY OF LATHROP, a municipal corporation of the State of California (hereinafter "CITY") and River Islands Stage 2B, LLC, a Delaware limited liability company, (hereinafter "SUBDIVIDER").

B. At its May 15, 2017 meeting, the City Council approved the temporary closure of Cohen and Paradise Roads associated with construction and grading activities in Stage 2 of River Islands. This approval requires SUBDIVIDER to construct a paved public roadway to connect any remaining gaps between the Paradise Road and Stewart Road intersection and the Somerston Parkway/River Islands Parkway intersection by August 1, 2020. As a result, previously provided security in the form of a Letter of Guarantee from the River Islands Public Financing Authority ("RIPFA") has guaranteed the replacement of Cohen Road and Paradise Road with a set aside of bond proceeds (Attachment " F") in the amount of \$543,600, that is available to CITY if SUBDIVIDER does not meet the August 1, 2020 deadline. Further, the amount of set aside bond proceeds shall be reduced by the City Engineer as River Islands Parkway is extended to replace these removed roadways. The closed portion of Stewart Road is not anticipated to be replaced, but it remains for now as legal access to parcels fronting Stewart Road, and as emergency access. The security referenced in this recital shall remain in place for this final map and all final maps associated with this access until it is no longer necessary.

River Islands Parkway was constructed to replace Cohen Road, and the portions of Paradise Road that was removed has been reconstructed and both roadways are open to the public. However, this guarantee will remain in place until River Islands Parkway has been accepted by the City.

C. At its July 9, 2018 meeting, the CITY approved the Tract 3908 large lot final map, which includes the Village "JJ" area within Stage 2B of River Islands. The approval of Tract 3908 required security for the construction of River Islands Parkway from Dell'Osso Drive to the Stage 2B boundary. As a result, previously provided security in the form of a Letter of Guarantee from the River Islands Public Financing Authority ("RIPFA") has guaranteed the construction of River Islands Parkway from Dell'Osso Drive to the Stage 2B boundary with a set aside of bond proceeds

(Attachment "G") in the amount of \$450,000, that is available to CITY if SUBDIVIDER does not meet a September 30, 2019 deadline but was extended by CITY. The security referenced in this recital shall remain in place for this final map and all final maps associated with it until River Islands Parkway from Dell'Osso Drive to the Stage 2B boundary is fully constructed and accepted into use by CITY.

River Islands Parkway was constructed to replace Cohen Road, and the portions of Paradise Road that was removed has been reconstructed and both roadways are open to the public. However, this guarantee will remain in place until River Islands Parkway has been accepted by the City.

D. Pursuant to Division 2 of Title 7 of the Government Code of the State of California and the CITY's Subdivision Regulations (City of Lathrop, Code of Ordinances, Chapter 16), SUBDIVIDER is required to make dedications and improve Tract 4052. However, SUBDIVIDER has completed a significant portion of public infrastructure improvements associated with Tract 4052 (Village "JJ") located within the Lakeside East District of River Islands Phase 1 ("On-site Improvements"), plus all improvements to major streets necessary to access the site ("Off-site Improvements"), together hereinafter "The Improvements"). The unfinished portion of The Improvements total \$438,000 and both performance and labor and materials security is required by the Lathrop Subdivision Ordinance and the Subdivision Map Act will be posted as outlined in this Tract 4052 (Village "JJ") Subdivision Improvement Agreement.

E. SUBDIVIDER has completed a portion of the joint trench improvements for Tract 4052 and as noted in Recital D, security shall be required for the unfinished portion of these improvements, along with other required infrastructure associated with Tract 4052 and Village "JJ" overall. Improvement plans, and street light plans prepared by Power Systems Design, Inc. have already been approved by the City. The street, sidewalk, underground utility, storm drainage, streetlight and joint trench On-site and Off-site Improvements are substantially completed and minor improvements not yet constructed as part of the required infrastructure for Tract 4052 are required security as outlined in this Agreement is required.

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**NOW THEREFORE** in consideration of CITY'S pending approval and acceptance of the Improvements upon their satisfactory completion, and in consideration of SUBDIVIDER'S construction of Improvements in strict accordance with the terms of this Agreement, all applicable laws, statutes, ordinances, rules and regulations currently in force and effect in CITY, the terms and conditions of which are incorporated herein by this reference, the parties hereto mutually covenant and agree as follows:

1. SUBDIVIDER shall complete construction of, or cause construction to be completed at its sole cost and expense, the Improvements for all of the lots within the Lakeside East neighborhood, to the limits identified on Final Map 4052 (Exhibit "A"), including the public landscaping, streetlight and joint trench improvements.

All improvements shall be constructed to the satisfaction and approval of the City Engineer, in a good and workmanlike manner in accordance with the above referenced improvement plans and specifications, the improvement standards and specifications of the CITY'S Department of Public Works, the applicable Ordinances of the City of Lathrop and the California Subdivision Map Act.

2. SUBDIVIDER shall complete the Improvements, including all deferred and unfinished improvements, prior to occupancy of the last home constructed in Tract 4052 that is conveyed to a private interest not associated with the transfer of title of Tract 4052 associated with the filing of Tract 4052 (homebuilder), prior to the completion and occupancy of the last production dwelling unit associated with Tract 4052, or December 14, 2021, whichever comes first. Such occupancy shall be documented by CITY in the form of a Certificate of Occupancy or Final Building Permit.

3. CITY, or its agent(s), shall, at any time during the progress of the Improvements, have free access thereto, and shall be allowed to examine the same and all material to be used therein. If the Improvements or any part thereof are not completed in strict compliance with the standards set forth in Paragraph 1 above, CITY may refuse to accept and may reject the defective Improvements and/or materials therein.

4. SUBDIVIDER shall secure the services of skilled personnel necessary to construct the Improvements. CITY is not skilled in these matters and relies upon the skill of the SUBDIVIDER to ensure that the construction of the Improvements is in the most skillful and durable manner.

5. CITY'S acceptance of the Improvements does not operate as a release of SUBDIVIDER from any guarantee hereunder.

6. SUBDIVIDER guarantees and warrants that the Improvements shall be constructed in compliance with the standards set forth in Paragraph 1 above, free from any defects in work or labor done, and from any defects in materials furnished. Further, SUBDIVIDER shall repair and maintain the Improvements in good condition and in accordance with CITY specifications for one (1) year after CITY'S acceptance of the Improvements. As required by this Agreement, prior to acceptance of the Improvements, SUBDIVIDER shall deposit with the City Engineer a Warranty Bond in the amount of \$207,200, equal to 10% of the estimated cost of the On-site Improvements for the Village "JJ" entire area ( $\$1,727,000 \times 120\% = \$2,072,000$ ) as included in the Engineer's estimate attached to this Agreement as Exhibit "E", to insure SUBDIVIDER'S repair and warranty of the Improvements in accordance with the terms of this Agreement. The Warranty Bond shall be released at the end of the one year guarantee period, provided there are no claims against it are then outstanding. The warranty bond for the Off-site improvements will be provided after the City accepts dedication of those improvements, and accepts them as complete, in connection with a future final map.

7. Because some of the backbone improvements referenced in Recitals B and C are required to provide access and to Tract 4052 and are associated with adjacent tracts as otherwise described in this Agreement, as well as the "Agreement for Dedication, Inspection and Guarantee of Public Streets and Improvements ("2013 Agreement"), approved by CITY on September 30, 2013, the security provided as noted in Recitals "B" and "C" shall remain in place until the City accepts River Islands Parkway from Somerston Parkway to Paradise Road.



8. If SUBDIVIDER, in whole or in part, abandons the Improvements, or unnecessarily or unreasonably delays construction of the Improvements, fails to complete construction of the Improvements within the time specified in this Agreement, or fails to repair. Replace or reconstruct any defects, as set forth in Paragraph 6 above, CITY may, but is not required to, proceed to complete and/or repair, replace, or reconstruct the Improvements, either by itself or by contract for such service, and CITY may cause to be forfeited such portion of any security deposited therein as is necessary to cover the costs of completion, repair, replacement, or reconstruction incurred by CITY. Once action is taken by CITY to complete, repair, replace and/or reconstruct the Improvements, SUBDIVIDER shall be responsible for all costs incurred by CITY, even if SUBDIVIDER subsequently completes the work.

The CITY shall have recourse against SUBDIVIDER for any and all amounts necessary to complete the obligations of SUBDIVIDER in the event the security (including but not limited to any Letter of Guarantee, Certificate of Deposit, cash, bond for performance, labor and materials and repair and maintenance, letter of credit or cash deposit) therefore is insufficient to pay such amounts. All administrative costs, including reasonable attorney's fees pursuant to Government Code Section 66499.4, incurred by the CITY, in addition to the costs of the improvements shall be a proper charge against the security and SUBDIVIDER. In the event it becomes necessary for CITY to bring an action to compel performance of this Agreement or to recover costs of completing such improvements, SUBDIVIDER shall pay reasonable attorney's fees, costs of suit and all other expenses of litigation incurred by CITY in connection therewith.

9. Because the Improvements are not entirely complete, the SUBDIVIDER is required to only post Performance or Labor & Materials bonds to guarantee the unfinished improvements associated with Tract 4052 as included and described in Exhibit "D" of this Agreement. The amount of the security shall be equal to a performance bond equal to 120% of the amount of unfinished On-site Improvements as shown in Exhibit "D" ( $\$438,000 \times 120\% = \$525,600$  – performance bond amount) as indicated in Recital D. The corresponding labor and materials bond amount shall be 50% of the performance bond amount ( $\$525,600 \times 50\% = \$262,800$ ), also as indicated in Recital D. Off-site Improvements are complete, so no Performance or Labor and Materials bonds are required for the Off-site Improvements. Further, SUBDIVIDER shall also comply with CITY'S insurance requirements set forth on Exhibit "C" attached hereto and incorporated herein.

10. Any alteration(s) made to the plans and specifications, which are a part of this Agreement, or any provision of this Agreement shall not operate to release any surety or sureties from liability on any bond or bonds attached hereto and made a part thereof. The above referenced sureties hereby consent to such alterations and waive the provisions of California Civil Code Section 2819.

11. Neither the CITY nor any of its officers, employees or agents shall be liable to SUBDIVIDER, and/or SUBDIVIDER'S agents, contractors or subcontractors for any error or omission arising out of or in connection with any work to be performed under this Agreement.

12. Neither the CITY nor any of its officers, employees, or agents, shall be liable to the SUBDIVIDER or to any person, entity, or organization, for any injury or damage that may result to any person or property by or from any cause in, on, or about the subdivision of all or any part of the land covered by this Agreement.

13. SUBDIVIDER hereby agrees to, and shall hold CITY, its elective and appointive boards, commissions, officers, agents and employees (collectively, "Indemnitees"), harmless from any liability for damage or claims which may arise from SUBDIVIDER and/or SUBDIVIDER'S contractors, subcontractors, agents, or employees' operations under this Agreement, whether such operations be by SUBDIVIDER or by any SUBDIVIDER contractors, subcontractors, or by any one or more persons directly or indirectly employed by, or acting as agent for, SUBDIVIDER or any of SUBDIVIDER'S contractors or subcontractors. SUBDIVIDER shall, at its own cost and expense, defend any and all actions, suits, or legal proceedings or any type that may be brought or instituted against CITY and indemnities on any claim or demand, of any nature whatsoever, and pay or satisfy any judgment that may be rendered against CITY and the Indemnitees in any such action, suit or legal proceedings, resulting from or alleged to have resulted from SUBDIVIDER'S performance or non-performance of his duties and obligations under this Agreement, or from the negligent act or omission of himself, his agents, contractors, representatives, servants or employees. The promises and Agreement to indemnify and hold harmless set forth in this section is not conditioned or dependent on whether or not any indemnity has prepared, supplied or approved any plan or specification in connection with this work or subdivision, whether or not any such indemnity has insurance or indemnification covering any of these matters. CITY does not, and shall not; waive any rights against SUBDIVIDER which it may have by reason of the aforesaid hold harmless agreement, because of the acceptance by CITY of any deposit with CITY by SUBDIVIDER. The aforesaid hold harmless agreement by SUBDIVIDER shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations referred to in this paragraph, regardless of whether or not CITY has prepared, supplied or approved of, plans and/or specifications for the subdivision.

14. Neither SUBDIVIDER nor any of SUBDIVIDER'S agents, contractors or subcontractors are, or shall be, considered to be agents of CITY in connection with the performance of SUBDIVIDER'S obligations under this Agreement.

15. Prior to acceptance of the Improvements by the City Council, the SUBDIVIDER shall be solely responsible for maintaining the quality of the Improvements, and maintaining safety at the project site. The SUBDIVIDER'S obligation to provide the Improvements shall not be satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied and all outstanding fees and charges have been paid, and the City Council has accepted the Improvements as complete. The CITY and SUBDIVIDER have formed Community Facilities Districts to finance maintenance and improvements. The CITY expects to preserve the ability to use future special taxes of the CFD for payment of the cost of acquisition of the Improvements, which may require that acceptance of improvements by CITY be subject to the provisions of an acquisition agreement to be entered into by the CITY and SUBDIVIDER providing that CITY expects to be paid or reimbursed acquisition costs through future CFD special taxes. SUBDIVIDER shall cooperate to facilitate such method of acquisition.

16. SUBDIVIDER shall pay service fees for the utility services from the time the Improvements are accepted by the CITY to the end of the fiscal year, or up to a one (1) year period, whichever is needed to ensure an opportunity for the Improvements to be included in the next fiscal year annual assessment.

17. SUBDIVIDER shall be responsible to sweep streets within the subdivision every two weeks as directed by the City Engineer, on all streets where lots are occupied and all streets providing access to occupied lots until the Improvements are accepted by the CITY.

18. SUBDIVIDER shall not assign this Agreement without the prior written consent of CITY. If such consent is given, the terms of this Agreement shall apply to and bind the heirs, successors, executors, administrators and assignees of SUBDIVIDER, and any heirs, successors, executors, administrators and assignees of the SUBDIVIDER and shall be jointly and severally liable hereunder.

19. The SUBDIVIDER shall, at the SUBDIVIDER'S expense, obtain and maintain all necessary permits and licenses for construction of the Improvements. Prior to the commencement of Improvement construction, the SUBDIVIDER shall obtain a City of Lathrop Business License. The SUBDIVIDER shall comply with all local, state and federal laws, whether or not said laws are expressly stated in this Agreement.

20. This Agreement and any amendments hereto comprise the entire understanding and agreement between the parties regarding the improvements to be constructed and dedications for Tract 4052.

21. The following miscellaneous provisions are applicable to this Agreement:

a. Controlling Law. The parties agree that this Agreement shall be governed and construed by and in accordance with the laws of the State of California.

b. Definitions. The definitions and terms are as defined in this Agreement.

c. Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement, which directly results from an Act of God or an act of a superior governmental authority.

d. Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.

e. Incorporation of Documents. All documents referred to herein and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated herein and shall be deemed to be part of this Agreement.

f. Modification of Agreement. This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.

- g. Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.
- h. Successors and Assigns. Except as otherwise expressly provided herein, the provisions of this Agreement shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.
- i. Time of the Essence. Time is of the essence of this Agreement and each of its provisions. In the calculation of time hereunder, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. If the time in which an act is to be performed falls on a Saturday, Sunday or any Day observed as a legal holiday by CITY, the time for performance shall be extended to the following Business Day.
- j. Venue. In the event either party brings that suit hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of San Joaquin.

**ATTACHMENTS:**

- EXHIBIT A FINAL MAP - TRACT 4052  
EXHIBIT B TRACT 4052 AND VILLAGE "JJ" AREA  
EXHIBIT C: CITY INSURANCE REQUIREMENTS  
EXHIBIT D: UNFINISHED IMPROVEMENT COST ESTIMATE  
EXHIBIT E: VILLAGE "JJ" IMPROVEMENTS COST ESTIMATE, ON-SITE AND  
OFF-SITE  
EXHIBIT F: RIPFA LETTER OF GUARANTEE - INTERIM PUBLIC ACCESS WITHIN  
THE STAGE 2B DEVELOPMENT AREA  
EXHIBIT G: RIPFA LETTER OF GUARANTEE - RIVER ISLANDS PARKWAY WITHIN  
THE STAGE 2B DEVELOPMENT AREA

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this 11<sup>th</sup> day of January 2021, at Lathrop, California.

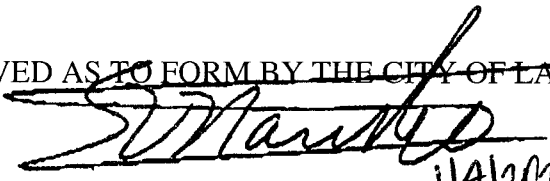
ATTEST: TERESA VARGAS  
City Clerk of and for the City  
of Lathrop, State of California

CITY OF LATHROP, a  
municipal corporation of the  
State of California

BY: \_\_\_\_\_  
Teresa Vargas                      Date  
City Clerk

BY: \_\_\_\_\_  
Stephen J. Salvatore              Date  
City Manager

APPROVED AS TO FORM BY THE CITY OF LATHROP CITY ATTORNEY

BY:  \_\_\_\_\_  
Salvador Navarrete              Date      1/14/2021  
City Attorney

Subdivision Improvement Agreement (River Islands Stage 2B, LLC)  
Tract 4052 Village JJ  
Page 9

**SUBDIVIDER**

River Islands Stage 2B, LLC  
a Delaware limited liability company

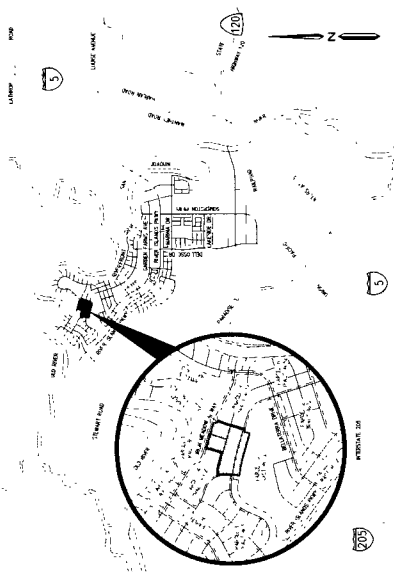
BY: \_\_\_\_\_  
Susan Dell'Osso                      Date  
President

**EXHIBIT "A"**

**FINAL MAP - TRACT 4052**

**TRACT 4052  
RIVER ISLANDS - STAGE 2B  
VILLAGE JJ1**

A PORTION OF RANCHO EL PESCADERO, BEING  
A SUBDIVISION OF PARCEL 13 OF TRACT 4032 (43 MAP 142)  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA  
- JANUARY 2021



**VICINITY MAP**  
NOT TO SCALE

**OWNERS STATEMENT**

THE UNDERSIGNED DOES HEREBY STATE THAT THEY ARE THE OWNERS OF ALL THE LAND DEMONSTRATED AND UNBROUGHT WITHIN THE EXTERIOR BOUNDARY LINE OF THE HEREIN EMBODIED FINAL MAP ENTITLED, "TRACT 4052, RIVER ISLANDS-STAGE 2B, VILLAGE JJ1", CITY OF LATHROP, CALIFORNIA, CONSISTING OF EIGHT (8) SHEETS, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE UNDERSIGNED DOES HEREBY DEDICATE AN EASEMENT TO THE CITY OF LATHROP FOR PUBLIC RIGHT-OF-WAY PURPOSES, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS SOLIDPATOR AVENUE, RYPER STREET, KRUPP LANE, MULHOLLAND DRIVE, AND DUGGAR DRIVE AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY DEDICATE TO THE CITY OF LATHROP, FOR PUBLIC PURPOSES, ALL PUBLIC UTILITIES, STORM DRAIN FACILITIES, SANITARY SEWER FACILITIES, FENCE POLES, WRES, CABLES, PIPES, AND CONDUITS, AND THEIR APPURTENANCES, OPEN COVERS AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT).

THE UNDERSIGNED DOES HEREBY RELINQUISH TO THE CITY OF LATHROP ALL ABUTTERS RIGHT OF ACCESS TO LOTS 1, 6, 7, 12, 13, 18, 19, AND 23, ALONG THE LOT LINES AS INDICATED BY THE SYMBOL ||||| AS SHOWN ON THIS FINAL MAP.

THE UNDERSIGNED DOES HEREBY RESERVE PARCELS 1 AND 2 FOR FUTURE DEVELOPMENT.

OWNER RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY NAME \_\_\_\_\_ DATE \_\_\_\_\_  
ITS SUSAN DELLOSSO PRESIDENT

OLD REPUBLIC TITLE COMPANY, AS TRUSTEE, UNDER THE DEED OF TRUST RECORDED DECEMBER 22, 2016, AS DOCUMENT NUMBER 2016-160886, AND AS AMENDED IN DOCUMENT RECORDED DECEMBER 26, 2017 AS DOCUMENT NUMBER 2017-150771 AND FURTHER AMENDED IN DOCUMENT RECORDED APRIL 15, 2020 AS DOCUMENT NUMBER 2020-046602, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.  
NAME \_\_\_\_\_  
ITS \_\_\_\_\_

**ACKNOWLEDGEMENT CERTIFICATE (OWNER)**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }  
COUNTY OF SAN JOAQUIN }  
ON \_\_\_\_\_, 2021, BEFORE ME, \_\_\_\_\_ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITY(ITIES), AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.  
WITNESS MY HAND \_\_\_\_\_

SIGNATURE \_\_\_\_\_  
NAME (PRINT) \_\_\_\_\_  
PRINCIPAL COUNTY OF BUSINESS \_\_\_\_\_  
MY COMMISSION NUMBER \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

**CITY CLERK'S STATEMENT**

I, TERESA VARGAS, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED, "TRACT 4052, RIVER ISLANDS-STAGE 2B, VILLAGE JJ1", CITY OF LATHROP, CALIFORNIA, CONSISTING OF EIGHT (8) SHEETS, THIS STATEMENT WAS PRESENTED TO SAID CITY COUNCIL, AS PROVIDED BY LAW, AT A MEETING THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. \_\_\_\_\_ DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP, AND AUTHORIZED ITS RECORDATION, AND ACCEPTED ON BEHALF OF THE CITY OF LATHROP, FOR PUBLIC USE, THE PUBLIC UTILITIES, STORM DRAIN FACILITIES, SANITARY SEWER FACILITIES, FENCE POLES, WRES, CABLES, PIPES, AND CONDUITS, AND THEIR APPURTENANCES, OPEN COVERS AND UNDER THE STRIPS OF LAND AS SHOWN ON THIS FINAL MAP DESIGNATED AS "P.U.E." (PUBLIC UTILITY EASEMENT), AND ACCEPTED THE OFFER OF DEDICATION OF ALL STREETS, DRIVES, AVENUES AND LINES AS SHOWN ON SAID MAP SUBJECT TO THE IMPROVEMENTS BEING COMPLETED IN ACCORDANCE WITH CHAPTER 16, TITLE 16 OF THE CITY OF LATHROP MUNICIPAL CODE.

I FURTHER STATE THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP, IF APPLICABLE, HAVE BEEN APPROVED BY THE CITY COUNCIL OF LATHROP AND FILED IN MY OFFICE.

TERESA VARGAS  
CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

**ACKNOWLEDGEMENT CERTIFICATE (TRUSTEE)**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }  
COUNTY OF SAN JOAQUIN }  
ON \_\_\_\_\_, 2021, BEFORE ME, \_\_\_\_\_ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/HER AUTHORIZED CAPACITY(ITIES), AND THAT BY HIS/HER/HER SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.  
WITNESS MY HAND \_\_\_\_\_

SIGNATURE \_\_\_\_\_  
NAME (PRINT) \_\_\_\_\_  
PRINCIPAL COUNTY OF BUSINESS \_\_\_\_\_  
MY COMMISSION NUMBER \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

EXEMPT FROM FEE PER GOVERNMENT CODE 273861, DOCUMENT RECORDED IN CONNECTION WITH A CONCURRENT TRANSFER SUBJECT TO THE IMPOSITION OF DOCUMENTARY TRANSFER TAX.

**SECRETARY OF THE PLANNING COMMISSION'S STATEMENT**

THIS MAP CONFORMS TO AMENDED VESTING TENTATIVE MAP NO. 3694 APPROVED BY THE PLANNING COMMISSION

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

MARK WEISSNER, COMMUNITY DEVELOPMENT DIRECTOR

**CITY ENGINEER'S STATEMENT**

I, GLENN GERHARDT, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA, AND THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4052, RIVER ISLANDS-STAGE 2B, VILLAGE JJ1", CITY OF LATHROP, CALIFORNIA, AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE AMENDED VESTING TENTATIVE MAP NO. 3694, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLES WITH ALL PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA STATE SUBDIVISION MAP ACT AND APPLICABLE ORDINANCES OF THE CITY OF LATHROP, AND ANY AMENDMENTS THEREO, APPLICABLE AT THE TIME OF APPROVAL OF AMENDED VESTING TENTATIVE MAP

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

GLENN GERHARDT, P.E., C.E., JAGBI  
CITY ENGINEER OF THE CITY OF LATHROP, CALIFORNIA



**RECORDER'S STATEMENT**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, AT \_\_\_\_\_ M  
IN BOOK \_\_\_\_\_ OF MAPS AND PLATS, AT PAGE \_\_\_\_\_ AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY  
FEE \$ \_\_\_\_\_

STYLIE BUSTOZ AMBROS  
ASSASSOR-RECORDER-COUNTY CLERK  
SAN JOAQUIN COUNTY, CALIFORNIA  
BY \_\_\_\_\_ ASSISTANT/DEPUTY RECORDER



# TRACT 4052 RIVER ISLANDS - STAGE 2B VILLAGE JJ1

A PORTION OF RANCHO EL PESCAERO, BEING  
A SUBDIVISION OF PARCEL 13 OF TRACT 4032 (43 MAP 142)  
CITY OF LATHROP, CLATSOP COUNTY, CALIFORNIA  
JANUARY 2021



## CITY SURVEYOR'S STATEMENT

I, ANNE SOPHE TRUONG, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 4052, RIVER ISLANDS-STAGE 2B, VILLAGE JJ1", CITY OF LATHROP, CALIFORNIA, AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ANNE SOPHE TRUONG, P.L.S. 8998  
ACTING CITY SURVEYOR  
CSC CONSULTANTS



## SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF RIVER ISLANDS DEVELOPMENT, LLC. ON SEPTEMBER 11, 2018. I HEREBY STATE ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2023, AND THAT THE MONUMENTS ARE, OR THAT THEY WILL BE, SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED AMENDED VESTING TENTATIVE MAP.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

DYLAN CRAWFORD, P.L.S. NO 7788



## RECITALS

- RIGHT TO FARM STATUS: LOCAL CODE OF ORDINANCES, TITLE 15, CHAPTER 15.48.04, THE CITY OF LATHROP PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE CITY LIMITS, INCLUDING THOSE THAT UTILIZE CHEMICAL FERTILIZERS AND PESTICIDES. YOU ARE HEREBY NOTIFIED THAT THE PROPERTY YOU ARE PURCHASING MAY BE LOCATED CLOSE TO AGRICULTURAL LANDS AND OPERATIONS. YOU MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE LAWFUL AND PROPER USE OF AGRICULTURAL CHEMICALS AND PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES, INCLUDING WITHOUT LIMITATION, CULTIVATION, PLANNING, HARVESTING, STORAGE, DISTRIBUTION, AND DISPOSAL OF AGRICULTURAL PRODUCTS, INCLUDING THE STORAGE OF CROPS AND ANIMALS FROM DEPRECIATION, AND OTHER ACTIVITIES WHICH MAY GENERATE DUST, SMOKE, NOISE, RODENTS AND PESTS. BE AWARE ALSO, THAT THIS PROPERTY MAY BE LOCATED ADJACENT TO AGRICULTURAL OPERATIONS OUTSIDE THE CITY'S JURISDICTION. CONSEQUENTLY, DEPENDING ON THE LOCATION OF YOUR PROPERTY, IT MAY BE NECESSARY THAT YOU BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS NORMAL AND NECESSARY ASPECT OF LIVING IN AN AGRICULTURALLY ACTIVE REGION.
- A SOILS REPORT ENTITLED "GEOCHEMICAL EXPLORATION, RIVER ISLANDS PHASE 1, LATHROP, CALIFORNIA," DATED JULY 2020, HAS BEEN PREPARED FOR THE PROPERTY. THE REPORT RECOMMENDS THAT THE PROPERTY BE ENCLOSED AND INCORPORATED INTO LOT 1 OF THE 5.33 ACRES, 5.33 ACRES, 0.01 ACRES, AND 13.40 ACRES. TRACT 4052, RIVER ISLANDS-STAGE 2B, VILLAGE JJ1, CONTAINS 13 RESIDENTIAL LOTS AND ONE LETTERED PARCEL CONTAINING 13.40 ACRES, MORE OR LESS, INCLUDING ROADWAYS THAT ARE BEING DEDICATED BY THIS FINAL MAP, AND PARCELS 1 AND 2 CONTAINING 5.5 ACRES, MORE OR LESS AS SHOWN ON THIS FINAL MAP (PLEASE REFER TO THE AREA TABLE BELOW).

TRACT 4052 AREA SUMMARY	
LOTS 1 THROUGH 30	3.65 AC±
STREET DEDICATIONS	4.21 AC±
PARCELS 1 & 2	5.53 AC±
PARCEL A	0.01 AC±
TOTAL	13.40 AC±

- BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT, ORDER NUMBER 121401454-LR (VERSION 1), DATED AUGUST 25, 2020, PROVIDED BY OLD REPUBLIC TITLE COMPANY.

## CERTIFICATE OF DEDICATION

THE FOLLOWING REAL PROPERTY IS DEDICATED BY RIVER ISLANDS STAGE 2B, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS FOLLOWS:

- PARCEL A, FOR PURPOSES OF LANDSCAPE OPEN SPACE INCLUDING PUBLIC UTILITIES AND STORM DRAIN FACILITIES, AND PEDESTRIAN INGRESS AND EGRESS.

THE CITY OF LATHROP SHALL RECOVER THE PROPERTY TO THE SUBDIVIDER IF THE CITY MAKES A DEDICATION OF THE PROPERTY TO THE PUBLIC. THE CITY SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PROPERTY FOR WHICH THE PROPERTY WAS DEDICATED, DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES.

## REFERENCES

- TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP, FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, PAGE 142, S.J.C.R. (43 MAP 142)
- TRACT 3997, RIVER ISLANDS-STAGE 2A, VILLAGE Y, FILED JUNE 28, 2019, IN BOOK 43 OF MAPS AND PLATS, PAGE 94, S.J.C.R. (43 MAP 94)
- TRACT 3908, RIVER ISLANDS-STAGE 2A, LARGE LOT FINAL MAP, FILED SEPTEMBER 20, 2018, IN BOOK 43 OF MAPS AND PLATS, PAGE 52, S.J.C.R. (43 MAP 52)

## SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

- RECLAIMED ISLANDS LAND COMPANY, RESERVATION FOR OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES, LYING BELOW A DEPTH OF 500 FEET, PER DOCUMENT NUMBER 2001-01046177, S.J.C.R.

## LINE AND CURVE TABLES FOR COURSES SHOWN ON SHEETS 3 & 4 ONLY

LINE	DIRECTION	LENGTH
L1	N57°55'55"W	60.21'
L2	S41°41'57"E	34.84'
L3	N17°41'07"W	90.00'
L4	N15°57'31"E	111.00'
L5	N68°57'11"E	110.02'
L6	N75°43'23"W	95.99'
L7	N77°08'28"W	15.03'
L8	N79°01'34"W	48.00'
L9	N80°44'17"W	48.00'
L10	N82°39'43"W	126.99'
L11	N72°07'7"E	111.00'
L12	N82°39'43"W	1.82'
L13	N72°07'7"E	125.33'
L14	N60°29'28"W	31.43'
L15	N34°52'11"E	110.02'
L16	N60°37'31"E	35.36'
L17	N35°54'41"E	125.00'
L18	N29°02'29"W	35.36'
L19	N35°54'41"E	90.00'
L20	S80°20'02"E	51.95'

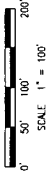
LINE	DIRECTION	LENGTH
L21	N80°34'41"E	42.43'
L22	N46°22'45"W	60.12'
L23	N90°51'9"W	42.43'
L24	N34°05'19"W	43.17'
L25	N85°51'53"W	85.37'
L26	N85°51'53"W	31.25'
L27	N49°38'19"E	34.84'
L28	N82°26'13"W	60.03'
L29	N1°33'53"E	111.61'
L30	N85°51'53"W	26.24'
L31	N0°00'00"E	148.06'
L32	N0°00'00"E	148.06'
L33	N0°00'00"E	148.06'
L34	N72°18'53"E	74.08'
L35	N72°18'53"E	60.00'
L36	N72°18'53"E	60.00'
L37	N72°18'53"E	74.09'
L38	N72°18'53"E	129.09'
L39	N17°41'07"W	90.00'
L40	N54°05'19"W	34.94'

CURVE	RADIUS	DELTA	LENGTH
C1	820.00	111°36"	160.28'
C2	430.00	28°32'33"	216.71'
C3	430.00	25°24'12"	190.65'
C4	365.00	4°30'08"	25.81'
C5	44.00	98°10'33"	75.39'
C6	880.00	0°41'27"	10.61'
C7	400.00	13°42'26"	95.69'
C8	850.00	6°21'32"	94.34'
C9	650.00	6°23'00"	94.70'
C10	36.00	92°30'30"	93.65'
C11	55.00	90°00'00"	66.39'
C12	55.00	90°00'00"	86.39'
C13	435.00	4°36'44"	35.02'
C14	89.00	70°22'34"	109.32'
C15	820.00	0°20'12"	4.82'
C16	40.00	99°56'27"	69.77'
C17	55.00	90°00'00"	86.39'
C18	460.00	35°24'12"	292.26'
C19	390.00	35°24'12"	247.79'
C20	2100.00	5°47'08"	212.05'

CURVE	RADIUS	DELTA	LENGTH
C21	600.00	25°31'50"	287.36'
C22	2000.00	4°08'07"	144.35'
C23	1995.00	2°30'27"	86.00'
C24	2035.00	2°27'58"	87.60'
C25	450.00	72°18'53"	567.86'
C26	55.00	90°00'00"	86.39'
C27	2100.00	10°21'12"	38.00'

# TRACT 4052 RIVER ISLANDS - STAGE 2B VILLAGE JJ1

A PORTION OF RANCHO EL PESCADERO, BEING  
A SUBDIVISION OF PARCEL 13 OF TRACT 4032 (43 MAP 142)  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA  
JANUARY 2021



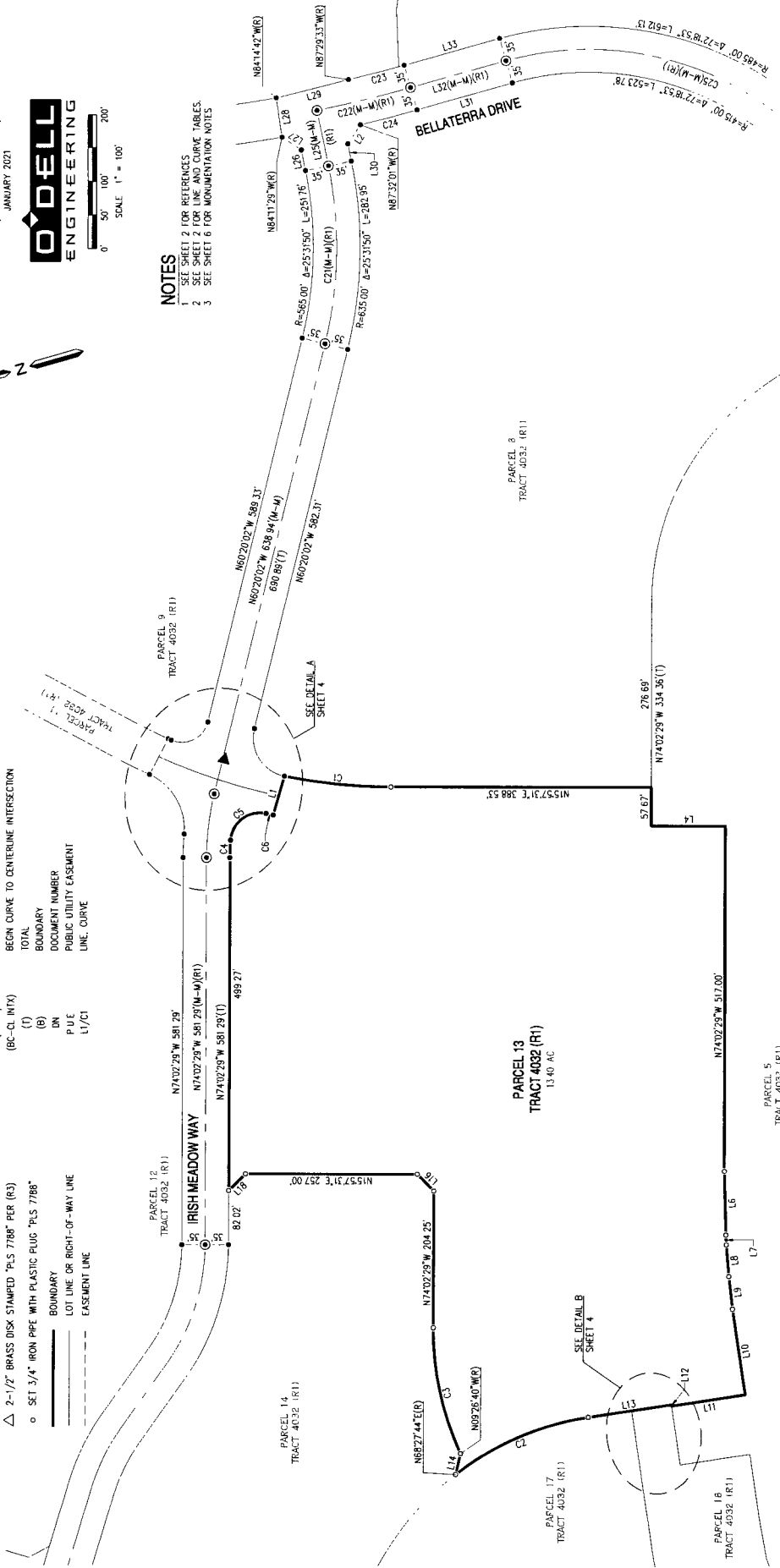
### NOTES

- SEE SHEET 2 FOR REFERENCES
- SEE SHEET 2 FOR LINE AND CURVE TABLES.
- SEE SHEET 6 FOR MONUMENTATION NOTES

### LEGEND

- ⊙ SET STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- ⊙ MONUMENT TO BE SET PER (R1)
- ⊗ MONUMENT TO BE SET PER (R3)
- 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" TO BE SET PER (R1)
- ▲ 2-1/2" BRASS DISK STAMPED "PLS 7788" PER (R1)
- △ 2-1/2" BRASS DISK STAMPED "PLS 7788" PER (R3)
- SET 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788"
- BOUNDARY
- LOT LINE OR RIGHT-OF-WAY LINE
- - - EASEMENT LINE
- CENTERLINE
- 200.00' (R1)
- (R1)
- (M-W)
- (M-B)
- (M-CL INTX)
- (M-BC)
- (BC-CL INTX)
- (1)
- (B)
- DN
- P.U.C.
- L1/C1

- MEASURED AND RECORD DATA PER REFERENCE SHOWN
- DENOTES REFERENCE (R1) - SEE REFERENCE LIST ON SHEET 2
- MONUMENT TO MONUMENT
- MONUMENT TO BOUNDARY
- MONUMENT TO CENTERLINE INTERSECTION
- MONUMENT TO BEGINNING OF CURVE
- BEGIN CURVE TO CENTERLINE INTERSECTION
- TOTAL
- BOUNDARY
- DOCUMENT NUMBER
- PUBLIC UTILITY EASEMENT
- LINE, CURVE



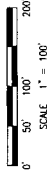
### BASIS OF BEARINGS

THE BEARING OF NORTH 54°05'19" WEST BETWEEN FOUND MONUMENTS ALONG RIVER ISLANDS PARKWAY AS SHOWN ON RIVER ISLANDS PARKWAY PER TRACT 4032, FILED WITH THE COUNTY CLERK'S OFFICE, SAN JOAQUIN COUNTY, CALIFORNIA, RECORDS OF SAN JOAQUIN COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN ON THIS MAP (ZONE 3, NAD83). ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES.

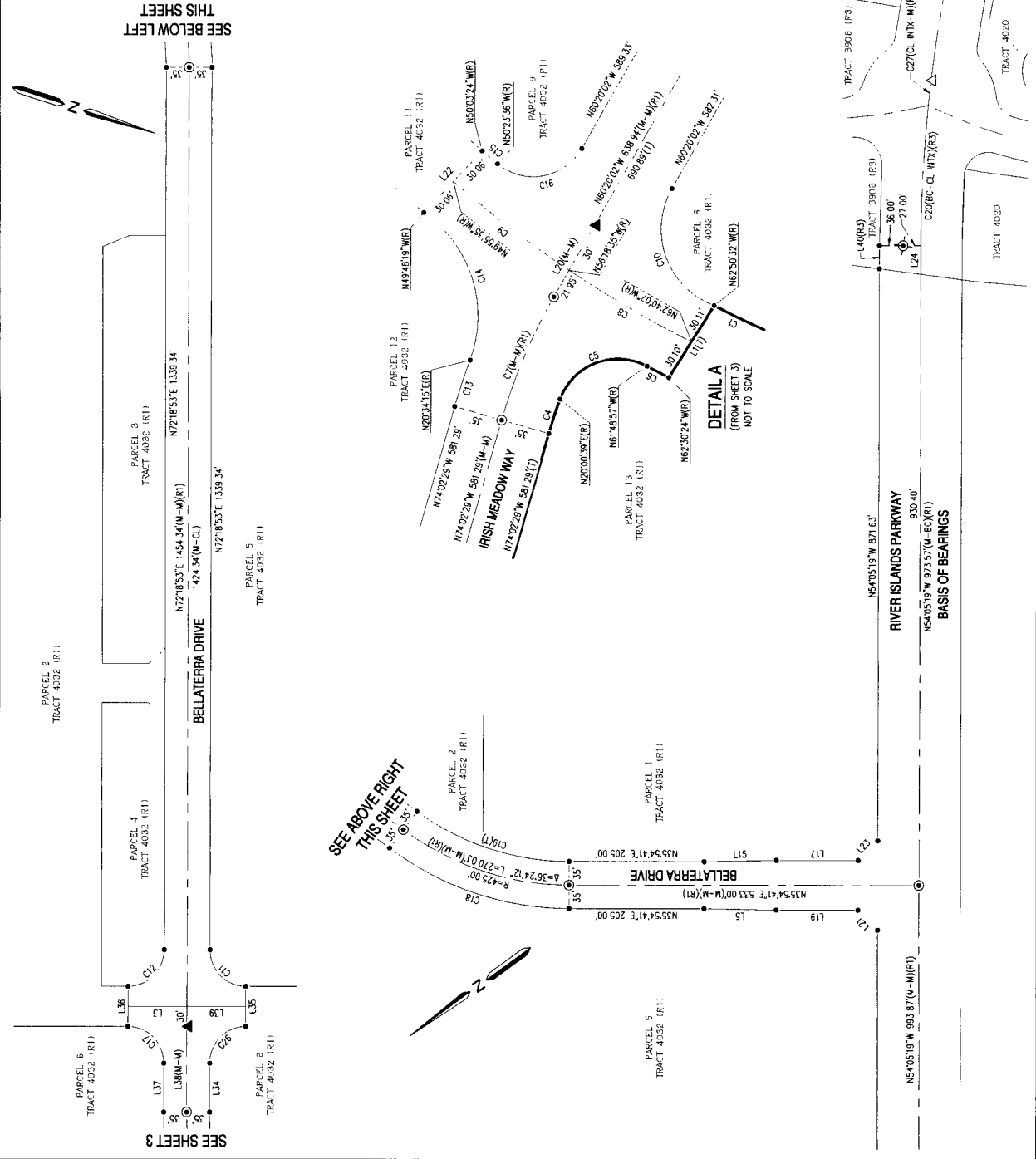
SEE SHEET 4

# TRACT 4052 RIVER ISLANDS - STAGE 2B VILLAGE JJ1

A PORTION OF RANCHO EL PESCADERO, BEING  
A SUBDIVISION OF PARCEL 13 OF TRACT 4032 (43 MAP 142)  
CITY OF LAHOP, SAN JOAQUIN COUNTY, CALIFORNIA  
JANUARY 2021



- NOTES**
1. SEE SHEET 2 FOR REFERENCES
  2. SEE SHEET 2 FOR LINE AND CURVE TABLES
  3. SEE SHEET 3 FOR LEGEND
  4. SEE SHEET 6 FOR MONUMENTATION NOTES

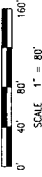


**TRACT 4052**  
**RIVER ISLANDS - STAGE 2B**  
**VILLAGE JJ1**

A PORTION OF RANCHO EL PESCADERO, BEING  
 A SUBDIVISION OF PARCEL 13 OF TRACT 4032 (43 MAP 142)  
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA  
 JANUARY 2021



PARCEL 12  
 TRACT 4032 (R1)



SEE BELOW  
 THIS SHEET

POBET STREET

EMERING STREET

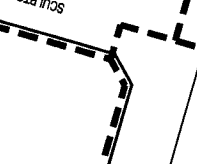
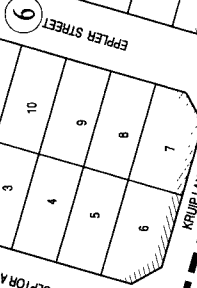
I.O.D. D.N. 202

PARCEL 14  
 TRACT 4032 (R1)

IRISH MEADOW WAY

SCULPTOR AVENUE

6



KRUIP LANE

PARCEL 1

PARCEL 8  
 TRACT 4032 (P1)

DUGGAR DRIVE

7

MULHOLLAND DRIVE

PARCEL 2

PARCEL 5  
 TRACT 4032 (R1)

24  
 25  
 26

8

SHRUTE DRIVE

PARCEL 17  
 TRACT 4032 (F1)

I.O.D. D.N. 202

PARCEL 18  
 TRACT 4032 (F1)

27  
 28  
 29  
 30

- LEGEND**
- BOUNDARY
  - LOT LINE
  - EXISTING ROADWAY EASEMENT
  - SHEET NUMBER
  - SHEET LIMIT LINE
  - RESTRICTED ACCESS

7

EMERING STREET

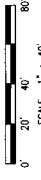
MULHOLLAND DRIVE

SEE ABOVE  
 SHEET ABOVE

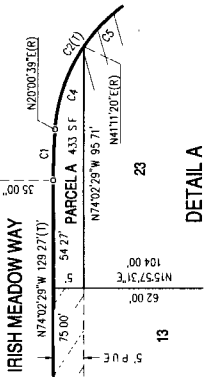
RIVER ISLANDS PARKWAY

# TRACT 4052 RIVER ISLANDS - STAGE 2B VILLAGE JJ1

A PORTION OF RANCHO EL PESCADERO, BEING  
A SUBDIVISION OF PARCEL 13 OF TRACT 4052 (AS MAP 142)  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA  
JANUARY 2021



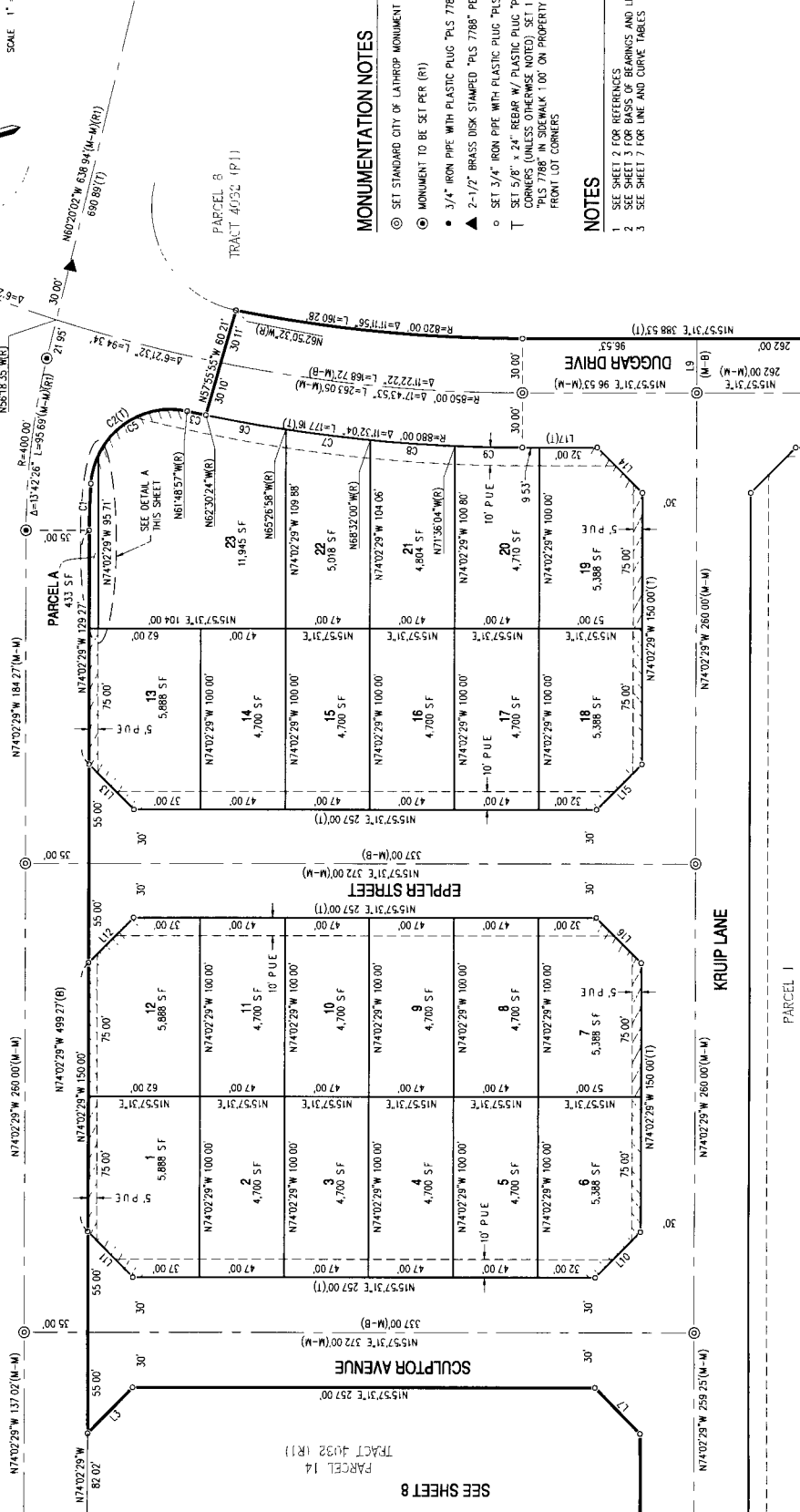
## IRISH MEADOW WAY



DETAIL A  
NOT TO SCALE

PARCEL 12  
TRACT 4032 (R11)

## IRISH MEADOW WAY



SEE SHEET 8  
PARCEL 14  
TRACT 4052 (R11)

### MONUMENTATION NOTES

- ⊙ SET STANDARD CITY OF LATHROP MONUMENT WELL STAMPED "PLS 7788"
- MONUMENT TO BE SET PER (R1)
- ▲ 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- 2-1/2" BRASS DISK STAMPED "PLS 7788" PER (R1)
- SET 3/4" IRON PIPE WITH PLASTIC PLUG "PLS 7788" PER (R1)
- SET 5/8" x 24" REBAR W/ PLASTIC PLUG "PLS 7788" FOR ALL REAR LOT CORNERS (UNLESS OTHERWISE NOTED). SET 1 1/2" BRASS DISK STAMPED "PLS 7788" IN SIDEWALK 1'00" ON PROPERTY LINE PROJECTION FOR ALL FRONT LOT CORNERS

### NOTES

1. SEE SHEET 3 FOR REFERENCES
2. SEE SHEET 5 FOR BASIS OF BEARINGS AND LEGEND
3. SEE SHEET 7 FOR LINE AND CURVE TABLES

SEE SHEET 7

PARCEL 1

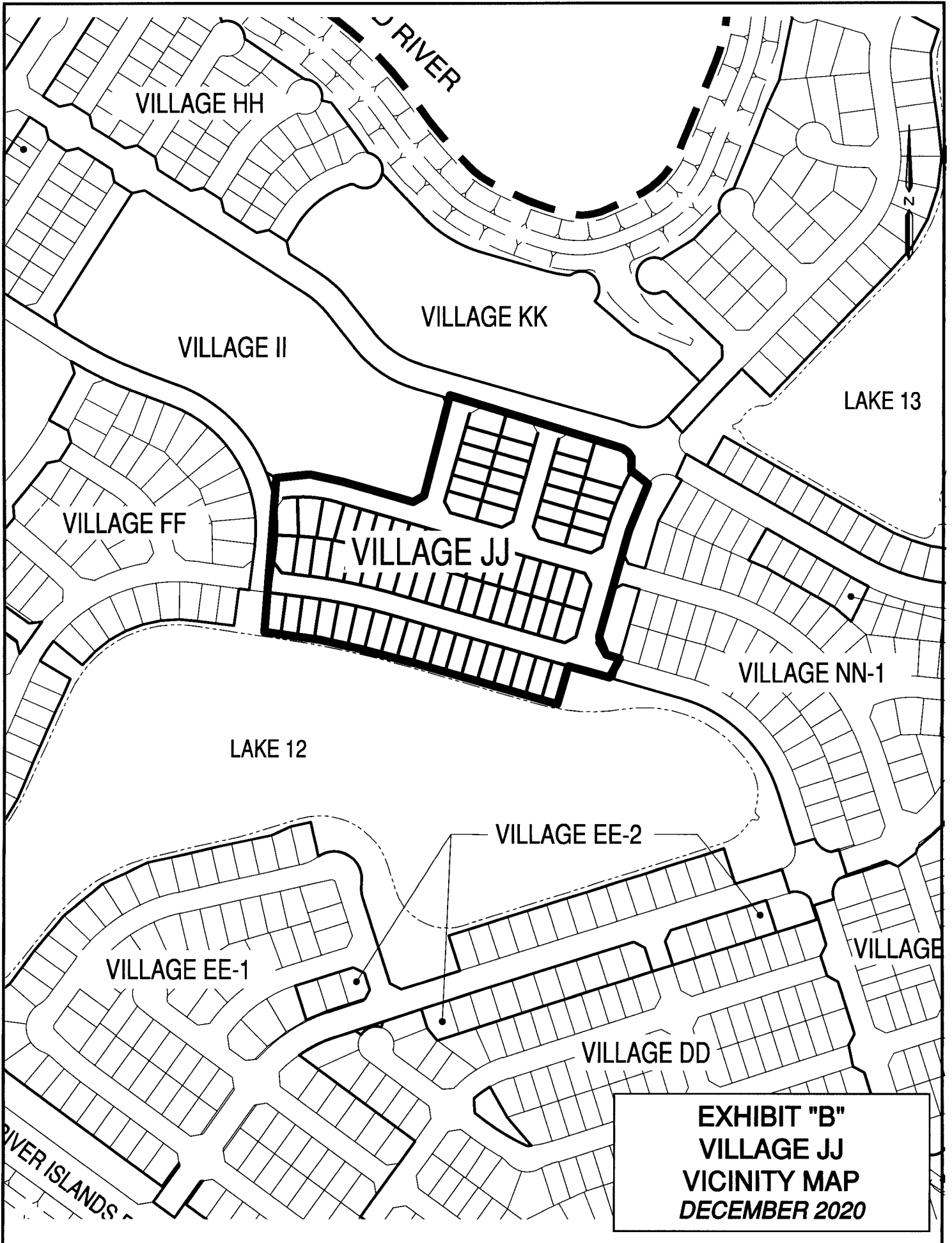




**EXHIBIT "B"**

**TRACT 4052 AND VILLAGE "JJ" AREA**





**EXHIBIT "B"**  
**VILLAGE JJ**  
**VICINITY MAP**  
**DECEMBER 2020**

## **EXHIBIT "C"**

### **CITY INSURANCE REQUIREMENTS**

1. The Subdivider shall obtain commercial general liability insurance companies licensed to do business in the State of California with an A.M. Best Company rating Insurance rating of no less than A:VII which provides coverage for bodily injury, personal injury and property damage liability in the amount of at least \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

Said insurance coverage shall be evidenced by a certificate of insurance with policy endorsements, executed by an authorized official of the insurer(s). All parties to the Subdivision Improvement Agreement must be named insured on the policy. The policy endorsements to be attached to the certificate must provide all the following:

a. Name the City of Lathrop, its officers, City Council, boards and commissions, and members thereof, its employees and agents as additional insured as respects to any liability arising out of the activities of the named insured. A CG 2010 or CG 2026 endorsement form or the equivalent is the appropriate form.

b. State that “the insurance coverage afforded by this policy shall be primary insurance as respects to the City of Lathrop, its officers, employees and agents. Any insurance or self-insurance maintained by the City of Lathrop, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to any loss.

c. Include a statement that, “the insurer will provide to the City at least thirty (30) days prior notice of cancellation or material change in coverage.” The above language can be included on the additional insured endorsement form or on a separate endorsement form.

d. The policy must contain a cross liability or severability of interest clause.

e. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.



AGENCY CUSTOMER ID: \_\_\_\_\_

LOC #: \_\_\_\_\_



## ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

AGENCY Willis Towers Watson Insurance Services West, Inc.		NAMED INSURED River Islands Stage 2B, LLC 73 W Stewart Rd Lathrop, CA 95330	
POLICY NUMBER See Page 1		EFFECTIVE DATE: See Page 1	
CARRIER See Page 1	NAIC CODE See Page 1		

### ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,  
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

General Liability shall be Primary and Non-Contributory with any other insurance in force for or which may be purchased by City of Lathrop, its officers, employees and agents.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED – OWNERS, LESSEES OR  
CONTRACTORS – SCHEDULED PERSON OR  
ORGANIZATION**

This endorsement modifies insurance provided under the following:  
COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
City of Lathrop its officers, City Council, boards and commissions and members thereof, its employees and agents 390 Towne Centre Drive Lathrop, CA 95330	As Required By Written Contract, Fully Executed Prior To The Named Insured's Work
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

**A. Section II Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

- 1 Your acts or omissions; or
- 2 The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

**B.** With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

- 1 All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional in-sured(s) at the location of the covered operations has been completed; or
- 2 That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

**UNITED SPECIALTY INSURANCE COMPANY**

**THIS ENDORSEMENT CHANGES THE POLICY – PLEASE READ IT CAREFULLY**

**USIC VEN 016 11 10 07**

**Named Insured: River Islands Development, LLC  
Policy Number: ATN-SF1811644P**

**PRIMARY AND NON-CONTRIBUTING INSURANCE  
(Third Party's Sole Negligence)**

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART  
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART**

The following is added to Section IV – Commercial General Liability Conditions, Paragraph 4:

**Section IV: Commercial General Liability Conditions**

**4. Other Insurance:**

- d. Notwithstanding the provisions of sub-paragraphs a, b, and c of this paragraph 4, with respect to the Third Party shown below, it is understood and agreed that in the event of a claim or "suit" arising out of the Named Insured's sole negligence, this insurance shall be primary and any other insurance maintained by the additional insured named as the Third Party below shall be excess and non-contributory.

The Third Party to whom this endorsement applies is:

City of Lathrop, its officers, City Council,  
boards and commissions and members thereof,  
its employees and agents  
390 Towne Centre Drive  
Lathrop, CA 95330

Absence of a specifically named Third Party above means that the provisions of this endorsement apply "as required by written contractual agreement with any Third party for whom you are performing work."

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

**UNITED SPECIALTY INSURANCE COMPANY**

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**USIC VEN 078 03 11 07**

**Named Insured: River Islands Development, LLC  
Policy Number: ATN-SF1811644P**

**THIRD PARTY CANCELLATION NOTICE**

This endorsement shall not serve to increase our limits of insurance, as described in **SECTION III - LIMITS OF INSURANCE.**

This endorsement modifies Conditions provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART**

**If we cancel this policy for any reason other than nonpayment of premium, we will mail notification to the persons or organizations shown in the schedule below (according to the number of days listed below) once the Named Insured has been notified.**

**If we cancel this coverage for nonpayment of premium, we will mail a copy of such written notice of cancellation to the name and address below at least 10 days prior to the effective date of such cancellation.**

**Our failure to provide such advance notification will not extend the policy cancellation date nor negate cancellation of the policy.**

**SCHEDULE**

<b><u>Name and Address of Other Person/Organization</u></b>	<b><u>Number of Days Notice</u></b>
City of Lathrop, its officers, City Council, boards and commissions and members thereof, its employees and agents 390 Towne Centre Drive Lathrop, CA 95330	30 Days

All other terms, conditions and exclusions under this policy are applicable to this Endorsement and remain unchanged.

**EXHIBIT "D"**  
**UNFINISHED IMPROVEMENT COST ESTIMATE**



ENGINEER'S BOND ESTIMATE  
**COST TO COMPLETE**  
**RIVER ISLANDS - Stage 2B**  
**VILLAGE JJ (77 LOTS)**  
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

September 25, 2020  
 Job No.: 25503-46

Item	Description	Quantity	Unit	Unit Price	Amount
1	Sanitary Sewer Raising Iron & Setting SSCO boxes <i>(0% Completion)</i>	1	LS	\$ 40,400.00	\$ 40,400.00
2	Storm Drain Raising Iron <i>(0% Completion)</i>	1	LS	\$ 800.00	\$ 800.00
3	Domestic Water Raising Iron & Setting Water Boxes <i>(0% Completion)</i>	1	LS	\$ 36,800.00	\$ 36,800.00
4	Non-Potable Water Raising Iron & Setting Water Boxes <i>(0% Completion)</i>	1	LS	\$ 2,800.00	\$ 2,800.00
5	Joint Trench <i>(60% Completion)</i>	1	LS	\$ 340,200.00	\$ 340,200.00
6	Striping & Mounments <i>(0% Completion)</i>	1	LS	\$ 17,000.00	\$ 17,000.00
<b>TOTAL COST TO COMPLETE \$</b>					<b>438,000.00</b>

## Notes:

- 1) Estimate for cost to complete based on contractor's note for Village JJ dated 9/25/2020

**EXHIBIT "E"**

**VILLAGE "JJ" IMPROVEMENTS ENGINEER'S ESTIMATE**

DRAFT ENGINEER'S OPINION OF PROBABLE COST  
**VILLAGE JJ (77 UNITS)**  
**STAGE 2B**  
**RIVER ISLANDS**  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

April 23, 2018  
Job No.: 25503-46

Item	Description	Quantity	Unit	Unit Price	Amount
<b><u>STREET WORK</u></b>					
1	Fine Grading	179,100	SF	\$ 0.45	\$ 80,595.00
2	4.5" AC Paving	93,400	SF	\$ 2.25	\$ 210,150.00
3	8" Aggregate Base	93,400	SF	\$ 1.20	\$ 112,080.00
4	Vertical Curb and Gutter <i>(with AB cushion)</i>	2,110	LF	\$ 15.00	\$ 31,650.00
5	Rolled Curb and Gutter <i>(with AB cushion)</i>	3,720	LF	\$ 15.00	\$ 55,800.00
6	Concrete Sidewalk	34,420	SF	\$ 5.00	\$ 172,100.00
7	Driveway Approach	77	EA	\$ 600.00	\$ 46,200.00
8	Handicap Ramps	11	EA	\$ 2,500.00	\$ 27,500.00
9	Survey Monuments	8	EA	\$ 300.00	\$ 2,400.00
10	Traffic Striping & Signing	3,080	LF	\$ 5.00	\$ 15,400.00
11	Dewatering (Budget)	3,080	LF	\$ 75.00	\$ 231,000.00
Subtotal Street Work					\$ 984,875.00
<b><u>STORM DRAIN</u></b>					
12	Catch Basins <i>(type A inlet over type I manhole base)</i>	11	EA	\$ 2,800.00	\$ 30,800.00
13	Catch Basins <i>(type A inlet over type II manhole base)</i>	6	EA	\$ 5,000.00	\$ 30,000.00
14	Catch Basins <i>(type C inlet over type II manhole base)</i>	2	EA	\$ 3,300.00	\$ 6,600.00
15	15" Storm Drain Pipe	690	LF	\$ 34.00	\$ 23,460.00
16	18" Storm Drain Pipe	670	LF	\$ 46.00	\$ 30,820.00
17	30" Storm Drain Pipe	700	LF	\$ 80.00	\$ 56,000.00
18	36" Storm Drain Pipe	130	LF	\$ 95.00	\$ 12,350.00
19	Manholes <i>(type II)</i>	1	EA	\$ 5,000.00	\$ 5,000.00
20	Connect to Existing	3	EA	\$ 1,700.00	\$ 5,100.00
21	Plug & Stub	2	EA	\$ 1,000.00	\$ 2,000.00
Subtotal Storm Drain					\$ 202,130.00
<b><u>SANITARY SEWER</u></b>					
22	8" Sanitary Sewer Pipe	1,610	LF	\$ 28.00	\$ 45,080.00
23	10" Sanitary Sewer Pipe	540	LF	\$ 35.00	\$ 18,900.00
24	12" Sanitary Sewer Pipe	870	LF	\$ 42.00	\$ 36,540.00
25	Manholes	10	EA	\$ 4,000.00	\$ 40,000.00
26	Manholes <i>(Trunk)</i>	2	EA	\$ 6,000.00	\$ 12,000.00
27	4" Sewer Service	76	EA	\$ 600.00	\$ 45,600.00
28	Connect to Existing	4	EA	\$ 3,000.00	\$ 12,000.00
Subtotal Sanitary Sewer					\$ 210,120.00

Item	Description	Quantity	Unit	Unit Price	Amount
<b><u>WATER SUPPLY</u></b>					
29	8" Water Line	1,690	LF	\$ 32.00	\$ 54,080.00
30	10" Water Line	1,460	LF	\$ 40.00	\$ 58,400.00
31	Water Service	78	EA	\$ 800.00	\$ 62,400.00
32	Fire Hydrants	5	EA	\$ 4,000.00	\$ 20,000.00
33	8" GV	11	EA	\$ 1,550.00	\$ 17,050.00
34	10" GV	7	EA	\$ 2,500.00	\$ 17,500.00
35	Connect to Existing	5	EA	\$ 4,000.00	\$ 20,000.00
36	Plug & Stub	2	EA	\$ 1,000.00	\$ 2,000.00
Subtotal Water Supply					\$ 251,430.00
<b><u>NON-POTABLE WATER</u></b>					
37	8" Non-Potable Water Line	540	LF	\$ 35.00	\$ 18,900.00
38	10" Non-Potable Water Line	930	LF	\$ 43.00	\$ 39,990.00
39	8" GV	1	EA	\$ 1,550.00	\$ 1,550.00
40	10" GV	3	EA	\$ 2,500.00	\$ 7,500.00
41	Non-Potable Water Service	2	EA	\$ 2,000.00	\$ 4,000.00
42	Connect to Existing	2	EA	\$ 3,000.00	\$ 6,000.00
43	Plug & Stub	1	EA	\$ 1,000.00	\$ 1,000.00
Subtotal Non-Potable Water Supply					\$ 78,940.00
<b>TOTAL CONSTRUCTION COST (nearest \$1,000)</b>					<b>\$ 1,727,000.00</b>
<b>COST PER LOT</b>					<b>\$ 22,429.00</b>

DRAFT ENGINEER'S OPINION OF PROBABLE COST  
**VILLAGE JJ (77 UNITS) - IOD**  
**STAGE 2B**  
**RIVER ISLANDS**  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

December 23, 2020  
Job No.: 25503-46

Item	Description	Quantity	Unit	Unit Price	Amount
<b><u>STORM DRAIN</u></b>					
1	Catch Basins ( <i>type A inlet over type I manhole base</i> )	1	EA	\$ 2,800.00	\$ 2,800.00
2	Catch Basins ( <i>type A inlet over type III manhole base</i> )	2	EA	\$ 7,500.00	\$ 15,000.00
3	15" Storm Drain Pipe	32	LF	\$ 34.00	\$ 1,088.00
4	30" Storm Drain Pipe	32	LF	\$ 80.00	\$ 2,560.00
5	48" Storm Drain Pipe	320	LF	\$ 125.00	\$ 40,000.00
6	54" Storm Drain Pipe	130	LF	\$ 130.00	\$ 16,900.00
7	Manholes ( <i>type III</i> )	1	EA	\$ 7,500.00	\$ 7,500.00
Subtotal Storm Drain					\$ 85,848.00
<b><u>SANITARY SEWER</u></b>					
8	8" Sanitary Sewer Pipe	310	LF	\$ 28.00	\$ 8,680.00
9	12" Sanitary Sewer Pipe	2,090	LF	\$ 42.00	\$ 87,780.00
10	Manholes ( <i>Trunk</i> )	11	EA	\$ 6,000.00	\$ 66,000.00
Subtotal Sanitary Sewer					\$ 162,460.00
<b>TOTAL CONSTRUCTION COST (nearest \$1,000)</b>					<b>\$ 248,000.00</b>

## Notes:

- 1) This estimate includes only the utility infrastructures required to service Village JJ.

**EXHIBIT "F"**

**RIPFA LETTER OF GUARANTEE  
INTERIM PUBLIC ACCESS WITHIN THE STAGE 2B DEVELOPMENT AREA**

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY**

**73 W. STEWART ROAD  
LATHROP, CALIFORNIA 95330**

**TEL: (209) 879-7900**

June 26, 2018

Glenn Gebhardt, City Engineer  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, California 95330

**Subject: Letter of Guarantee - Construction of River Islands Parkway from Dell'Osso Drive to the Stage 2B Boundary (Lakeside East District) – Tract 3908**

This Letter of Guarantee is being made in lieu of a performance bond for the construction of unfinished portions of River Islands Parkway from Dell'Osso Drive to the Stage 2B boundary within the Stage 2A development area of the River Islands development project (also known as the Lakeside East District). River Islands Public Financing Authority (Authority) is providing the funding for public improvements in the Stage 2A development area, including improvements to River Islands Parkway (Improvements). It is our understanding that a guarantee for construction of the River Islands Parkway Improvements through Stage 2A is required as a condition precedent to City Council approval of the Tract 3908 large lot subdivision map proposed by River Islands Development, LLC. Since the Authority is already setting aside funds for the full construction of River Islands Parkway, we are providing you this Letter of Guarantee as the required subdivision guarantee necessary for the Tract 3908 large lot final map.

The engineer's estimates as provided by O'Dell Engineering for the full cost of the of River Islands Parkway Improvements from Dell'Osso Drive to the Stage 2B boundary is \$5,264,000, and for the unfinished portions (as of June 15, 2018) of River Islands Parkway from Dell'Osso Drive to the Stage 2B boundary is \$338,004 (attached as Exhibit "A"). The Authority hereby agrees to set-aside funds in the amount of \$450,000, which amount is equal to 180% of this engineer's estimate of the unfinished improvements, in-lieu of a 100% performance bond and 50% labor and materials bond. The funds are currently held, and will be set aside, in the Improvement Fund established under the Fiscal Agent Agreement, dated as of December 1, 2015, between the Authority and Wilmington Trust, National Association, as fiscal agent. The Joint Community Facilities Agreement, dated as of November 16, 2015, between the Authority and the City allows for funds in the Improvement Fund to be used to pay costs of infrastructure improvements for the River Islands development, including River Islands Parkway. Also attached to this Letter of Guarantee is an exhibit showing the portion of River Islands Parkway being guaranteed by this letter for your reference (Exhibit "B").

Under the terms of this Letter of Guarantee, the Authority shall hold the funds as stated herein in the Improvement Fund until July 8, 2019, or until such time River Islands Parkway through Stage 2A is fully constructed, inspected and accepted into service by the City, whichever comes first. If this portion of River Islands Parkway is not constructed, inspected and accepted into service by the City by July 8, 2019 and the deadline is not extended by the City in writing, no later than September 30, 2019, the Authority will cause one of the following to occur:

1. The Authority shall use the funds set aside in the Improvement Fund to construct the River Islands Parkway Improvements. The Authority shall utilize a suitable contractor and bid the work under applicable law. The Authority and the City shall mutually agree to a timeline to which the roadway will be constructed, inspected and operational, no later than one year from the deadline noted above.
2. The Authority shall withdraw the funds from the set aside monies in the Improvement Fund and provide said monies to the City, to be held in a segregated account maintained by the City, to be used solely for construction or reconstruction of the applicable portion of River Islands Parkway. In such event, the City will use reasonable diligence to complete the construction of the River Islands Parkway. Until the completion of the River Islands Parkway and return of any excess funds to the Authority, the City will maintain records as to the reinvestment of the funds provided to it and will provide the Authority with its records as to any such investment earnings upon written request of the Authority. Additionally, in the event that the City advises the Authority in writing that the funds provided to the City are not sufficient to pay all of the costs of the construction of the River Islands Parkway and advises the Authority as to the amount of the shortfall, the Authority will advance funds to the City from the Improvement Fund in the amount of the shortfall. In such event, and upon the written request of the Authority, the City will provide to the Authority a detailed breakdown of the costs of the construction of the unfinished portions of River Islands Parkway through Stage 2A.

The Authority shall retain the discretion to choose between the two options outlined above. However, if any River Islands Parkway improvements remain incomplete on September 30, 2020, the Authority shall immediately resort to Option 2, and shall provide set aside moneis in the Improvement Fund as requested by the City to allow the City to complete the uncompleted improvements.

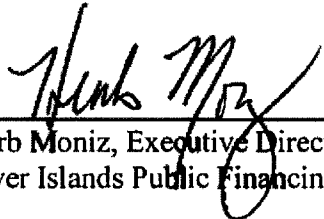
In addition, the commitment for the Authority to set aside these funds shall continue until the Improvements are constructed and accepted by the City Council, and the developer provides a one year maintenance bond in the amount of \$526,400 (10% of the full cost of the Improvements), or until the Authority provides an acceptable replacement letter of guarantee in that same amount of \$526,400 to guarantee the quality and condition of the full Improvements for one year from the date of acceptance by the City Council.



Glenn Gebhardt, City Engineer  
City of Lathrop – Letter of Guarantee for Tract 3908  
June 15, 2018  
Page 3 of 3

As confirmation of the acceptance of the terms and conditions of this Letter of Guarantee by the City, please sign and date this letter as shown on the next page. Should you have any questions regarding this Letter of Guarantee, please contact me at (209) 879-7900.


Sincerely,

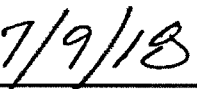
By:   
Herb Moniz, Executive Director  
River Islands Public Financing Authority

Enclosures: Exhibit "A": Engineer's Estimate of full improvements from O'Dell Engineering  
and Engineer's Estimate of unfinished improvements from O'Dell  
Engineering  
Exhibit "B": Location of guarantee on River Islands Parkway

cc: Susan Dell'Osso, River Islands Development, LLC

I Accept on Behalf of the City of Lathrop the Terms and Conditions  
of the foregoing Letter of Guarantee.

By:   
Glenn R. Gebhardt, City Engineer

  
Date

ENGINEER'S OPINION OF PROBABLE COST  
 RIVER ISLANDS - STAGE 2A  
 RIVER ISLANDS PARKWAY  
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

March 6, 2018  
 Job No.: 25503-01

Item	Description	Quantity	Unit	Unit Price	Amount
<b><u>STREET WORK</u></b>					
1	Fine Grading	621,700	SF	\$ 0.45	\$ 279,765.00
2	7" AC Paving	316,800	SF	\$ 3.50	\$ 1,108,800.00
3	11" Aggregate Base	316,800	SF	\$ 1.65	\$ 522,720.00
4	12" Lime Treatment	316,800	SF	\$ 1.10	\$ 348,480.00
5	Vertical Curb and Gutter <i>(with AB cushion)</i>	9,600	LF	\$ 15.00	\$ 144,000.00
6	Type F Median Curb <i>(with AB cushion)</i>	9,100	LF	\$ 18.00	\$ 163,800.00
7	Roundabout Concrete	2,400	SF	\$ 5.00	\$ 12,000.00
8	Concrete Sidewalk	77,400	SF	\$ 5.00	\$ 387,000.00
9	Handicap Ramps	20	EA	\$ 2,500.00	\$ 50,000.00
10	Survey Monuments	7	EA	\$ 300.00	\$ 2,100.00
11	Barricades	1	EA	\$ 1,500.00	\$ 1,500.00
12	Traffic Signing & Striping	4,710	LF	\$ 5.00	\$ 23,550.00
13	Dewatering <i>(Budget)</i>	4,710	LF	\$ 75.00	\$ 353,250.00
Subtotal Street Work					\$ 3,396,965.00
<b><u>STORM DRAIN</u></b>					
14	Catch Basins <i>(type A inlet)</i>	24	EA	\$ 2,400.00	\$ 57,600.00
15	15" Storm Drain Pipe	1,110	LF	\$ 34.00	\$ 37,740.00
16	18" Storm Drain Pipe	220	LF	\$ 46.00	\$ 10,120.00
17	24" Storm Drain Pipe	780	LF	\$ 65.00	\$ 50,700.00
18	Storm Drain Stub & Plug	9	EA	\$ 1,000.00	\$ 9,000.00
Subtotal Storm Drain					\$ 165,160.00
<b><u>SANITARY SEWER</u></b>					
19	24" Sanitary Sewer Pipe	50	LF	\$ 150.00	\$ 7,500.00
20	Manholes	24	LF	\$ 4,000.00	\$ 96,000.00
21	Connect to Existing Sanitary Sewer	2	EA	\$ 3,000.00	\$ 6,000.00
Subtotal Sanitary Sewer					\$ 109,500.00
<b><u>WATER SUPPLY</u></b>					
22	8" Water Line <i>(including all appurtenances)</i>	740	LF	\$ 32.00	\$ 23,680.00
23	10" Water Line <i>(including all appurtenances)</i>	280	LF	\$ 40.00	\$ 11,200.00
24	20" Water Line <i>(including all appurtenances)</i>	4,630	LF	\$ 100.00	\$ 463,000.00
25	Fire Hydrants	16	EA	\$ 4,000.00	\$ 64,000.00
26	Water Service	6	EA	\$ 2,000.00	\$ 12,000.00
27	Water Plug & Stub	9	EA	\$ 1,000.00	\$ 9,000.00
28	Connect to Existing Water	1	EA	\$ 4,000.00	\$ 4,000.00
Subtotal Water Supply					\$ 586,880.00

Item	Description	Quantity	Unit	Unit Price	Amount
<b><u>RECYCLED WATER</u></b>					
29	8" Recycled Water Flushing Line <i>(including all appurtenances)</i>	80	LF	\$ 45.00	\$ 3,600.00
30	12" Recycled Water Drain Line <i>(including all appurtenances)</i>	150	LF	\$ 55.00	\$ 8,250.00
31	16" Recycled Water Line <i>(including all appurtenances)</i>	4,650	LF	\$ 65.00	\$ 302,250.00
32	Recycled Water Plug & Stub	4	EA	\$ 1,000.00	\$ 4,000.00
33	Connect to Existing Recycled Water	1	EA	\$ 5,000.00	\$ 5,000.00
Subtotal Recycled Water					\$ 323,100.00
<b><u>NON-POTABLE WATER</u></b>					
34	8" Non-Potable Water Line <i>(including all appurtenances)</i>	650	LF	\$ 35.00	\$ 22,750.00
35	16" Non-Potable Water Line <i>(including all appurtenances)</i>	4,660	LF	\$ 80.00	\$ 372,800.00
36	Non-Potable Water Service	6	LF	\$ 2,000.00	\$ 12,000.00
37	Non-Potable Water Plug & Stub	7	EA	\$ 1,000.00	\$ 7,000.00
38	Connect to Existing Non-Potable Water	1	EA	\$ 3,000.00	\$ 3,000.00
Subtotal Irrigation Water					\$ 417,550.00
<b><u>LAKE FILL LINE</u></b>					
39	16" Lake Fill Line <i>(including all appurtenances)</i>	4,820	LF	\$ 50.00	\$ 241,000.00
40	3" Aeration Line <i>(including all appurtenances)</i>	4,820	LF	\$ 4.00	\$ 19,280.00
41	Lake Fill Stub & Plug	3	EA	\$ 1,000.00	\$ 3,000.00
42	Connect to Existing Lake Fill Line	1	EA	\$ 1,000.00	\$ 1,000.00
Subtotal Lake Fill Line					\$ 264,280.00
<b>SUBTOTAL CONSTRUCTION COST</b>					<b>\$ 5,263,435.00</b>
<b>TOTAL CONSTRUCTION COST (nearest \$1,000)</b>					<b>\$ 5,264,000.00</b>

## Notes:

- 1) This estimate does not include surveying, engineering, clearing, grading, erosion control, joint trench, landscaping, irrigation, or street trees.
- 2) Unit prices are based on estimated current construction costs and no provision for inflation is included.

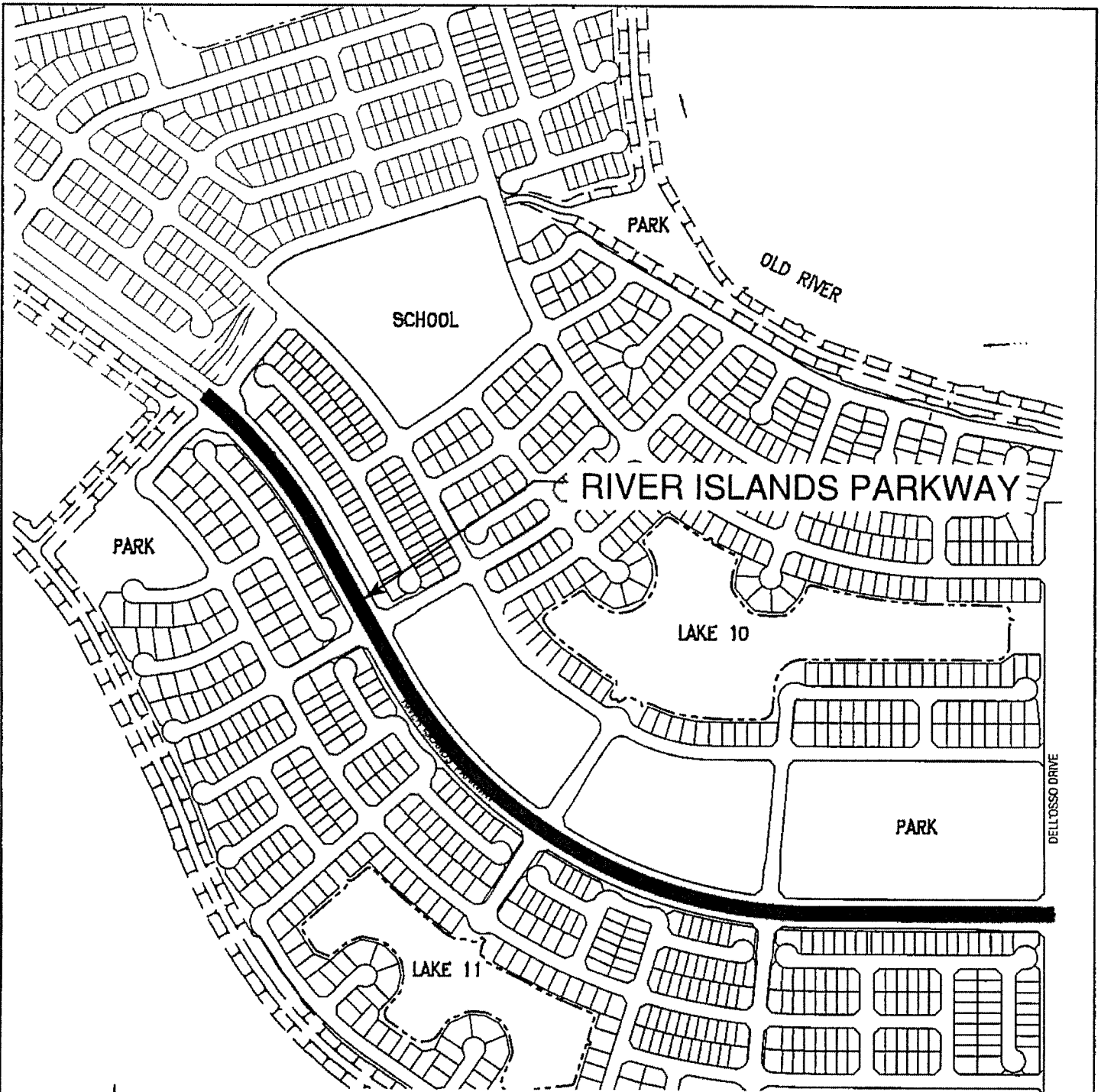
ENGINEER'S BOND ESTIMATE  
 COST TO COMPLETE  
 RIVER ISLANDS - STAGE 2A  
 RIVER ISLANDS PARKWAY  
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

June 13, 2018  
 Job No 25503-01

Item	Description	Quantity	Unit	Unit Price	Amount
1	Sanitary Sewer & Water Raising Iron (95% Completion)	1	LS	\$ 54,400.00	\$ 54,400.00
2	Final AC Lift (90% Completion)	1	LS	\$ 246,604.00	\$ 246,604.00
3	Final Signing, Striping & Monument (0% Completion)	1	LS	\$ 37,000.00	\$ 37,000.00
<b>TOTAL COST TO COMPLETE \$</b>					<b>338,004.00</b>

Notes

- 1) Estimate for cost to complete based on contractor's cost to complete summary sheet and backup documents for Stage 2A River Islands Parkway (Dell'Osso Drive to Stage 2A/2B Levee) dated June 12, 2018.



**EXHIBIT B  
RIVER ISLANDS PARKWAY  
STAGE 2A  
JULY 2018**

**EXHIBIT "G"**

**RIPFA LETTER OF GUARANTEE  
RIVER ISLANDS PARKWAY WITHIN THE STAGE 2B DEVELOPMENT AREA**

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY**

**73 W. STEWART ROAD**

**LATHROP, CALIFORNIA 95330**

**TEL: (209) 879-7900**

May 4, 2017

Glenn Gebhardt, City Engineer  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, California 95330

**Subject: Letter of Guarantee - Construction of Interim Public Access within the River Islands at Lathrop Stage 2A Development Area**

This Letter of Guarantee is being made in lieu of a performance bond for the construction of an interim public access (public right of way) within the Stage 2A development area of the River Islands development project. River Islands Development, LLC ("RID") has requested the permanent closure of Cohen Road from Stage 1 to Paradise Road and Paradise Road from Stewart Road to the Stage 2A levee (see Exhibit "A" attached to this Letter of Guarantee). This closure would allow the construction of the Stage 2B levee system. The closure will not allow public traffic to utilize Paradise Road to access the River Islands development area while the construction of the Stage 2B levee is occurring, but still allow emergency vehicles access to the area via all-weather access roads.

RID plans to construct River Islands Parkway from its current terminus in Stage 1, through the Stage 2A development area and into Stage 2B and reconstruct Paradise Road within Stage 2B to restore public access to the project from the Tracy/Banta area. Until these roads are constructed and dedicated to the City for public use, the City is requiring security to restore public access to Paradise Road should RID fail to perform. We are providing you this Letter of Guarantee for this purpose.

The engineer's estimate as provided by O'Dell Engineering for a 28-foot-wide paved roadway, equivalent to existing Cohen Road, in the general alignment of proposed River Islands Parkway from Stage 1 to Paradise Road through Stage 2B is \$453,000 (See Exhibit "B"). The total length of this "guarantee roadway" is 6,150 linear feet. As a result, the Authority hereby agrees to set-aside funds in the amount of \$543,600, which amount is equal to 120% of the engineer's estimate, in-lieu of a performance bond. The funds are currently held, and will be set aside, in the Improvement Fund established under the Fiscal Agent Agreement, dated as of December 1, 2015, between the Authority and Wilmington Trust, National Association, as fiscal agent. The Joint Community Facilities Agreement, dated as of November 16, 2015, between the Authority and the City allows for funds in the Improvement Fund to be used to pay costs of infrastructure improvements for the River Islands development, including roadways.

Under the terms of this Letter of Guarantee, the Authority shall hold the funds as stated herein in the Improvement Fund until August 1, 2020, or until such time that permanent roadways are

constructed and dedicated to the City to restore permanent public access to Paradise Road, whichever comes first. If the permanent roadways are not constructed, inspected and accepted by the City by August 1, 2020 and the deadline is not extended by the City in writing, no later than August 2, 2020, the Authority will cause one of the following to occur:

1. The Authority shall use the funds set aside in the Improvement Fund to construct a 28-foot-wide paved roadway in a new alignment, equivalent to the existing Cohen Road or, to reconstruct the existing 28-foot-wide paved Cohen and Paradise roadways in the original alignment at the City's direction. The Authority shall utilize a suitable contractor and bid the work under applicable law. The Authority and the City shall mutually agree to a timeline to which the roadways necessary to restore access are constructed, inspected and operational, not to exceed December 31, 2020-.
2. The Authority shall withdraw the funds from the set aside monies in the Improvement Fund and provide said monies to the City, to be held in a segregated account maintained by the City, to be used solely for construction or reconstruction of the applicable roadways. In such event, the City will use reasonable diligence to complete the construction of the roadways. Once permanent access has been constructed to the satisfaction of the City Engineer, and all costs related thereto have been paid, the City shall return any of the unspent funds and any investment earnings thereon to the Authority for redeposit to the Improvement Fund. Until the completion of the roadways and return of any excess funds to the Authority, the City will maintain records as to the reinvestment of the funds provided to it, and will provide the Authority with its records as to any such investment earnings upon written request of the Authority. Additionally, in the event that the City advises the Authority in writing that the funds provided to the City are not sufficient to pay all of the costs associated with the roadways necessary to restore public access, and advises the Authority as to the amount of the shortfall, the Authority will advance funds to the City from the Improvement Fund in the amount of the shortfall. In such event, and upon the written request of the Authority, the City will provide to the Authority a detailed breakdown of the costs of the construction of the remaining roadway work necessary to restore public access.
3. Since the construction of roadways within Stages 2A and 2B are phased and will continue to be constructed by RID, RD 2062 or the Authority over time, the Authority may request a reduction in the amount of funds necessary to be held from the Improvement Fund as segments of permanent public roadways are constructed and dedicated to the City. For instance, segments of River Islands Parkway through Stage 2A should be completed in late 2017/early 2018 and dedication of this segment would reduce the amount of security described herein. As a result, a reduction of \$88.40 per LF (\$543,600/6,150 LF) shall be granted for each linear foot permanently constructed and dedicated to the City.


The Authority shall retain the discretion to choose between the two options outlined above as the applicable security and to request reduction of the security as described in section 3 above. As confirmation of the acceptance of the terms and conditions of this Letter of Guarantee by the



Glenn Gebhardt, City Engineer  
City of Lathrop  
May 4, 2017  
Page 3 of 3

City, please sign and date this letter as shown on the next page. Should you have any questions regarding this Letter of Guarantee, please contact me at (209) 879-7900.

Sincerely,

By:   
Herb Moniz, Executive Director  
River Islands Public Financing Authority

Enclosures: Exhibit "A": Location of Applicable Roadways – Cohen/Paradise  
Exhibit "B": O'Dell Engineering – Engineer's Estimates

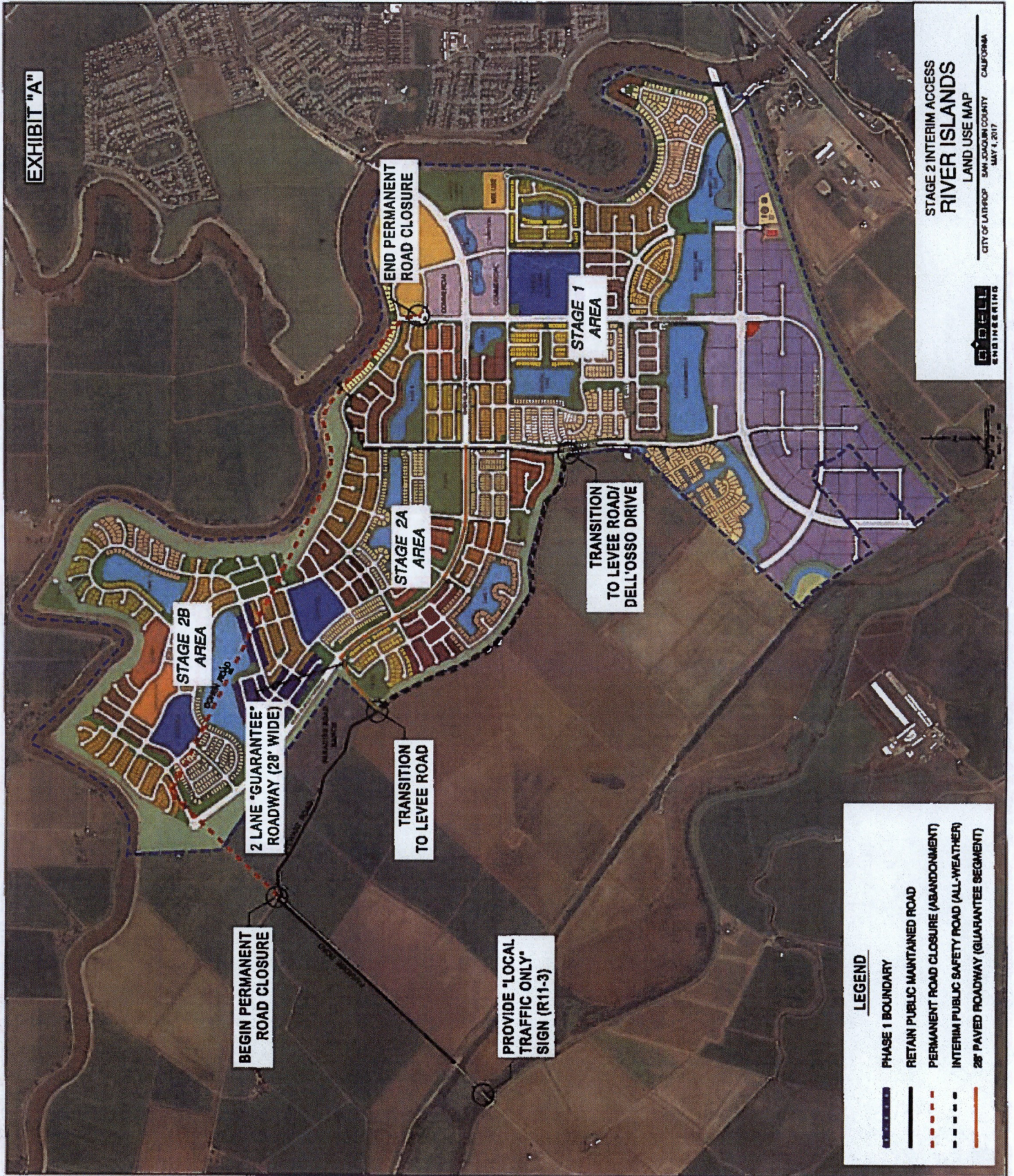
cc: Susan Dell'Osso, River Islands Development, LLC  
John Zhang, O'Dell Engineering, Inc.

I Accept on Behalf of the City of Lathrop the Terms and Conditions of the foregoing Letter of Guarantee.

By:   
Glenn R. Gebhardt, City Engineer

Date May 15, 2017





STAGE 2 INTERIM ACCESS  
RIVER ISLANDS

LAND USE MAP  
CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA  
MAY 4, 2017



LEGEND

- PHASE 1 BOUNDARY
- RETAIN PUBLIC MAINTAINED ROAD
- PERMANENT ROAD CLOSURE (ABANDONMENT)
- INTERIM PUBLIC SAFETY ROAD (ALL-WEATHER)
- 28' PAVED ROADWAY (GUARANTEE SEGMENT)



# EXHIBIT "B"

**ENGINEERING**

ENGINEER'S OPINION OF PROBABLE COST  
 INTERIM ROAD CONNECTION - STAGE 2A  
 GUARANTEE  
 RIVER ISLANDS - PHASE 1  
 CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

May 4, 2017

Item	Description	Quantity	Unit	Unit Price	Amount
<b><u>SITE PREPARATION</u></b>					
1	Mobilization <sup>1</sup>	1	LS	\$ 25,000.00	\$ 22,750.00
2	Erosion Control	1	LS	\$ 2,500.00	\$ 2,500.00
Subtotal Site Preparation					\$ 25,250.00
<b><u>GRADING</u></b>					
3	Earthwork <sup>2</sup>	1,600	CY	\$ 5.00	\$ 8,000.00
Subtotal Grading					\$ 8,000.00
<b><u>MISCELLANEOUS</u></b>					
4	3" AC (6150 LF)	172,200	SF	\$ 1.50	\$ 258,300.00
5	6" AB (6150 LF)	172,200	SF	\$ 0.90	\$ 154,980.00
6	Conform to Existing	2	LS	\$ 3,000.00	\$ 6,000.00
Subtotal Miscellaneous					\$ 419,280.00
<b>SUBTOTAL CONSTRUCTION COST</b>					<b>\$ 452,530.00</b>
<b>TOTAL CONSTRUCTION COST (nearest \$1,000)</b>					<b>\$ 453,000.00</b>

Notes:

- 1) Mobilization assumed to be 5% of total cost.
- 2) Earthwork quantity includes 35% shrinkage.

*Recording Requested by and  
Please Return to:*

City Clerk  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, California 95330

*This Instrument Benefits City Only.  
No Fee Required. (GC 27383)*

\_\_\_\_\_  
This Space Above for Recorder's Use Only

**IRREVOCABLE OFFER OF DEDICATION OF EASEMENT  
FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT  
(TRACT 4052 – OFFSITE ROADWAY DEDICATION – SHRUTE DRIVE, POSEY  
STREET, ENNEKING DRIVE & MULHOLLAND DRIVE)**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, River Islands Stage 2B, LLC, a Delaware limited liability company, hereby grant(s) to the CITY OF LATHROP, a municipal corporation in the County of San Joaquin, State of California, an easement for ingress, egress and road purposes, and a public utility easement (PUE), over and across the hereinafter described real property situated in City of Lathrop and more particularly described as follows:

**SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF**

This Offer of Dedication is made pursuant to Section 7050 of the Government Code of the State of California, and may be accepted at any time by the City Engineer of the City of Lathrop. This Offer of Dedication may be terminated, and right to accept such offer abandoned in the same manner as is prescribed for the vacation of streets or highways by Part 3 of Division 9, or Chapter 2 of Division 2 of the Streets and Highways Code of the State of California, whichever is applicable.

The above described easement is to be kept open, clear and free from buildings and structures of any kind. This Offer of Dedication shall be irrevocable and shall be binding on the Grantor’s heirs, executors, administrators, successors and assigns.

**SIGNATURES:**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2021

RIVER ISLANDS STAGE 2B, LLC  
a Delaware limited liability company

By: \_\_\_\_\_

Name: Susan Dell’Osso

Its: President

EXHIBIT "A"  
LEGAL DESCRIPTION  
OFFSITE ROADWAY DEDICATION AND ADJACENT PUBLIC UTILITY EASEMENT  
SHRUTE DRIVE, POSEY STREET, ENNEKING DRIVE & MULHOLLAND DRIVE  
(See Attached)

EXHIBIT "A-1"

LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
OFFSITE ROADWAY DEDICATION  
SHRUTE DRIVE, POSEY STREET, ENNEKING DRIVE & MULHOLLAND DRIVE  
RIVER ISLANDS-STAGE 2B  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

CERTAIN REAL PROPERTY SITUATE IN THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCELS 17 AND 18, AS SAID PARCELS ARE SHOWN ON THE MAP ENTITLED "TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP", FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 142, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE NORTHEASTERN LOT LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 430.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 68°27'44" EAST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 216.71 FEET, AND
- 2) SOUTH 07°20'17" WEST 65.33 FEET TO A POINT ON THE NORTHEASTERN LINE OF PARCEL 18 OF SAID MAP;

THENCE, LEAVING THE EASTERN LINE OF PARCEL 17, ALONG THE NORTHEASTERN AND A SOUTHERN LINE OF SAID PARCEL 18, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 07°20'17" WEST 60.00 FEET, AND
- 2) NORTH 82°39'43" WEST 89.13 FEET;

THENCE, LEAVING THE EASTERN LINE OF PARCEL 18, CONTINUING ALONG THE WESTERLY PROLONGATION OF LAST SAID LINE, NORTH 82°39'43" WEST 117.80 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 450.00 FEET, THROUGH A CENTRAL ANGLE OF 68°07'11", AN ARC DISTANCE OF 535.01 FEET;

THENCE, NORTH 60°46'54" WEST 60.00 FEET;

THENCE, NORTH 11°59'20" WEST 36.80 FEET;

THENCE, NORTH 54°36'01" WEST 122.35 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1865.00 FEET, THROUGH A CENTRAL ANGLE OF 02°18'34", AN ARC DISTANCE OF 75.17 FEET;

THENCE, ALONG A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 59.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 37°42'32" EAST, THROUGH A CENTRAL ANGLE OF 87°20'55", AN ARC DISTANCE OF 89.95 FEET;

THENCE, SOUTH 40°21'37" WEST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2680.00 FEET, THROUGH A CENTRAL ANGLE OF 09°05'49", AN ARC DISTANCE OF 425.51 FEET;

THENCE, SOUTH 46°27'55" WEST 109.89 FEET;

THENCE, SOUTH 50°15'08" WEST 167.84 FEET;

THENCE, SOUTH 04°35'31" WEST 42.91 FEET TO A POINT ON THE SOUTHWESTERN LOT LINE, BEING A CURVE OF SAID PARCEL 18, ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RIVER ISLANDS PARKWAY;

THENCE, NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2937.00 FEET, FROM WHICH THE CENTER OF THE SAID CURVE BEARS NORTH 48°55'54" EAST, THROUGH A CENTRAL ANGLE OF 02°38'29", AN ARC DISTANCE OF 135.39 FEET TO THE SOUTHWESTERN LINE OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE, ALONG THE SOUTHWESTERN LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 84°05'15" EAST 42.91 FEET,
- 2) NORTH 50°15'08" EAST 168.33 FEET,
- 3) NORTH 53°44'28" EAST 110.44 FEET,
- 4) NORTH 48°32'26" EAST 80.02 FEET;

THENCE, LEAVING THE SOUTHWESTERN LINE OF SAID PARCEL 17, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2620.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 42°20'05" WEST, THROUGH A CENTRAL ANGLE OF 07°18'19", AN ARC DISTANCE OF 334.05 FEET;

THENCE, NORTH 40°21'37" EAST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 59.00 FEET, THROUGH A CENTRAL ANGLE OF 87°20'55", AN ARC DISTANCE OF 89.95 FEET.

THENCE, NORTH 42°06'57" EAST 60.01 FEET;

THENCE, SOUTH 49°38'23" EAST 168.86 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1805.00 FEET, THROUGH A CENTRAL ANGLE OF 02°16'46", AN ARC DISTANCE OF 71.81 FEET;

THENCE, SOUTH 54°36'01" EAST 122.35 FEET;

THENCE, NORTH 82°47'17" EAST 36.80 FEET TO A POINT ON THE SOUTHERN LOT LINE OF SAID PARCEL 17, SAID POINT BEING NORTHEASTERLY ALONG A CURVE WITH A RADIUS OF 510.00 FEET, AN ARC DISTANCE OF 110.04 FEET FROM THE NORTHERN TERMINUS OF THE COURSE LABELED AS "N23°43'41"E 302.93 FEET", ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE, ALONG THE SOUTHERN LOT LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 510.00 FEET, FROM WHICH POINT THE CENTER OF SAID CURVE BEARS SOUTH

48°25'09" EAST, THROUGH A CENTRAL ANGLE OF 55°45'26", AN ARC DISTANCE OF 496.31, AND  
2) SOUTH 82°39'43" EAST 121.93 FEET;

THENCE, LEAVING THE SOUTHERN LINE OF SAID PARCEL 17, NORTH 52°20'17" EAST 35.36 FEET;

THENCE, NORTH 07°20'17" EAST 40.33 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 370.00 FEET, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, NORTH 68°27'44" EAST 60.00 FEET TO THE POINT OF BEGINNING.

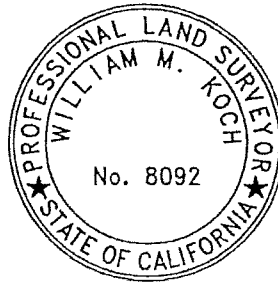
CONTAINING 153,488 SQUARE FEET (3.52 ACRES), MORE OR LESS.

A PLAT OF THE ABOVE DESCRIBED EASEMENT IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

\_\_\_\_\_  
WILLIAM M. KOCH  
PROFESSIONAL LAND SURVEYOR  
CALIFORNIA NO. 8092



\_\_\_\_\_  
DATE



EXHIBIT "A-2"

LEGAL DESCRIPTION  
DEDICATION OF PUBLIC UTILITY EASEMENTS  
PARCELS 5, 18 & 18, TRACT 4032 (43 M&P 142)  
RIVER ISLANDS-STAGE 2B  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

CERTAIN REAL PROPERTY SITUATE IN THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCELS 5, 17 AND 18, AS SAID PARCELS ARE SHOWN ON THE MAP ENTITLED "TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP", FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 142, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

P.U.E. #1

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE NORTHEASTERN LOT LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 430.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 68°27'44" EAST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 216.71 FEET, AND
- 2) SOUTH 07°20'17" WEST 65.33 FEET TO A POINT ON THE NORTHEASTERN LINE OF PARCEL 18 OF SAID MAP;

THENCE, LEAVING THE EASTERN LINE OF PARCEL 17, ALONG THE NORTHEASTERN AND A SOUTHERN LINE OF SAID PARCEL 18, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 07°20'17" WEST 60.00 FEET, AND
- 2) NORTH 82°39'43" WEST 1.82 FEET TO THE CORNER OF SAID PARCEL 5, ALSO BEING THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, ALONG THE EASTERLY LINE OF SAID PARCEL 5, SOUTH 07°20'17" WEST 10.00 FEET;

THENCE, LEAVING SAID EASTERLY LINE, NORTH 82°39'43" WEST 205.11 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 440.00 FEET, THROUGH A CENTRAL ANGLE OF 68°07'11", AN ARC DISTANCE OF 523.12 FEET;

THENCE, NORTH 60°46'54" WEST 10.00 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 450.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 60°46'54" EAST, THROUGH A CENTRAL ANGLE OF 68°07'11", AN ARC DISTANCE OF 535.01 FEET;

THENCE, SOUTH 82°39'43" EAST 205.11 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 7,342 SQUARE FEET, MORE OR LESS.

**P.U.E. #2**

**COMMENCING** AT THE SOUTHWESTERN CORNER OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERN LOT LINE, BEING A CURVE OF SAID PARCEL 18, ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RIVER ISLANDS PARKWAY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2937.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 51°34'32" EAST, THROUGH A CENTRAL ANGLE OF 02°38'29", AN ARC DISTANCE OF 135.39 FEET;

THENCE, LEAVING SAID SOUTHWESTERN LOT LINE, NORTH 04°35'31" EAST 28.93 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING NORTH 04°35'31" EAST 13.98 FEET;

THENCE, NORTH 50°15'08" EAST 167.84 FEET;

THENCE, NORTH 46°27'55" EAST 109.89 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2680.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 40°32'34" WEST, THROUGH A CENTRAL ANGLE OF 09°05'49", AN ARC DISTANCE OF 425.51 FEET;

THENCE, NORTH 40°21'37" EAST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, THROUGH A CENTRAL ANGLE OF 33°50'56", AN ARC DISTANCE OF 34.86 FEET;

THENCE, SOUTH 40°21'37" WEST 178.99 FEET;

THENCE, SOUTH 82°07'56" WEST 7.51 FEET;

THENCE, SOUTH 40°21'37" WEST 68.11 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2685.00 FEET, THROUGH A CENTRAL ANGLE OF 00°47'50", AN ARC DISTANCE OF 37.36 FEET;

THENCE, SOUTH 59°53'46" EAST 5.09 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2690 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 48°51'48" WEST, THROUGH A CENTRAL ANGLE OF 08°18'54", AN ARC DISTANCE OF 390.38 FEET;

THENCE, SOUTH 46°27'55" WEST 109.96 FEET;

THENCE, SOUTH 50°15'08" WEST 177.94 FEET;

CONTAINING 8,972 SQUARE FEET, MORE OR LESS.

**P.U.E. #3**

**COMMENCING** AT THE SOUTHWESTERN CORNER OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERN LOT LINE, BEING A CURVE OF SAID PARCEL 18, ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RIVER ISLANDS PARKWAY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2937.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 51°34'32" EAST, THROUGH A CENTRAL ANGLE OF 02°38'29", AN ARC DISTANCE OF 135.39 FEET;

THENCE, LEAVING SAID SOUTHWESTERN LOT LINE, NORTH 04°35'31 EAST 42.91 FEET;

THENCE, NORTH 50°15'08" EAST 167.84 FEET;

THENCE, NORTH 46°27'55" EAST 109.89 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2680.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 40°32'34" WEST, THROUGH A CENTRAL ANGLE OF 09°05'49", AN ARC DISTANCE OF 425.51 FEET;

THENCE, NORTH 40°21'37 EAST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, THROUGH A CENTRAL ANGLE OF 53°59'32", AN ARC DISTANCE OF 55.60 FEET; TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 04Z21'09" WEST, THROUGH A CENTRAL ANGLE OF 33°21'23", AN ARC DISTANCE OF 34.35 FEET;

THENCE, ALONG A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 1865.00 FEET, THROUGH A CENTRAL ANGLE OF 02°18'34", AN ARC DISTANCE OF 75.17 FEET;

THENCE, SOUTH 54°36'01" EAST 122.35 FEET;

THENCE, SOUTH 11°59'20" EAST, 14.77 FEET;

THENCE, NORTH 54°26'01" WEST 133.22 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1875.00 FEET, THROUGH A CENTRAL ANGLE OF 03°18'02", AN ARC DISTANCE OF 108.01 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,252 SQUARE FEET, MORE OR LESS.

**P.U.E. #4**

**COMMENCING** AT THE SOUTHWESTERN CORNER OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE, SOUTH 84°05'15" EAST 28.93 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, NORTH 50°15'08" EAST 178.40 FEET;

THENCE, NORTH 53°44'28" EAST 110.29 FEET;

THENCE, NORTH 48°32'26" EAST 79.49 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,610.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 42°20'11" WEST, THROUGH A CENTRAL ANGLE OF 04°17'55", AN ARC DISTANCE OF 195.82 FEET;

THENCE, SOUTH 88°21'00" EAST 6.69 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,615.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 46°43'57" WEST, THROUGH A CENTRAL ANGLE OF 01°18'26", AN ARC DISTANCE OF 59.66 FEET;

THENCE, NORTH 36°33'23" WEST 5.10 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,610.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 48°03'43" WEST, THROUGH A CENTRAL ANGLE OF 01°34'40", AN ARC DISTANCE OF 71.88 FEET;

THENCE, NORTH 40°21'37" EAST 252.70 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 83°29'20" WEST, THROUGH A CENTRAL ANGLE OF 33°50'56", AN ARC DISTANCE OF 34.86 FEET;

THENCE, SOUTH 40°21'37" WEST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2,620.00 FEET, THROUGH A CENTRAL ANGLE OF 07°18'19", AN ARC DISTANCE OF 334.05 FEET TO AN ANGLE POINT IN THE SOUTHWESTERN LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP;

THENCE, ALONG THE SOUTHWESTERN LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 48°32'26" WEST 80.02 FEET,
- 2) SOUTH 53°44'28" WEST 110.44 FEET,
- 3) SOUTH 50°15'08" WEST 168.33 FEET,
- 4) NORTH 84°05'15" WEST 13.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,078 SQUARE FEET, MORE OR LESS.

P.U.E. #5

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, SOUTH 68°27'44" WEST 60.00 FEET;

THENCE, SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 38°27'44" WEST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, SOUTH 07°20'17" WEST 40.33 FEET;

THENCE, SOUTH 52°20'17" WEST 35.36 FEET;

THENCE, NORTH 82°39'43" WEST 121.93 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 55°45'26", AN ARC DISTANCE OF 496.31 FEET;

THENCE, SOUTH 82°47'17" WEST 22.03 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 82°47'17" WEST 14.77 FEET;

THENCE, NORTH 54°36'01" WEST 122.35 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1805.00 FEET, THROUGH A CENTRAL ANGLE OF 02°16'46", AN ARC DISTANCE OF 71.81 FEET;

THENCE, NORTH 49°38'23" WEST 168.86 FEET;

THENCE, NORTH 40°21'37" EAST 10.00 FEET;

THENCE, SOUTH 49°38'23" EAST 168.63 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1795.00 FEET, THROUGH A CENTRAL ANGLE OF 02°16'19", AN ARC DISTANCE OF 71.18 FEET;

THENCE, SOUTH 54°36'01" EAST 133.22 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,680 SQUARE FEET, MORE OR LESS.

**P.U.E. #6**

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, SOUTH 68°27'44" WEST 60.00 FEET;

THENCE, SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 38°27'44" WEST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, SOUTH 07°20'17" WEST 40.33 FEET;

THENCE, SOUTH 52°20'17" WEST 21.22 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 52°20'17" WEST 14.14 FEET;

THENCE, NORTH 82°39'43" WEST 121.93 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 55°45'26", AN ARC DISTANCE OF 496.31 FEET;

THENCE, SOUTH 82°47'17" WEST 14.99 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 520.00, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 68°27'44" WEST, THROUGH A CENTRAL ANGLE OF 57°00'01", AN ARC DISTANCE OF 517.32 FEET;

THENCE, SOUTH 82°39'43" EAST 131.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,338 SQUARE FEET, MORE OR LESS.

**P.U.E. #7**

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, SOUTH 68°27'44" WEST 60.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT;

THENCE, SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 38°27'44" WEST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, SOUTH 07°20'17" WEST 40.33 FEET;

THENCE, SOUTH 52°20'17" WEST 14.14 FEET;

THENCE, NORTH 07°20'17" EAST 50.33 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 360.00 FEET, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 181.43 FEET;

THENCE, NORTH 68°27'44" EAST 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,293 SQUARE FEET, MORE OR LESS.

A PLAT OF THE ABOVE DESCRIBED EASEMENTS IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

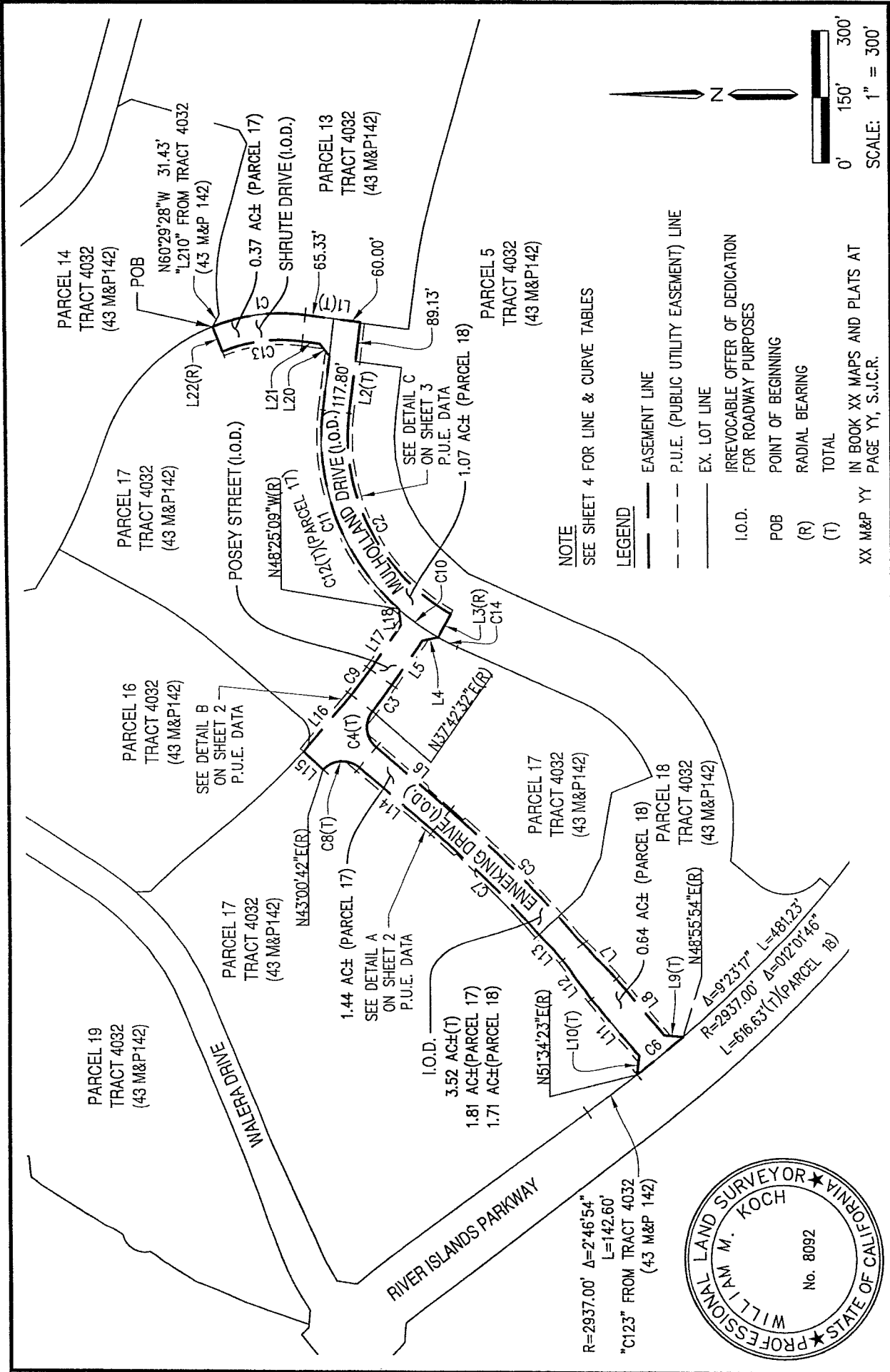
END DESCRIPTION

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

\_\_\_\_\_  
WILLIAM M. KOCH  
PROFESSIONAL LAND SURVEYOR  
CALIFORNIA NO. 8092



\_\_\_\_\_  
DATE

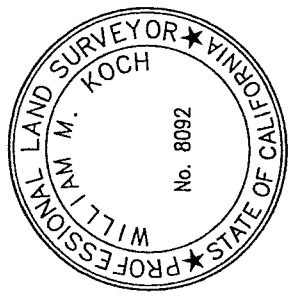
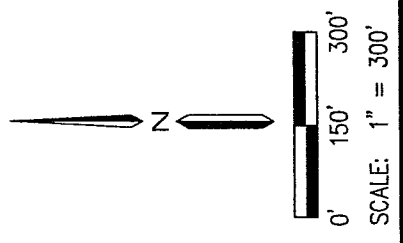


**NOTE**  
 SEE SHEET 4 FOR LINE & CURVE TABLES

**LEGEND**  
 — EASEMENT LINE  
 - - - P.U.E. (PUBLIC UTILITY EASEMENT) LINE  
 — EX. LOT LINE

I.O.D. IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES  
 POB POINT OF BEGINNING  
 (R) RADIAL BEARING  
 (T) TOTAL

XX M&P YY IN BOOK XX MAPS AND PLATS AT PAGE YY, S.J.C.R.

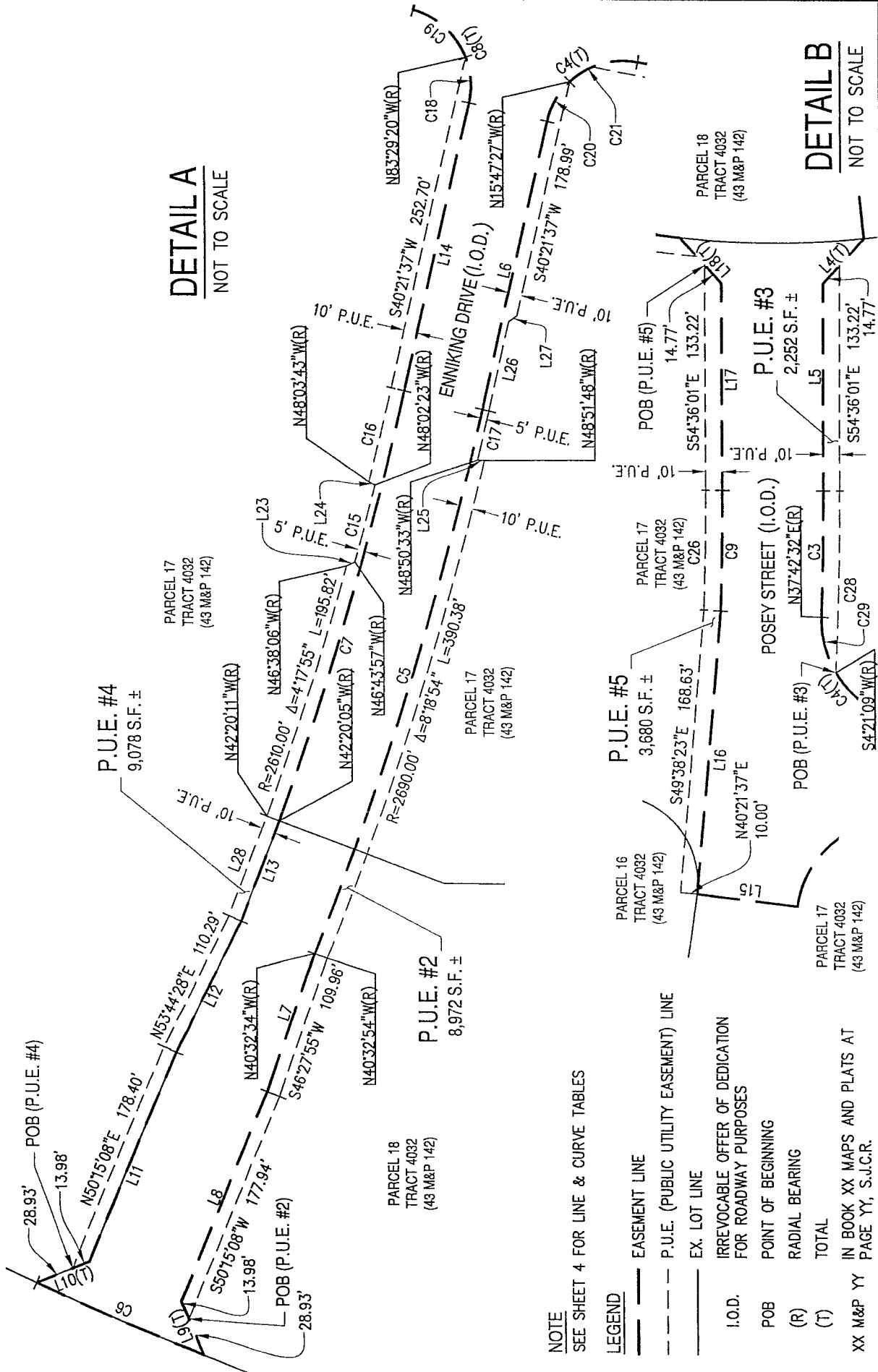


**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES**  
**OFFSITE ROADWAY DEDICATION**  
**SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET**  
**RIVER ISLANDS - STAGE 2B**  
 SAN JOAQUIN COUNTY CALIFORNIA  
 CITY OF LATHROP

SCALE: 1" = 300'
DRAWN BY: JC
FILE: 25503-PLAT-VILLAGE JJ_PARCEL ONE IOD.DWG
DATE: 12/29/2020
SHEET: 1 OF 4

**DETAIL A**  
NOT TO SCALE

**DETAIL B**  
NOT TO SCALE



**NOTE**  
SEE SHEET 4 FOR LINE & CURVE TABLES

**LEGEND**

---	EASEMENT LINE
---	P.U.E. (PUBLIC UTILITY EASEMENT) LINE
---	EX. LOT LINE
I.O.D.	IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES
POB	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL

XX M&P YY  
PAGE YY, S.J.C.R.

SCALE: N/A
DRAWN BY: JC
FILE: 25503-PLAT-VILLAGE JJ_PARCEL ONE IOD.DWG
DATE: 12/29/2020
SHEET: 2 OF 4

**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES**  
 OFFSITE ROADWAY DEDICATION  
**RIVER ISLANDS - STAGE 2B**  
 SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET  
 SAN JOAQUIN COUNTY  
 CALIFORNIA

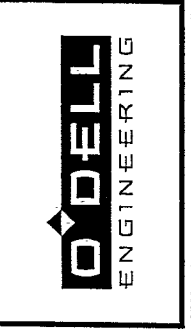


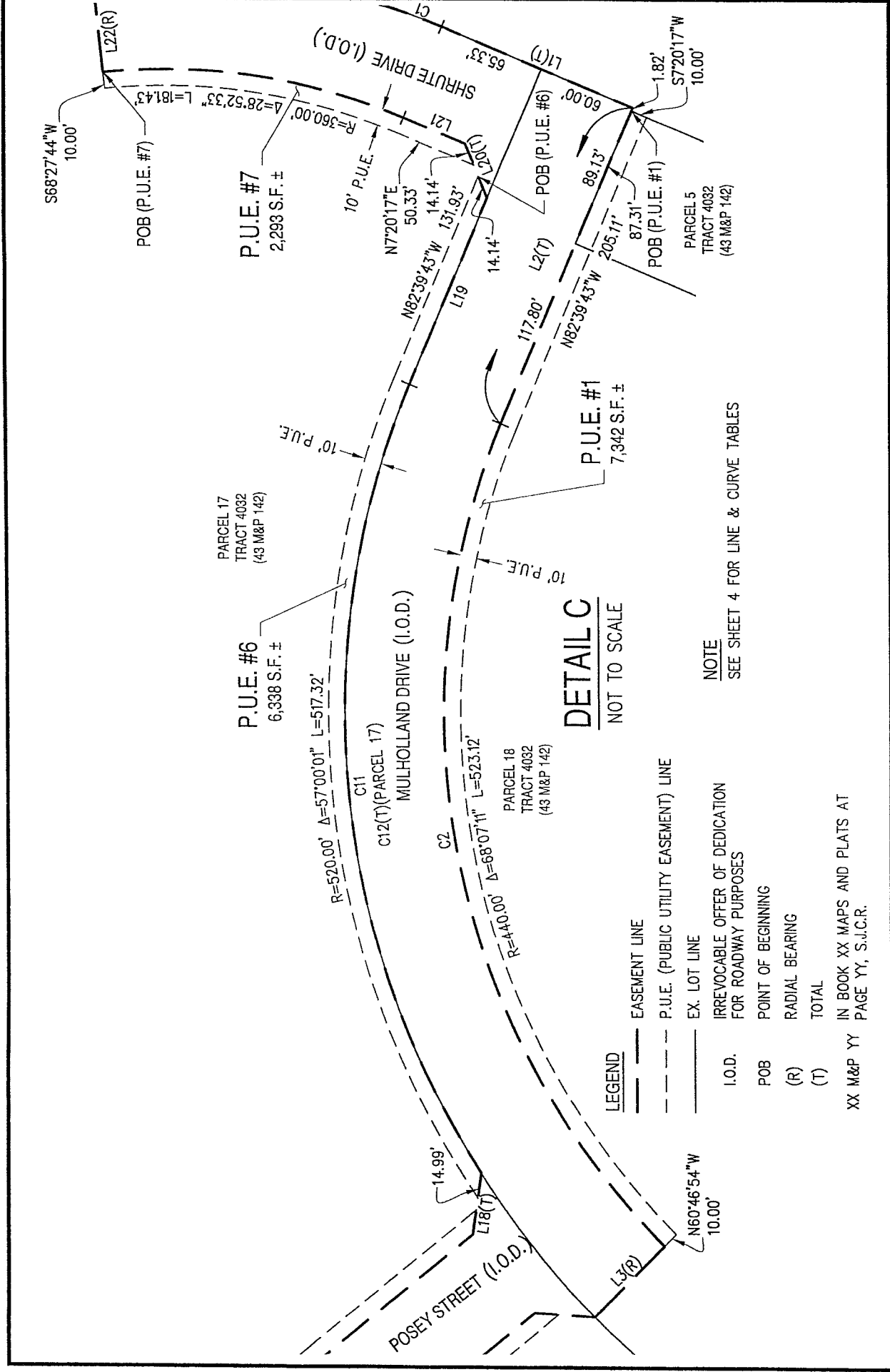




EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
 IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
 OFFSITE ROADWAY DEDICATION  
 SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET  
**RIVER ISLANDS - STAGE 2B**  
 SAN JOAQUIN COUNTY CALIFORNIA

SCALE: N/A	FILE: 25503-PLAT-VILLAGE-JJ_PARCEL_ONE_IOD.DWG
DRAWN BY: JC	DATE: 12/29/2020
	SHEET: 3 OF 4

T: \\25503-RIVER ISLANDS\DWG\FINAL MAPS\TRACT 4052- VILLAGE JJ\PLAT\25503-PLAT-VILLAGE-JJ\_PARCEL\_ONE\_IOD.DWG



CITY OF LATHROP

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1(T)	S07°20'17"W	125.33'
L2(T)	N82°39'43"W	206.93'
L3	N60°46'54"W	60.00'
L4	N11°59'20"W	36.80'
L5	N54°36'01"W	122.35'
L6	S40°21'37"W	219.84'
L7	S46°27'55"W	109.89'
L8	S50°15'08"W	167.84'
L9(T)	N04°35'31"E	42.91'
L10(T)	N84°05'15"W	42.91'
L11	N50°15'08"E	168.33'
L12	N53°44'28"E	110.44'
L13	N48°32'26"E	80.02'
L14	N40°21'37"E	219.84'
L15	N42°06'57"E	60.01'
L16	S49°38'23"E	168.86'
L17	S54°36'01"E	122.35'
L18	N82°47'17"E	36.80'
L19	S82°39'43"E	121.93'
L20	N52°20'17"E	35.36'

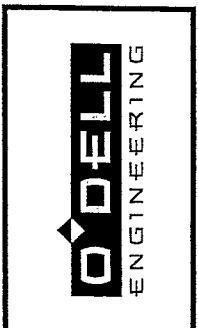
LINE TABLE		
LINE #	DIRECTION	LENGTH
L21	N07°20'17"E	40.33'
L22	N68°27'44"E	60.00'
L23	N88°21'00"W	6.69'
L24	N36°33'23"W	5.10'
L25	N59°53'46"W	5.09'
L26	S40°21'37"W	68.11'
L27	S82°07'56"W	7.51'
L28	N48°32'26"E	79.49'

CURVE TABLE				
CURVE #	RADIUS	DELTA	LENGTH	
C1	430.00'	28°52'33"	216.71'	
C2	450.00'	68°07'11"	535.01'	
C3	1865.00'	2°18'34"	75.17'	
C4(T)	59.00'	87°20'55"	89.95'	
C5	2680.00'	9°05'49"	425.51'	
C6	2937.00'	2°38'29"	135.39'	
C7	2620.00'	7°18'19"	334.05'	
C8(T)	59.00'	87°20'55"	89.95'	
C9	1805.00'	2°16'46"	71.81'	
C10	510.00'	12°21'45"	110.04'	
C11	510.00'	55°45'26"	496.31'	
C12(T)	510.00'	73°36'37"	655.22'	
C13	370.00'	28°52'33"	186.47'	
C14	510.00'	5°29'26"	48.87'	
C15	2615.00'	1°18'26"	59.66'	
C16	2610.00'	1°34'40"	71.88'	
C17	2685.00'	0°47'50"	37.36'	
C18	59.00'	33°50'56"	34.86'	
C19	59.00'	53°29'59"	55.09'	
C20	59.00'	33°50'56"	34.86'	

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C21	59.00'	53°29'59"	55.09'

SCALE: N/A
DRAWN BY: JC
FILE: 25503-PLAT-VILLAGE JJ_PARCEL ONE IOD.DWG
DATE: 12/29/2020
SHEET: 4 OF 4

**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES**  
**OFFSITE ROADWAY DEDICATION**  
**SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET**  
**RIVER ISLANDS - STAGE 2B**  
 SAN JOAQUIN COUNTY CALIFORNIA





Office of the City Clerk

390 Towne Centre Dr. – Lathrop, CA 95330  
Phone (209) 941-7230 – Fax (209) 941-7229  
www.ci.lathrop.ca.us

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in real property conveyed by the **IRREVOCABLE OFFER OF DEDICATION OF EASEMENT FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT (TRACT 4052 – OFFSITE ROADWAY DEDICATION – SHRUTE DRIVE, POSEY STREET, ENNEKING DRIVE & MULHOLLAND DRIVE)**, dated **January \_\_\_\_, 2021**, from **River Islands Stage 2B, LLC., a Delaware limited liability company**, granted to the City of Lathrop, municipal corporation and governmental agency in the County of San Joaquin, State of California, is hereby accepted by the undersigned officer on behalf of the City Council pursuant to authority conferred by Resolution No. 90-72, of the City Council adopted on September 26, 1990, and the duly authorized officer.

(GC 27281)

By: \_\_\_\_\_  
Teresa Vargas, City Clerk

Dated: \_\_\_\_\_

**JOINT ESCROW INSTRUCTIONS  
RECORDATION OF FINAL MAPS  
(RIVER ISLANDS AT LATHROP)**

January 11, 2021

**Via Email and Hand Delivery**

Old Republic Title Company  
1215 W. Center Street, Suite 103  
Manteca, CA 95337  
Attn: Lori Richardson

**Re: Recordation of Final Map 4052; Escrow No. 1214021454**

Dear Lori:

This letter constitutes the joint escrow instructions ("**Escrow Instructions**") of River Islands Stage 2B, LLC, a Delaware limited liability company ("**RIS2B**") and the City of Lathrop ("**City**") in connection with the above-referenced escrow ("**Escrow**"). The Escrow was opened in connection with recordation of the above-referenced final map ("**Final Map**"). Recordation of the Final Map is subject to the conditions set forth below. The transactions described in these Escrow Instructions are referred to as the "**Transaction**." Old Republic Title Company is referred to as "you" or "**ORTC**."

**A. Date for Closings**

The Final Map will be recorded at the time designated by RIS2B as set forth below. The Final Map can only be recorded after the City has approved the map in writing. The closing date for the Transaction is intended to occur by January 31, 2021, at the time designated in writing by RIS2B, subject to satisfaction of the conditions set forth below (each a "**Closing**"). If the Final Map has not been recorded by June 30, 2021, ORTC will return the Final Map to the City.

**B. Documents to be Delivered and Recordation Documents**

In connection with the Transaction, you have in your possession or will receive the following documents from City for recordation in the Official Records of San Joaquin County, California ("**Official Records**").

B.1. One original Final Map for Tract 4052, executed and acknowledged by the City.

B.2. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities).

B.3. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services).

B.4. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services).

## **JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)**

B.5. A fully executed and acknowledged Amendment to Notice of Special Tax Lien for the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements).

B.6. A fully executed Irrevocable Offer of Dedication for Right-of-Way Purposes Tract 4052

The documents listed in Items B.1, B.2, B.3, B.4, B.5, B.6 above are referred to as the “**Recordation Documents**.” The Recordation Documents shall be recorded in the order referred to above. The date on which the Recordation Documents are recorded in the Official Records is the Recordation Date.

Prior to recording the Recordation Documents, please confirm that you have received copies or originals of the following documents: (i) Unanimous Approval of Annexation to a Community Facilities District and Related Matters, City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities); (ii) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services); (iii) Consent to, and Ballot in favor of, Annexation of Real Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance); and (iv) Consent to, and Ballot in favor of, Annexation of Real Property to the River Islands Public Financing Authority Community Facilities District No. 2020-1 (River Islands Supplemental). The original City of Lathrop Unanimous Approval must be delivered to the City of Lathrop. The original Consents and Ballots for River Islands Public Financing Authority CFD Nos. 2013-1 and 2020-1 and Island Reclamation District No. 2013-1 must be delivered to Jeanne Zolezzi at Herum\Crabtree\Suntag, 5757 Pacific Ave., Suite 222, Stockton, CA 95207. Copies should be sent via email to Cari James ([cjames@ci.lathrop.ca.us](mailto:cjames@ci.lathrop.ca.us)), Cindy Yan at Goodwin Consulting Group, [cindy@goodwinconsultinggroup.net](mailto:cindy@goodwinconsultinggroup.net), Susan Dell'Osso ([sdelloso@riverislands.com](mailto:sdelloso@riverislands.com)) and Debbie Belmar ([dbelmar@riverislands.com](mailto:dbelmar@riverislands.com)) together with conformed copies of the amendments to notices of special tax that are recorded as part of the Recordation Documents.

### **C. Funds and Settlement Statement**

You also have received, or will receive from RIS2B, prior to the recordation of the Recordation Documents, in immediately available funds, the following amounts, in accordance with the settlement statement prepared by you and approved in writing by both RIS2B and City (“**Settlement Statement**”): recordation costs, escrow fees and other amounts as set forth in the Settlement Statement. Such costs, fees and other amounts are the sole responsibility of RIS2B.

- Funds to be wire transferred directly to the entity set forth below, immediately upon recordation of the Final Map, in accordance with the wire transfer instructions for each entity are as follows: The amount of **\$25,789.99**, payable to the City pursuant to that certain Agreement to Settle Litigation Regarding River Islands at Lathrop (as amended “**Sierra Club Agreement**”), constituting the amount of **\$3,277.00** multiplied by **7.87** acres (or portion thereof) included in the Final Map, is to be transferred to the City upon recordation of the Final Map. The City’s wire instructions are set forth below.

## **JOINT ESCROW INSTRUCTIONS RECORDATION OF FINAL MAPS (RIVER ISLANDS AT LATHROP)**

The amounts set forth in Section C are referred to as the “**Closing Funds**.”

### **D. Closing Requirements**

When the following has occurred, you are authorized to close the Escrow at the time(s) and in accordance with the process set forth below:

D.1. You have delivered copies of your Settlement Statement by email transmission to: (a) Susan Dell’Osso ([sdelloso@riverislands.com](mailto:sdelloso@riverislands.com)); (b) Debbie Belmar ([dbelmar@riverislands.com](mailto:dbelmar@riverislands.com)); (c) Stephen Salvatore ([ssalvatore@ci.lathrop.ca.us](mailto:ssalvatore@ci.lathrop.ca.us)); (d) Salvador Navarrete ([snavarrete@ci.lathrop.ca.us](mailto:snavarrete@ci.lathrop.ca.us)); (e) Cari James ([cjames@ci.lathrop.ca.us](mailto:cjames@ci.lathrop.ca.us)) and (f) Glenn Gebhardt ([ggebhardt@ci.lathrop.ca.us](mailto:ggebhardt@ci.lathrop.ca.us)), and have confirmation (by telephone or email) from Susan Dell’Osso and Stephen Salvatore or Glenn Gebhardt that the Settlement Statement is accurate and acceptable;

D.2. You have not received any instructions contrary to these Escrow Instructions;

D.3. The Recordation Documents and all other documents described herein as being held by you or delivered to you have been received by you and have been fully executed and, where applicable, acknowledged, and you have attached all legal descriptions or have confirmed that all exhibits and legal descriptions are attached;

D.4. You are prepared to record the Recordation Documents, as designated, release funds in accordance with the Settlement Statement and complete the Transaction in compliance with these Escrow Instructions;

D.5. You have delivered a copy of these instructions, executed by an authorized signatory of ORTC with authority to bind ORTC, and initialed all pages, by email transmission (with original hard copy to follow by U.S. Mail) to Debbie Belmar and Glenn Gebhardt at the email addresses set forth above; and

D.6. You have received confirmation (by email or other writing) from Susan Dell’Osso and Stephen Salvatore or Glenn Gebhardt to record the Recordation Documents and complete the Transaction.

### **E. Closing Process and Priorities**

When you have fully satisfied all of the closing requirements set forth in Section D, then you are authorized and instructed to do the following in the chronological order given:

E.1. Date the Recordation Documents to be recorded;

E.2. Record the Final Map and the Recordation Documents in the Official Records;

E.3. Pay the costs associated with the Transaction;

E.4. Refund any funds delivered to you by RIS2B that are not disbursed at the time of the final Closing pursuant to these Escrow Instructions to the following entity and address:

**JOINT ESCROW INSTRUCTIONS  
RECORDATION OF FINAL MAPS  
(RIVER ISLANDS AT LATHROP)**

River Islands Stage 2B, LLC  
73 W. Stewart Road  
Lathrop, CA 95330  
Attn: Susan Dell’Osso

E.5. Notify Susan Dell’Osso, Debbie Belmar, Stephen Salvatore, Glenn Gebhardt and Jose Molina (JMolina@sjgov.org) of the completion of the Transaction;

E.6. Within five (5) business days after each Recordation Date, deliver by overnight delivery via recognized, national, overnight delivery carrier to: (1) Susan Dell’Osso, River Islands Stage 2B, LLC, 73 W. Stewart Road, Lathrop, CA 95330; and (2) Mr. Salvador Navarrete, City Attorney, City of Lathrop, 390 Towne Centre Drive, Lathrop, CA 95330:

(A) a certified copy of the Recordation Documents, showing all recording information of the Recordation Documents; and

(B) a certified copy of the final Settlement Statement.

**F. Additional Instructions**

When assembling the final documents, signature pages from all parties shall be inserted into each respective final document in creating fully executed counterparts.

Please acknowledge receipt of these instructions and your agreement to act as Escrow agent in connection with this Transaction in accordance with these Escrow Instructions, by executing and dating a copy of these Escrow Instructions where indicated below, initialing all pages and returning it to both of the undersigned.

The Escrow Instructions may be modified only in a writing signed by both of the undersigned.

Very truly yours,

\_\_\_\_\_  
Stephen J. Salvatore      Date  
City Manager  
City of Lathrop

\_\_\_\_\_  
Susan Dell’Osso      Date  
President  
River Islands Stage 2B, LLC

**JOINT ESCROW INSTRUCTIONS  
RECORDATION OF FINAL MAPS  
(RIVER ISLANDS AT LATHROP)**

ESCROW INSTRUCTIONS  
ACKNOWLEDGEMENT AND AGREEMENT:

Receipt of the foregoing Escrow Instructions from RIS2B and the City is hereby acknowledged. The undersigned agrees, for itself, and on behalf of ORTC, to proceed in strict accordance with these Escrow Instructions. The undersigned represents and warrants to RIS2B and the City that the undersigned is authorized to execute this Acknowledgement and Agreement, for itself, and on behalf of ORTC.

Old Republic Title Company

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_



**RECORDING REQUESTED BY AND  
AFTER RECORDATION RETURN TO:**

City Clerk  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, CA 95330

Recorded for the benefit of the City of Lathrop  
pursuant to Government Code Section 27383

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**SIXTEENTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN**

City of Lathrop  
Community Facilities District No. 2013-1  
(River Islands Public Services and Facilities)  
Annexation No. 16

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et seq.*, of the California Government Code (the "Act"), the undersigned City Clerk of the City of Lathrop (the "City"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the City Council of the City on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying principal and interest on bonds, the proceeds of which are being used to finance the acquisition and construction of all or a portion of the public facilities authorized to be funded by the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) (the "CFD"), and to pay costs of the public services and facilities authorized to be funded by the CFD, both as described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on November 18, 2013 as Document No. 2013-143754 (the "Original Notice"), and said special tax is to be levied according to the Rate and Method of Apportionment of Special Tax set forth in Exhibit B to the Notice of Special Tax Lien, to which recorded Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference. An Amended Notice of Special Tax Lien reflecting the Amended Rate and Method of Apportionment of Special Tax was subsequently recorded at the County Recorder on October 23, 2015 as Document No. 2015-127760 (the "Amended Notice").

This Sixteenth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) certain real property identified in Exhibit A hereto (the "Property") and shown within the future annexation area on the boundary map of the community facilities district recorded on June 1, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 42 (Document No. 2013-136637), in the Office of the

County Recorder, which map is the final boundary map of the community facilities district. The Property is being annexed into Tax Zone 1 of the community facilities district, as described in the Amended and Restated Rate and Method of Apportionment of Special Tax attached as Exhibit A to the Amended Notice, with the maximum special tax rates identified in Exhibit B hereto.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Sixteenth Amendment to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Finance Director, City of Lathrop, 390 Towne Centre Drive, Lathrop, California 95330; Telephone: (209) 941-7327.

Dated: \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
City Clerk,  
City of Lathrop

**EXHIBIT A**

CITY OF LATHROP  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)  
ANNEXATION NO. 16  
ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND  
WITHIN ANNEXATION NO. 16 TO CITY OF LATHROP  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)

Name(s) of Property Owner(s)	San Joaquin County Assessor's Parcel No.
RIVER ISLANDS STAGE 2B, LLC 73 W. STEWART RD., LATHROP, CA 95330	213-470-13

**EXHIBIT B**  
**CITY OF LATHROP**  
**COMMUNITY FACILITIES DISTRICT NO. 2013-1**  
**(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)**  
**ANNEXATION NO. 16**

**MAXIMUM SERVICES SPECIAL TAX FOR ZONE 1 OF THE CFD**

The table below identifies the Maximum Services Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event:

<b>Type of Property</b>	<b>Lot Size</b>	<b>Maximum Services Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</b>	<b>Maximum Services Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</b>
<b>Residential Property:</b>			
Single Family Detached Property	Greater than 7,000 SqFt	\$328.74 per SFD Lot	\$155.91 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$265.42 per SFD Lot	\$125.88 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$243.51 per SFD Lot	\$115.49 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$206.98 per SFD Lot	\$98.16 per SFD Lot
Single Family Detached Property	Less Than 4,000 SqFt	\$192.37 per SFD Lot	\$91.23 per SFD Lot
Single Family Attached Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Multi-Family Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

*\* On July 1, 2014, and on each July 1 thereafter, all figures shown in the table above shall be increased by the Escalation Factor.*

**MAXIMUM FACILITIES SPECIAL TAX FOR ZONE 1 OF THE CFD**

The table below identifies the Maximum Facilities Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event:

<b>Type of Property</b>	<b>Lot Size</b>	<b>Maximum Facilities Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</b>	<b>Maximum Facilities Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</b>
<u>Residential Property:</u>			
Single Family Detached Property	Greater than 7,000 SqFt	\$0.00 per SFD Lot	\$172.83 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$0.00 per SFD Lot	\$139.54 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$0.00 per SFD Lot	\$128.02 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$0.00 per SFD Lot	\$108.82 per SFD Lot
Single Family Detached Property	Less Than 4,000 SqFt	\$0.00 per SFD Lot	\$101.14 per SFD Lot
Single Family Attached Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Multi-Family Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

*\* On July 1, 2014, and on each July 1 thereafter until the first Fiscal Year after the Trigger Event, all figures shown in the table above shall be increased by the Escalation Factor. On July 1 of the first Fiscal Year after the Trigger Event, and on each July 1 thereafter, the Maximum Facilities Special Taxes shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.*

**UNANIMOUS APPROVAL  
of Annexation to a Community Facilities District  
and Related Matters**

**CITY OF LATHROP  
Community Facilities District No. 2013-1  
(River Islands Public Services and Facilities)**

To the Honorable City Council,  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, CA 95330

Members of the City Council:

This constitutes the Unanimous Approval (the "Unanimous Approval") of River Islands Stage 2B, LLC, the record owner(s) (the "Property Owner") of the fee title to the real property identified below (the "Property") contemplated by Section 53339.3 et seq. of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") to annexation of the Property to the "City of Lathrop, Community Facilities District No. 2013-1 (River Islands Public Services and Facilities)" (the "CFD"), and it states as follows:

**1. Property Owner.** This Unanimous Approval is submitted by the Property Owner as the record owner(s) of fee title to the Property. The Property Owner has supplied to the City current evidence of its ownership of fee title to the Property.

**2. Approval of Annexation.** This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the annexation of the Property to the CFD. The CFD was formed to finance the municipal services and facilities (the "Services and Facilities") described in Exhibit A hereto and made a part hereof.

**3. Approval of Special Tax and the Facilities and Services.** This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the levy of special taxes (the "Special Taxes") on the Property to finance the Services and Facilities, according to the Amended Rate and Method of Apportionment of Special Taxes for the CFD attached hereto as Exhibit B and made a part hereof (the "Rate and Method"). Exhibit B includes the cost estimate for the Facilities and Services. The Property is being annexed into Tax Zone 1 of the CFD with the maximum special tax rates identified in Exhibit C hereto. The City will create a special account into which the Special Taxes will be deposited, when collected. The City will prepare the annual report required by Government Code Section 50075.3.

**4. Approval of the Appropriations Limit.** This Unanimous Approval constitutes the unanimous approval and unanimous vote by the Property Owner in favor of the appropriations limit established for the CFD.

**5. Waivers and Vote.** The Property Owner hereby confirms that this Unanimous Approval constitutes its approval and unanimous vote as described herein and as contemplated by Section 53339.3 et seq. of the Act and Article XIII A of the California Constitution. The Property Owner hereby waives all other rights with respect to the annexation of the Property, the levy of the Special Taxes on the Property and the other matters covered in this Unanimous Approval.

**6. Recordation of Amendment to Notice of Special Tax Lien.** The Notice of Special Tax Lien for the CFD was recorded in the Office of the County Recorder of the County of San Joaquin, State of California on November 18, 2013, as Document No. 2013-143754 in the Office of the County Recorder of the County of San Joaquin, and amended as referred to in the Amended Notice of Special Tax Lien recorded on October 23, 2015 as Document No. 2015-127760. The Property Owner hereby authorizes and directs the City Clerk to execute and cause to be recorded in the office of the County Recorder of the County of San Joaquin an amendment to the Notice of Special Tax Lien for the CFD as required by Section 3117.5 of the California Streets and Highways Code. The amendment to the Notice of Special Tax Lien shall include the Rate and Method as an exhibit thereto.

**7. Authority Warranted.** The Property Owner warrants to the City that the presentation of this Unanimous Approval, any votes, consents or waivers contained herein, and other actions mandated by the City for the annexation of the Property to the CFD shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Property Owner for the Property, including any “due-on-encumbrance” clauses under any existing security instruments secured by the Property.

**8. Due Diligence and Disclosures.** The Property Owner agrees to cooperate with the City and its attorneys and consultants and to provide all information and disclosures required by the City about the Special Taxes to purchasers of the Property or any part of it.

**9. Agreements.** The Property Owner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions described in this Unanimous Approval, including any cash deposit required to pay for the City’s costs in annexing the Property to the CFD.

**10. The Property.** The Property is identified as follows:

Assessor’s Parcel No. 213-470-13

Property Address: N/A

By executing this Unanimous Approval, the Property Owner agrees to all of the above.

Tax Zone #: 1

Property Owner

RIVER ISLANDS STAGE 2B, LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Susan Dell'Osso  
Title: President

Notice Address:

River Islands Stage 2B, LLC  
73 W. Stewart Rd.,  
Lathrop, CA 95330

(Attach acknowledgment)



**EXHIBIT A**

**CITY OF LATHROP  
Community Facilities District No. 2013-1  
(River Islands Public Services and Facilities)**

**DESCRIPTION OF AUTHORIZED SERVICES AND FACILITIES**

**Services**

The services to be funded, in whole or in part, by the community facilities district (CFD) include all direct and incidental costs related to providing public services and maintenance of public infrastructure within the River Islands area including the area initially included in the CFD, as well as any future annexation area of the CFD and areas adjacent to the foregoing. More specifically, the services shall include, but not be limited to: (i) police protection services, including City contracts with the San Joaquin Sheriff's Office or other police services providers, or costs of a City police department if and when one is established, (ii) maintenance of open space, including trails and habitat areas, with services to include, but not be limited to, irrigation and vegetation control; (iii) maintenance of roads and roadways, with services to include, but not be limited to, regularly scheduled street sweeping, repair of public streets, striping of streets and repair and repainting of sound walls and other appurtenances; (iv) storm protection services, including, but not limited to, the operation and maintenance of storm drainage systems, (v) landscaping in public areas and in the public right of way along public streets, including, but not limited to, irrigation, tree trimming and vegetation maintenance and control; and (vi) any other public services authorized to be funded under Section 53313 of the California Government Code that are not already funded by another community facilities district on the property within the CFD.

The CFD may fund any of the following related to the services described in the preceding paragraph: obtaining, constructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services. The services to be financed by the CFD are in addition to those provided in the territory of the CFD before the date of formation of the CFD and will not supplant services already available within that territory when the District is created.

**Facilities**

The CFD may also fund all or any portion of the costs of the following facilities to be located within or in the vicinity of the CFD:

Roadway and related improvements, including, but not limited to, construction of the roadways currently identified on Vesting Tentative Map No. 3694 as Stewart Road, Golden Valley Parkway, South River Islands Parkway, North River Islands Parkway, Broad Street, Commercial Street, J8 Street, B5 Street, B6 Street and Cl Street, as well as other backbone and

arterial streets, including, but not limited to, grading, fill, pavement section, curb gutter and sidewalk, joint trench, water, sewer, reclaimed water, storm drainage, and other utility improvements necessary for, or incidental to, road construction. Roadway improvements may also include landscaping, street lights and signage, and traffic signals and striping.

Bradshaw's Crossing Bridge improvements, including, but not limited to, design, construction, utility connections, mitigation payments, right-of-way acquisition, and other improvements required for, or incidental to, construction of the bridge.

Water infrastructure, including, but not limited to, tanks, pump stations, distribution lines, and other improvements necessary for, or incidental to, the delivery of potable or reclaimed water.

Sewer infrastructure, including, but not limited to, treatment facilities, sanitary sewer collection lines and force mains, effluent holding and storage, pump stations, lift stations, and other improvements necessary for, or incidental to, the delivery of sanitary sewer service.

Public landscaping and recreational features along rivers, lakes, within parks, and along and including pathways.

Offsite public infrastructure, including, but not limited to, the extension of sanitary sewer lines and payment of license fees (e.g., to Caltrans or UPRR) and any other incidental fees or exactions.

The facilities authorized to be funded by the CFD shall include the costs of design, engineering, surveys, reports, environmental mitigation, soils testing, permits, plan check, inspection fees, impact fees, insurance, construction management, and any other costs or appurtenances related to any of the foregoing.

### **Administrative Expenses**

The administrative expenses to be funded by the CFD include the direct and indirect expenses incurred by the City of Lathrop (City) in carrying out its duties with respect to the CFD including, but not limited to, the levy and collection of the special taxes, the fees and expenses of attorneys, any fees of the County of San Joaquin related to the CFD or the collection of special taxes, an allocable share of the salaries of any City staff directly related thereto and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund with respect to the CFD or the services authorized to be financed by the CFD, and expenses incurred by the City in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the City in any way related to the CFD.

**Other**

The incidental expenses that may be funded by the CFD include, in addition to the administrative expenses identified above, the payment or reimbursement to the CFD of all costs associated with the establishment and ongoing administration of the CFD.

**EXHIBIT B**

**CITY OF LATHROP  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)**

**AMENDED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

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Special Taxes applicable to each Assessor's Parcel in the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities) shall be levied and collected according to the tax liability determined by the City or its designee, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in the CFD, unless exempted by law or by the provisions of Section F below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate rate and method of apportionment of Special Tax is adopted for the annexation area.

**A. DEFINITIONS**

The terms hereinafter set forth have the following meanings:

**"Accessory Unit"** means a second residential unit of limited size (e.g., granny cottage, second unit) that shares a Parcel with a single-family detached unit.

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

**"Administrative Expenses"** means any or all of the following: expenses of the City in carrying out its duties with respect to the CFD, including, but not limited to, the levy and collection of Special Taxes, the fees and expenses of its legal counsel, costs related to annexing property into the CFD, charges levied by the County in connection with the levy and collection of Special Taxes, costs related to property owner inquiries regarding the Special Taxes, costs associated with appeals or requests for interpretation associated with the Special Taxes and this Amended RMA, costs associated with foreclosure and collection of delinquent Special Taxes and all other costs and expenses of the City and County in any way related to the establishment or administration of the CFD.

**"Administrator"** means the person or firm designated by the City to administer the Special Taxes according to this Amended RMA.

**"Amended RMA"** means this Amended Rate and Method of Apportionment of Special Tax.

**"Assessor's Parcel" or "Parcel"** means a lot or parcel shown on a County Assessor's Parcel map with an assigned County Assessor's Parcel number.

**“Authorized Facilities”** means the public facilities authorized to be financed, in whole or in part, by Facilities Special Taxes collected within the CFD, pursuant to the documents adopted by the City Council at CFD Formation.

**“Authorized Services”** means those services that are authorized to be funded by Services Special Taxes collected within the CFD, pursuant to the documents adopted by the City Council at CFD Formation.

**“CFD”** means the City of Lathrop Community Facilities District No. 2013-1 (River Islands Public Services and Facilities).

**“CFD Formation”** means the date on which the Resolution of Formation to form CFD No. 2013-1 was adopted by the City Council.

**“City”** means the City of Lathrop.

**“City Council”** means the City Council of the City of Lathrop.

**“County”** means the County of San Joaquin.

**“Developed Property”** means, in any Fiscal Year, the following:

- for Single Family Detached Property, all Parcels of Taxable Property for which a Final Map was recorded on or prior to June 30 of the preceding Fiscal Year
- for Multi-Family Property and Single Family Attached Property, all Parcels of Taxable Property for which a building permit for new construction of a residential structure was issued on or prior to June 30 of the preceding Fiscal Year
- for Non-Residential Property, all Parcels of Taxable Property for which a building permit for new construction of a structure was issued on or prior to June 30 of the preceding Fiscal Year.

**“Development Agreement”** means the 2003 Amended and Restated Development Agreement dated February 4, 2003 and recorded on March 31, 2003 in the San Joaquin County Recorder’s Office as Document No. 2003-069319, as has been amended and as may be amended in the future.

**“Escalation Factor”** means, in any Fiscal Year, the lesser of (i) the increase from the prior Fiscal Year, if any, in the Local Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers, or (ii) four percent (4%). The CPI used shall be as determined by the Bureau of Labor Statistics from April to April beginning with the period from April 2013 to April 2014.

**“Facilities Special Tax”** means a special tax levied in any Fiscal Year after the Trigger Event has taken place to pay the Facilities Special Tax Requirement.

**“Facilities Special Tax Requirement”** means the amount necessary in any Fiscal Year after the Trigger Event to pay the costs of Authorized Facilities to be funded directly from Facilities Special Tax proceeds.

**“Final Map”** means a final map, or portion thereof, approved by the City and recorded by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq) that creates SFD Lots. The term “Final Map” shall not include any large lot subdivision map, Assessor’s Parcel Map, or subdivision map or portion thereof, that does not create SFD Lots, including Assessor’s Parcels that are designated as remainder parcels.

**“Fiscal Review Process”** means the River Islands Annual Fiscal Review Process, which is required pursuant to the Development Agreement, and which process is described in detail in Exhibit B of the Development Agreement.

**“Fiscal Year”** means the period starting July 1 and ending on the following June 30.

**“Maximum Facilities Special Tax”** means the greatest amount of Facilities Special Tax that can be levied on a Parcel in any Fiscal Year after the Trigger Event, as determined in accordance with Section C.2 below.

**“Maximum Services Special Tax”** means the greatest amount of Services Special Tax that can be levied on a Parcel in any Fiscal Year, as determined in accordance with Section C.1 below.

**“Maximum Special Taxes”** means, collectively, the Maximum Facilities Special Tax and the Maximum Services Special Tax that can be levied on a Parcel in any Fiscal Year.

**“Multi-Family Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit or use permit has been issued or is expected to be issued for construction of a residential structure with five or more Units that share a single Assessor’s Parcel number, are offered for rent to the general public, and cannot be purchased by individual homebuyers.

**“Non-Residential Property”** means all Assessor’s Parcels of Taxable Property for which a building permit was or is expected to be issued for an office, commercial, retail, industrial or mixed-use building, as determined by the City.

**“Non-Residential Square Footage”** means the net leasable square footage used by or designated for non-residential uses within a building as reflected on the condominium plan, site plan, building permit for new construction, or other such document. If a structure on a Parcel of Non-Residential Property includes Units, such Units shall be categorized and taxed as Residential Property, and the square footage of such Units shall not be counted as Non-Residential Square Footage for purposes of determining the Maximum Special Taxes pursuant to Section C below.

**“Proportionately”** means that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property.

**“Public Property”** means any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, State of California, County, City, or other local governments or public agencies.

**“Residential Property”** means, collectively, Single Family Detached Property, Single Family Attached Property, and Multi-Family Property. If a building includes both Units and Non-Residential Square Footage, the Units within the building shall be categorized as Residential Property for purposes of this Amended RMA.

**“Services Special Tax”** means a special tax levied in any Fiscal Year to pay the Services Special Tax Requirement.

**“Services Special Tax Requirement”** means the amount of revenue needed in any Fiscal Year to pay for: (i) Authorized Services, (ii) Administrative Expenses, and (iii) amounts needed to cure any delinquencies in the payment of Services Special Taxes which have occurred or (based on delinquency rates in prior years) may be expected to occur in the Fiscal Year in which the tax will be collected. In any Fiscal Year, the Services Special Tax Requirement shall be reduced by surplus amounts available (as determined by the City) from the levy of the Services Special Tax in prior Fiscal Years, including revenues from the collection of delinquent Services Special Taxes and associated penalties and interest.

**“SFD Lot”** means an individual residential lot, identified and numbered on a recorded Final Map, on which a building permit was or is permitted to be issued for construction of a single family detached unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved tentative map.

**“Single Family Attached Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the unit), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

**“Single Family Detached Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a Unit that does not share a common wall with another Unit. An Accessory Unit that shares a Parcel with a single-family detached unit shall not be considered a separate Unit for purposes of this Amended RMA.

**“Special Taxes”** means, collectively, the Facilities Special Tax and the Services Special Tax.

**“Taxable Property”** means all of the Assessor’s Parcels within the boundaries of the CFD which are not exempt from the Special Taxes pursuant to law or Section F below.

**“Tax Zone”** means a mutually exclusive geographic area within which Special Taxes may be levied pursuant to this Amended RMA. *All of the property within CFD No. 2013-1 at the time of CFD Formation is within Tax Zone 1.* Additional Tax Zones may be created when property

is annexed to the CFD, and separate Maximum Special Taxes shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor's Parcels included within a new Tax Zone established when such Parcels are annexed to the CFD shall be identified by Assessor's Parcel number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

**“Unanimous Approval Form”** means that form executed by the record owner of fee title to a Parcel or Parcels annexed into the CFD that constitutes the property owner's approval and unanimous vote in favor of annexing into the CFD and the levy of Special Taxes against his/her Parcel or Parcels pursuant to this Amended RMA.

**“Trigger Event”** will be deemed to have occurred in any Fiscal Year if, on or before June 30 of the prior Fiscal Year, the City has made a finding that, for the third year in a row, the Fiscal Review Process has demonstrated that fiscal surpluses will be generated to the City's general fund from development within the River Islands Master Plan area, and, as part of the Fiscal Review Process in each of the prior three years, the Services Special Tax revenue factored into the fiscal analysis was based on the Services Special Tax being levied at only 47.43% of the Maximum Services Special Tax that could have been levied in each of those three years. Once the Trigger Event has occurred, the reduced Services Special Taxes and the Facilities Special Taxes determined pursuant to Sections C.1 and C.2 shall be the applicable Maximum Special Taxes in all future Fiscal Years regardless of the results of future Fiscal Review Processes.

**“Unit”** means a single family detached unit or an individual unit within a duplex, triplex, halfplex, fourplex, condominium, townhome, live/work, or apartment structure.

## **B. DATA FOR ADMINISTRATION OF SPECIAL TAXES**

On or about July 1 of each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels of Developed Property within the CFD. The Administrator shall also determine: (i) within which Tax Zone each Parcel is located; (ii) which Parcels of Developed Property are Residential Property and Non-Residential Property; (iii) the Non-Residential Square Footage of buildings on each Parcel of Non-Residential Property; (iv) for Single Family Detached Property, the square footage of each SFD Lot, (v) by reference to the condominium plan, site plan, or other document, the number of Units on each Parcel of Single Family Attached Property and Multi-Family Property; (vi) whether the Trigger Event has occurred; and (vii) the Services Special Tax Requirement and, if the Trigger Event has occurred, the Facilities Special Tax Requirement for the Fiscal Year. To determine the square footage of each Parcel of Single Family Detached Property, the Administrator shall reference Assessor's Parcel Maps or, if the square footage is not yet designated on such maps, the small lot subdivision map recorded to create the individual lots.

In any Fiscal Year, if it is determined that: (i) a parcel map for property in the CFD was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new parcels created by the parcel map, and (iii) a building permit was issued on or prior to June 30 of the prior Fiscal Year for development on one or more of the newly-created parcels, the Administrator shall calculate the



Special Taxes for Units and/or Non-Residential Square Footage within the subdivided area and levy such Special Taxes on the master Parcel that was subdivided by recordation of the parcel map.

**C. MAXIMUM SPECIAL TAXES**

*1. Services Special Tax, Tax Zone 1*

Table 1 below identifies the Maximum Services Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event; a different Maximum Services Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone.

**TABLE 1**  
**Maximum Services Special Tax**  
**Tax Zone 1**

<i>Type of Property</i>	<i>Lot Size</i>	<i>Maximum Services Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</i>	<i>Maximum Services Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</i>
<u>Residential Property:</u>			
Single Family Detached Property	Greater than 7,000 SqFt	\$328.74 per SFD Lot	\$155.91 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$265.42 per SFD Lot	\$125.88 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$243.51 per SFD Lot	\$115.49 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$206.98 per SFD Lot	\$ 98.16 per SFD Lot
Single Family Detached Property	Less than 4,000 SqFt	\$192.37 per SFD Lot	\$ 91.23 per SFD Lot
Single Family Attached Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Multi-Family Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

*\* On July 1, 2014 and on each July 1 thereafter, all figures shown in Table 1 above shall be increased by the Escalation Factor.*

2. *Facilities Special Tax, Tax Zone 1*

Table 2 below identifies the Maximum Facilities Special Tax for Developed Property within Tax Zone 1 both before and after the Trigger Event; a different Maximum Facilities Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone.

**TABLE 2**  
**Maximum Facilities Special Tax**  
**Tax Zone 1**

<i>Type of Property</i>	<i>Lot Size</i>	<i>Maximum Facilities Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</i>	<i>Maximum Facilities Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</i>
<b>Residential Property:</b>			
Single Family Detached Property	Greater than 7,000 SqFt	\$ 0.00 per SFD Lot	\$172.83 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$ 0.00 per SFD Lot	\$139.54 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$ 0.00 per SFD Lot	\$128.02 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$ 0.00 per SFD Lot	\$108.82 per SFD Lot
Single Family Detached Property	Less than 4,000 SqFt	\$ 0.00 per SFD Lot	\$101.14 per SFD Lot
Single Family Attached Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Multi-Family Property	Not Applicable	\$ 0.00 per Unit	\$ 0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

**\* On July 1, 2014 and on each July 1 thereafter until the first Fiscal Year after the Trigger Event, all figures shown in Table 2 above shall be increased by the Escalation Factor. On July 1 of the first Fiscal Year after the Trigger Event, and on each July 1 thereafter, the Maximum Facilities Special Taxes shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.**

3. *Maximum Special Taxes for Mixed-Use Buildings*

If, in any Fiscal Year, the Administrator determines that a Parcel of Developed Property is built or proposed to be built with both Units and Non-Residential Square Footage, the Maximum Special Tax for the Parcel shall be the sum of (i) the aggregate Maximum Special Taxes for all Units on the Parcel, and (ii) the Maximum Special Taxes determined for all of the Non-Residential Square Footage on the Parcel.

**D. METHOD OF LEVY OF THE SPECIAL TAXES**

*1. Services Special Tax*

Each Fiscal Year, the Administrator shall determine the Services Special Tax Requirement for the Fiscal Year, and the Services Special Tax shall be levied on each Parcel of Developed Property within the CFD in the amount of either (i) the Maximum Services Special Tax, or (ii) the Proportionately determined percentage of the Maximum Services Special Tax required to generate the Services Special Tax Requirement, whichever is less.

*2. Facilities Special Tax*

Each Fiscal Year after the Trigger Event, the Administrator shall determine the Facilities Special Tax Requirement for the Fiscal Year, and the Facilities Special Tax shall be levied on each Parcel of Developed Property within the CFD in the amount of either (i) the Maximum Facilities Special Tax, or (ii) the Proportionately determined percentage of the Maximum Facilities Special Tax required to generate the Facilities Special Tax Requirement, whichever is less.

**E. MANNER OF COLLECTION OF SPECIAL TAXES**

The Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the City may directly bill, collect at a different time or in a different manner, and/or collect delinquent Special Taxes through foreclosure or other available methods.

The Facilities Special Tax shall be levied for thirty (30) Fiscal Years, beginning the first Fiscal Year after the Trigger Event has taken place. Under no circumstances may the Facilities Special Tax on a Parcel in residential use be increased in any Fiscal Year as a consequence of delinquency or default in payment of the Facilities Special Tax levied on another Parcel or Parcels by more than ten percent (10%) above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. The Services Special Tax may be levied and collected in perpetuity.

**F. EXEMPTIONS**

No Special Taxes shall be levied on Public Property or any other Parcels in the CFD that are not Residential Property or Non-Residential Property, as defined herein.

**G. INTERPRETATION OF SPECIAL TAX FORMULA**

The City may interpret, clarify, and/or revise this Amended RMA to correct any inconsistency, vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties or any definition applicable to the CFD, by resolution or ordinance. The City, upon the request of an owner of land within the CFD which is not Developed Property, may also amend this Amended RMA in any manner acceptable to the City, by resolution or

ordinance following a public hearing, upon the affirmative vote of such owner to such amendment and without the vote of owners of any other land within the CFD, provided such amendment only affects such owner's land.

**EXHIBIT C**  
**CITY OF LATHROP**  
**COMMUNITY FACILITIES DISTRICT NO. 2013-1**  
**(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)**  
**ANNEXATION NO. 16**

**MAXIMUM SERVICES SPECIAL TAX FOR ZONE 1 OF THE CFD**

The table below identifies the Maximum Services Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event:

<b>Type of Property</b>	<b>Lot Size</b>	<b>Maximum Services Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</b>	<b>Maximum Services Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</b>
<b><u>Residential Property:</u></b>			
Single Family Detached Property	Greater than 7,000 SqFt	\$328.74 per SFD Lot	\$155.91 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$265.42 per SFD Lot	\$125.88 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$243.51 per SFD Lot	\$115.49 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$206.98 per SFD Lot	\$98.16 per SFD Lot
Single Family Detached Property	Less Than 4,000 SqFt	\$192.37 per SFD Lot	\$91.23 per SFD Lot
Single Family Attached Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Multi-Family Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

*\* On July 1, 2014, and on each July 1 thereafter, all figures shown in the table above shall be increased by the Escalation Factor.*

**MAXIMUM FACILITIES SPECIAL TAX FOR ZONE 1 OF THE CFD**

The table below identifies the Maximum Facilities Special Tax for Developed Property within Tax Zone 1, both before and after the Trigger Event:

<b>Type of Property</b>	<b>Lot Size</b>	<b>Maximum Facilities Special Tax in Tax Zone 1 Prior to the Trigger Event (Fiscal Year 2013-14)*</b>	<b>Maximum Facilities Special Tax in Tax Zone 1 After the Trigger Event (Fiscal Year 2013-14)*</b>
<u>Residential Property:</u>			
Single Family Detached Property	Greater than 7,000 SqFt	\$0.00 per SFD Lot	\$172.83 per SFD Lot
Single Family Detached Property	5,801 to 7,000 SqFt	\$0.00 per SFD Lot	\$139.54 per SFD Lot
Single Family Detached Property	4,801 to 5,800 SqFt	\$0.00 per SFD Lot	\$128.02 per SFD Lot
Single Family Detached Property	4,000 to 4,800 SqFt	\$0.00 per SFD Lot	\$108.82 per SFD Lot
Single Family Detached Property	Less Than 4,000 SqFt	\$0.00 per SFD Lot	\$101.14 per SFD Lot
Single Family Attached Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Multi-Family Property	Not Applicable	\$0.00 per Unit	\$0.00 per Unit
Non-Residential Property	Not Applicable	\$0.00 per Non-Residential Square Foot	\$0.00 per Non-Residential Square Foot

*\* On July 1, 2014, and on each July 1 thereafter until the first Fiscal Year after the Trigger Event, all figures shown in the table above shall be increased by the Escalation Factor. On July 1 of the first Fiscal Year after the Trigger Event, and on each July 1 thereafter, the Maximum Facilities Special Taxes shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.*

**RECORDING REQUESTED BY AND  
AFTER RECORDATION RETURN TO:**

Secretary  
Island Reclamation District No. 2062  
73 West Stewart Road  
Lathrop, CA 95330

Recorded for the benefit of Island  
Reclamation District No. 2062 pursuant  
to Government Code Section 27383

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**FIFTEENTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN**

Island Reclamation District No. 2062  
Community Facilities District No. 2013-1  
(Levee and Lake Maintenance Services)  
Annexation No. 15

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of Island Reclamation District No. 2062 (the "IRD 2062"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Trustees of IRD 2062 on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126695 (the "Original Notice"), and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089987 (the "First Amendment"), to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Fifteenth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) certain real property identified in Exhibit A hereto (the "Property") and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 41 (Document No. 2013-111318, in the Office of the County Recorder, which map is the final boundary map of the community facilities district. The Property is being annexed into Tax Zone 1 of the community facilities district, as described in the Amended and Restated Rate and Method of Apportionment of Special Tax

attached as Exhibit A to the First Amendment, with the maximum special tax rates identified in Exhibit B hereto.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Fifteenth Amendment to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to IRD 2062 are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of Island Reclamation District No. 2062, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
Susan Dell'Osso, President,  
Island Reclamation District No. 2062



**EXHIBIT A**

ISLAND RECLAMATION DISTRICT NO. 2062  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(LEVEE AND LAKE MAINTENANCE SERVICES)  
ANNEXATION NO. 15

ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN  
ANNEXATION NO. 15 TO ISLAND RECLAMATION DISTRICT NO. 2062  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(LEVEE AND LAKE MAINTENANCE SERVICES)

Name(s) of Property Owner(s)	San Joaquin County Assessor's Parcel No.
RIVER ISLANDS STAGE 2B, LLC 73 W. STEWART RD., LATHROP, CA 95330	213-470-13

**EXHIBIT B**

ISLAND RECLAMATION DISTRICT NO. 2062  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(LEVEE AND LAKE MAINTENANCE SERVICES)  
ANNEXATION NO. 15

MAXIMUM SPECIAL TAXES FOR ZONE 1 OF THE CFD

The table below identifies the Maximum Special Tax for Taxable Property within Tax Zone 1 and all Parcels that annex into Tax Zone 1.

TAX ZONE 1  
MAXIMUM SPECIAL TAXES

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2013-14 *</i>
Residential Property	\$81.00 per SFD Lot or Residential Unit
Non-Residential Property	\$640.00 per Acre
Mixed-Use Property	See Formula in RMA
Undeveloped Property	\$736.00 per Acre

*\* On July 1, 2014, and on each July 1 thereafter, the Maximum Special Taxes shown in Table 1 above shall be increased by the Escalation Factor.*

**CONSENT TO, AND BALLOT IN FAVOR OF, ANNEXATION OF REAL PROPERTY TO ISLAND RECLAMATION DISTRICT NO. 2062 COMMUNITY FACILITIES DISTRICT NO. 2013-1 (LEVEE AND LAKE MAINTENANCE SERVICES)**

To: Board of Trustees of Island Reclamation  
District No. 2062, in its capacity as the  
legislative body for Island Reclamation  
District No. 2062 Community Facilities  
District No. 2013-1 (Levee and Lake  
Maintenance Services)

The undersigned hereby states and certifies, under penalty of perjury, as follows:

1. The undersigned is the owner (the "Owner"), or the legally authorized representative of the Owner, of fee title to the real property identified by San Joaquin County Assessor's parcel number(s) listed below (the "Property"), and possesses all legal authority necessary to execute this consent to, and ballot in favor of (the "Consent and Ballot"), the annexation of the Property to Island Reclamation District No. 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) (the "CFD").

2. The Owner understands that the Board of Trustees of Island Reclamation District No. 2062 (the "Board") has conducted proceeding pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Law") to form the CFD to finance various services (the "Services") described in Exhibit A hereto. The Owner also understands that the proceedings for the formation of the CFD authorized the Board to levy an annual special tax (the "Special Tax") on property in the CFD as specified in the Amended and Restated Rate and Method of Apportionment of Special Taxes (the "Rate and Method") for the CFD, a copy of which is attached hereto as Exhibit B, and authorized the annexation of property to the CFD, without additional public hearings, upon approval of the fee title owner of the property to be annexed as permitted by Section 53339.7(a) of the Law.

The Owner has been advised that a Notice of Special Tax Lien was recorded against the real property initially included within the boundaries of the CFD in the Office of the San Joaquin County Recorder (the "County Recorder") on October 3, 2013 as Document No. 2013-126695, and a First Amendment to Notice of Special Tax Lien was recorded against the real property initially included within the boundaries of the CFD in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089987 (collectively, the "Notice of Special Tax Lien").

3. The Owner hereby irrevocably consents to, approves, and votes (for purposes of Article XIII A of the California Constitution) in favor of the annexation of the Property to Tax Zone 1 of the CFD (as such Tax Zone is described in the Notice of Special Tax Lien, and as the Maximum Special Tax rates for such Tax Zone 1 are set forth in Exhibit C hereto), and irrevocably consents to, approves and votes in favor of the annual levy of the Special Tax on the Property pursuant to the Rate and Method to finance the Services. The Owner acknowledges that the Secretary of Island Reclamation District No. 2062 will record, or cause to be recorded, against the Property in

the Office of the County Recorder an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code, which will impose a continuing lien on the Property to secure each levy of the Special Tax, and that under the Law said lien (a) will be coequal with the lien for ad valorem real property taxes levied by the County of San Joaquin on the Property, and (b) will be senior to any lien of any mortgage on the Property whether such mortgage lien was recorded prior to or after the recordation of the amendment to the Notice of Special Tax Lien.

4. The Owner hereby irrevocably waives any right the Owner may otherwise have to protest or challenge the validity of the proceedings of the Board to form the CFD and to authorize the annexation of any property (including the Property) to the CFD, and any necessity, requirement or right for further public hearings or any election pertaining to the annexation of the Property to the CFD or the levy of the Special Tax on the Property.

5. The Owner hereby agrees to provide written notice of the annexation of the Property to the CFD, and of the authority of the Board to levy the Special Tax on the Property pursuant to the Rate and Method, to any subsequent purchaser of the Property to the extent required by applicable law.

The Property subject to this Consent and Ballot, and to be annexed to the CFD, consist of the following San Joaquin County Assessor's Parcel(s):

213-470-13

\_\_\_\_\_

The full legal name of the fee title Owner of the Property is:

River Islands Stage 2B, LLC

\_\_\_\_\_

The foregoing Consent and Ballot is hereby executed on \_\_\_\_\_, 2020, in Lathrop, California.

By: \_\_\_\_\_  
(signature)

Susan Dell'Osso  
(type name of person executing  
Consent and Ballot)

Its: President  
(insert legal capacity of person  
executing Consent and Ballot)

## EXHIBIT A

### ISLAND RECLAMATION DISTRICT NO. 2062 COMMUNITY FACILITIES DISTRICT NO. 2013-1 (LEVEE AND LAKE MAINTENANCE SERVICES)

#### DESCRIPTION OF SERVICES ELIGIBLE TO BE FUNDED BY THE DISTRICT

##### Services:

The services to be funded, in whole or in part, by the community facilities district (the "District") include all direct and incidental costs related to providing for the maintenance of lakes and levees within the River Islands area including the area initially included in the District, as well as any future annexation area of the District and areas adjacent to the foregoing. More specifically, the services shall include, but not be limited to, the maintenance of: (i) levees in urban and rural areas, including but not limited to squirrel and rodent abatement, vegetation control and repairs and renovations; (ii) lakes and their storm drainage and recreational functions, including but not limited to maintenance of pumps, intake and outfall structures, aeration systems and vegetation along lake edge areas; and (iii) other public services authorized to be funded under Section 53313(e) of the California Government Code. The District may fund any of the following related to the services described in the preceding sentence: obtaining, constructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services.

The services to be financed by the District are in addition to those provided in the territory of the District before the date of creation of the District, and will not supplant services already available within that territory when the District is created.

##### Administrative Expenses:

The administrative expenses to be funded by the District include the direct and indirect expenses incurred by Island Reclamation District No. 2062 (the "RD") in carrying out its duties with respect to the District (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the County of San Joaquin related to the District or the collection of special taxes, an allocable share of the salaries of any RD staff directly related thereto and a proportionate amount of the RD's general administrative overhead related thereto, any amounts paid by the RD from its general fund with respect to the District or the services authorized to be financed by the District, and expenses incurred by the RD in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the RD in any way related to the District.

Other:

The incidental expenses that may be funded by the District include, in addition to the administrative expenses identified above, the payment or reimbursement to the RD of all costs associated with the establishment and administration of the District.

## EXHIBIT B

### ISLAND RECLAMATION DISTRICT 2062 COMMUNITY FACILITIES DISTRICT NO. 2013-1 (LEVEE AND LAKE MAINTENANCE SERVICES)

#### AMENDED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in the Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services) shall be levied and collected according to the tax liability determined by the Board of Trustees or its designee, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2013-1, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate rate and method of apportion of Special Tax is adopted for the annexation area.

#### A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

**"Accessory Unit"** means a second residential unit of limited size (e.g., granny cottage, second unit) that shares a Parcel with a single-family detached unit.

**"Acre" or "Acreage"** means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded with the County.

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

**"Administrative Expenses"** means any or all of the following: the expenses of RD 2062 in carrying out its duties with respect to CFD No. 2013-1 including, but not limited to, levying and collecting the Special Tax, fees and expenses of legal counsel, charges levied by the County Auditor's Office, Tax Collector's Office, and/or Treasurer's Office, costs related to annexing property into the CFD, costs related to property owner inquiries regarding the Special Tax, and all other costs and expenses of RD 2062, Lathrop Irrigation District, and the River Islands Public Financing Authority in any way related to the establishment or administration of the CFD.

**"Administrator"** means the person or firm designated by RD 2062 to administer the Special Tax according to the Amended RMA.

**"Amended RMA"** means this Amended Rate and Method of Apportionment of Special Tax.

**"Assessor's Parcel" or "Parcel"** means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

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

**“Association Property”** means any property within the CFD that is owned by a homeowners association or property owners association, excluding Association Property under the pad or footprint of a Residential Unit.

**“Authorized Services”** means the public services authorized to be funded by the CFD as set forth in the documents adopted by the Board when the CFD was formed.

**“Board of Trustees”** or **“Board”** means the Board of Trustees of RD 2062.

**“CFD”** or **“CFD No. 2013-1”** means the Island Reclamation District 2062 Community Facilities District No. 2013-1 (Levee and Lake Maintenance Services).

**“CFD Formation”** means the date on which the Resolution of Formation to form CFD No. 2013-1 was adopted by the Board of Trustees.

**“City”** means the City of Lathrop.

**“City Council”** means the City Council of the City of Lathrop.

**“County”** means the County of San Joaquin.

**“Developed Property”** means, in any Fiscal Year, the following:

- for Single Family Detached Property, all Parcels of Taxable Property for which a Final Map was recorded on or prior to June 30 of the preceding Fiscal Year
- for Multi-Family Property and Single Family Attached Property, all Parcels of Taxable Property for which a building permit for new construction of a residential structure was issued on or prior to June 30 of the preceding Fiscal Year
- for Non-Residential Property, all Parcels of Taxable Property for which a building permit for new construction of a structure was issued on or prior to June 30 of the preceding Fiscal Year.

**“Escalation Factor”** means, in any Fiscal Year, the lesser of (i) the increase from the prior Fiscal Year, if any, in the Local Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers, or (ii) four percent (4%). The CPI used shall be as determined by the Bureau of Labor Statistics from April to April beginning with the period from April 2013 to April 2014.

**“Final Map”** means a final map, or portion thereof, recorded by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) that creates individual lots on which building permits for new construction may be issued without further subdivision



and for which no further subdivision is anticipated pursuant to a tentative map approved for the property or, if no tentative map has been approved, pursuant to a then current specific plan or other land use plan for the property.

**“Fiscal Year”** means the period starting July 1 and ending on the following June 30.

**“Maximum Special Tax”** means the greatest amount of Special Tax that can be levied in any Fiscal Year determined in accordance with Section C below.

**“Multi-Family Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit or use permit has been issued for construction of a residential structure with five or more Units that share a single Assessor’s Parcel number, are offered for rent to the general public, and cannot be purchased by individual homebuyers.

**“Non-Residential Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a structure that will be used for any non-residential purpose.

**“Proportionately”** means the following: (i) for Developed Property, the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property; and (ii) for Undeveloped Property, the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor’s Parcels of Undeveloped Property.

**“Public Property”** means any property within the boundaries of CFD No. 2013-1 that is owned by or irrevocably offered for dedication to the federal government, State of California, County, City, or other local government or public agency.

**“RD 2062”** means Island Reclamation District 2062.

**“Residential Property”** means, in any Fiscal Year, collectively, Single Family Detached Property, Single Family Attached Property, and Multi-Family Property. Notwithstanding the foregoing, if a building permit is issued for a structure that includes both Residential Units and non-residential uses, the Residential Units within the building will be categorized as Residential Property, and a Special Tax shall be calculated separately for the Residential Units and Non-Residential Property on the Parcel, as set forth in Section C.1.c below.

**“Residential Unit”** means an individual single-family detached unit, an individual residential unit within a duplex, halfplex, triplex, fourplex, townhome, live/work or condominium structure, or an individual apartment unit.

**“SFD Lot”** means an individual residential lot, identified and numbered on a recorded Final Map, on which a building permit was or is permitted to be issued for construction of a single family detached unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved tentative map.

**“Single Family Attached Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the unit), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

**“Single Family Detached Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a Unit that does not share a common wall with another Unit. An Accessory Unit that shares a Parcel with a single-family detached unit shall not be considered a separate Unit for purposes of this Amended RMA.

**“Special Tax”** means a Special Tax levied in any Fiscal Year to pay the Special Tax Requirement.

**“Special Tax Requirement”** means the amount of revenue needed in any Fiscal Year to pay for the following: (i) Authorized Services; (ii) Administrative Expenses; and (iii) amounts needed to cure any delinquencies in the payment of Special Taxes which have occurred or, based on delinquency rates in prior years, may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

**“Taxable Property”** means all Assessor’s Parcels within the boundaries of CFD No. 2013-1 that are not exempt from the Special Tax pursuant to law or Section E below.

**“Tax Zone”** means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this Amended RMA. All of the property within CFD No. 2013-1 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to the CFD, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to the CFD shall be identified by Assessor’s Parcel number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

**“Unanimous Approval Form”** means that form executed by the record owner of fee title to a Parcel or Parcels annexed into the CFD that constitutes the property owner’s approval and unanimous vote in favor of annexing into the CFD and the levy of the Special Tax against his/her Parcel or Parcels pursuant to this Amended RMA.

**“Undeveloped Property”** means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2013-1 that are not Developed Property.

## **B. DATA FOR ANNUAL TAX LEVY**

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel numbers for all Parcels of Taxable Property within the CFD. The Administrator shall also determine: (i) whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property; (ii)

in which Tax Zone each Assessor's Parcel is located; and (iii) the Special Tax Requirement for the then-current Fiscal Year.

In any Fiscal Year, if it is determined that (i) a Final Map for a portion of property in the CFD was recorded after the last date upon which the Assessor will incorporate the newly-created Parcels into the then current tax roll, and (ii) because of the date the Final Map was recorded, the Assessor does not yet recognize the new Parcels created by the Final Map, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the original Parcel that was subdivided by recordation of the Final Map.

### **C. MAXIMUM SPECIAL TAXES**

#### **1. Developed Property**

##### *a. Residential Property*

The Maximum Special Tax for Fiscal Year 2013-14 for all Parcels of Residential Property within Tax Zone 1 shall be \$81 per SFD Lot or Residential Unit. All of the property within the CFD at the time of CFD Formation is within Tax Zone 1; a different Maximum Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Residential Property shall be increased by the Escalation Factor.

##### *b. Non-Residential Property*

The Maximum Special Tax for Fiscal Year 2013-14 for Non-Residential Property within Tax Zone 1 shall be \$640 per Acre. All of the property within the CFD at the time of CFD Formation is within Tax Zone 1 a different Maximum Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Non-Residential Property shall be increased by the Escalation Factor.

##### *c. Mixed-Use Property*

If, in any Fiscal Year, the Administrator determines that a Parcel of Developed Property is built or proposed to be built with both Residential Units and non-residential uses, the Maximum Special Tax for the Parcel shall be the sum of (i) the Maximum Special Tax for Residential Property multiplied by all Residential Units on the Parcel, and (ii) the Maximum Special Tax for Non-Residential Property multiplied by the full Acreage of the Parcel. After the aggregate Maximum Special Tax has been determined for a Parcel, such Maximum Special Tax shall be escalated beginning the next Fiscal Year and each Fiscal Year thereafter by the Escalation Factor.

## **2. Undeveloped Property**

The Maximum Special Tax for Fiscal Year 2013-14 for all Parcels of Undeveloped Property within Tax Zone 1 shall be \$736 per Acre. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Undeveloped Property shall be increased by the Escalation Factor.

### **D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES**

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for that Fiscal Year and levy the Special Tax on all Parcels of Taxable Property as follows:

Step 1: The Special Tax shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year until the amount levied is equal to the Special Tax Requirement;

Step 2: If additional revenue is needed after Step 1, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year until the amount levied, when combined with the amount levied pursuant to Step 1, is equal to the Special Tax Requirement.

The Special Taxes for CFD No. 2013-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that RD 2062 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

### **E. EXEMPTIONS**

Notwithstanding any other provision of this Amended RMA, no Special Tax shall be levied on Parcels of Association Property or Public Property, except as otherwise provided in the Act.

### **F. INTERPRETATION OF SPECIAL TAX FORMULA**

RD 2062 reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to RD 2062's discretion. Interpretations may be made by RD 2062 by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Amended RMA.

### **G. APPEAL OF SPECIAL TAX LEVY**

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than one calendar year after having paid the Special Tax that is disputed. The Administrator shall promptly review the appeal and, if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and decide the appeal. If the property owner disagrees with the Administrator's decision relative to the appeal, the owner may then file a written appeal with the

Board whose subsequent decision shall be binding. If the decision of the Administrator (if the appeal is not filed with the Board) or the Board (if the appeal is filed with the Board) requires the Special Tax to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Tax levies, but an adjustment shall be made to the next Special Tax levy(ies). This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

**EXHIBIT B**

ISLAND RECLAMATION DISTRICT NO. 2062  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(LEVEE AND LAKE MAINTENANCE SERVICES)  
ANNEXATION NO. 15

MAXIMUM SPECIAL TAXES FOR ZONE 1 OF THE CFD

The table below identifies the Maximum Special Tax for Taxable Property within Tax Zone 1 and all Parcels that annex into Tax Zone 1.

TAX ZONE 1  
MAXIMUM SPECIAL TAXES

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2013-14 *</i>
Residential Property	\$81.00 per SFD Lot or Residential Unit
Non-Residential Property	\$640.00 per Acre
Mixed-Use Property	See Formula in RMA
Undeveloped Property	\$736.00 per Acre

*\* On July 1, 2014, and on each July 1 thereafter, the Maximum Special Taxes shown in Table 1 above shall be increased by the Escalation Factor.*

**RECORDING REQUESTED BY AND  
AFTER RECORDATION RETURN TO:**

Secretary  
River Islands Public Financing Authority  
73 West Stewart Road  
Lathrop, CA 95330

Recorded for the benefit of the River Islands  
Public Financing Authority pursuant to  
Government Code Section 27383

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**FIFTEENTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN**

River Islands Public Financing Authority  
Community Facilities District No. 2013-1  
(River Islands Public Services)  
Annexation No. 15

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et. seq.*, of the California Government Code (the "Act"), the undersigned Secretary of the River Islands Public Financing Authority (the "Authority"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Directors of the Authority on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on October 3, 2013 as Document No. 2013-126691 (the "Original Notice"), and said special tax is to be levied according to the Amended and Restated Rate and Method of Apportionment of Special Tax set forth in that certain First Amendment to Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089986 (the "First Amendment"), to which recorded Notice of Special Tax Lien and recorded First Amendment to Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Fifteenth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory within the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) certain real property identified in Exhibit A hereto (the "Property") and shown within the future annexation area on the boundary map of the community facilities district recorded on August 29, 2013, in Book 6 of Maps of Assessment and Community Facilities Districts at Page 40 (Document No. 2013-111317, in the Office of the County Recorder, which map is the final boundary map of the community facilities district. The Property is being annexed into Tax Zone 2 of the community facilities district, as described in the Amended and Restated Rate and Method of Apportionment of Special Tax

attached as Exhibit A to the First Amendment, with the maximum special tax rates identified in Exhibit B hereto.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Fifteenth Amendment to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of the River Islands Public Financing Authority, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
Jeanne Zolezzi, Secretary,  
River Islands Public Financing Authority



**EXHIBIT A**

RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(RIVER ISLANDS PUBLIC SERVICES)  
ANNEXATION NO. 15

ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN  
ANNEXATION NO. 15 TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(RIVER ISLANDS PUBLIC SERVICES)

<u>Name(s) of Property Owner(s)</u>	<u>San Joaquin County Assessor's Parcel No.</u>
RIVER ISLANDS STAGE 2B, LLC 73 W. STEWART RD., LATHROP, CA 95330	213-470-13

**EXHIBIT B**

RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(RIVER ISLANDS PUBLIC SERVICES)  
ANNEXATION NO. 15

MAXIMUM SPECIAL TAXES FOR ZONE 2 OF THE CFD

The table below identifies the Maximum Special Tax for Taxable Property within Tax Zone 2 and all Parcels that annex into Tax Zone 2.

TAX ZONE 2  
MAXIMUM SPECIAL TAXES

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2013-14 *</i>
Residential Property	\$276.26 per SFD Lot or Residential Unit
Non-Residential Property	\$960.00 per Acre
Mixed-Use Property	See Formula in RMA
Undeveloped Property	\$1,191.00 per Acre

*\* On July 1, 2014, and on each July 1 thereafter, the Maximum Special Taxes shown in Table 1 above shall be increased by the Escalation Factor.*

**CONSENT TO, AND BALLOT IN FAVOR OF, ANNEXATION OF REAL PROPERTY TO THE RIVER ISLANDS PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2013-1 (RIVER ISLANDS PUBLIC SERVICES)**

To: Board of Directors of the River Islands  
Public Financing Authority, in its capacity  
as the legislative body for the River Islands  
Public Financing Authority Community  
Facilities District No. 2013-1 (River Islands  
Public Services)

The undersigned hereby states and certifies, under penalty of perjury, as follows:

1. The undersigned is the owner (the "Owner"), or the legally authorized representative of the Owner, of fee title to the real property identified by San Joaquin County Assessor's parcel number(s) listed below (the "Property"), and possesses all legal authority necessary to execute this consent to, and ballot in favor of (the "Consent and Ballot"), the annexation of the Property to the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) (the "CFD").

2. The Owner understands that the Board of Directors of the River Islands Public Financing Authority (the "Board") has conducted proceeding pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Law") to form the CFD to finance various services (the "Services") described in Exhibit A hereto. The Owner also understands that the proceedings for the formation of the CFD authorized the Board to levy an annual special tax (the "Special Tax") on property in the CFD as specified in the Amended and Restated Rate and Method of Apportionment of Special Taxes (the "Rate and Method") for the CFD, a copy of which is attached hereto as Exhibit B, and authorized the annexation of property to the CFD, without additional public hearings, upon approval of the fee title owner of the property to be annexed as permitted by Section 53339.7(a) of the Law.

The Owner has been advised that a Notice of Special Tax Lien was recorded against the real property initially included within the boundaries of the CFD in the Office of the San Joaquin County Recorder (the "County Recorder") on October 3, 2013 as Document No. 2013-126691, and a First Amendment to Notice of Special Tax Lien was recorded against the real property initially included within the boundaries of the CFD in the Office of the County Recorder on September 10, 2014 as Document No. 2014-089986 (collectively, the "Notice of Special Tax Lien").

3. The Owner hereby irrevocably consents to, approves, and votes (for purposes of Article XIII A of the California Constitution) in favor of the annexation of the Property to Tax Zone 2 of the CFD (as such Tax Zone is described in the Notice of Special Tax Lien, and as the Maximum Special Tax rates for such Tax Zone 2 are set forth in Exhibit C hereto), and irrevocably consents to, approves and votes in favor of the annual levy of the Special Tax on the Property pursuant to the Rate and Method to finance the Services. The Owner acknowledges that the Secretary of the River Islands Public Financing Authority will record, or cause to be recorded, against the

Property in the Office of the County Recorder an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code, which will impose a continuing lien on the Property to secure each levy of the Special Tax, and that under the Law said lien (a) will be coequal with the lien for ad valorem real property taxes levied by the County of San Joaquin on the Property, and (b) will be senior to any lien of any mortgage on the Property whether such mortgage lien was recorded prior to or after the recordation of the amendment to the Notice of Special Tax Lien.

4. The Owner hereby irrevocably waives any right the Owner may otherwise have to protest or challenge the validity of the proceedings of the Board to form the CFD and to authorize the annexation of any property (including the Property) to the CFD, and any necessity, requirement or right for further public hearings or any election pertaining to the annexation of the Property to the CFD or the levy of the Special Tax on the Property.

5. The Owner hereby agrees to provide written notice of the annexation of the Property to the CFD, and of the authority of the Board to levy the Special Tax on the Property pursuant to the Rate and Method, to any subsequent purchaser of the Property to the extent required by applicable law.

The Property subject to this Consent and Ballot, and to be annexed to the CFD, consist of the following San Joaquin County Assessor's Parcel(s):

213-470-13

The full legal name of the fee title Owner of the Property is:

River Islands Stage 2B, LLC

The foregoing Consent and Ballot is hereby executed on \_\_\_\_\_, 2020, in Lathrop, California.

By: \_\_\_\_\_  
(signature)

Susan Dell'Osso  
(type name of person executing  
Consent and Ballot)

Its: President  
(insert legal capacity of person  
executing Consent and Ballot)

## EXHIBIT A

### RIVER ISLANDS PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2013-1 (RIVER ISLANDS PUBLIC SERVICES)

#### DESCRIPTION OF SERVICES ELIGIBLE TO BE FUNDED BY THE DISTRICT

##### Services:

The services to be funded, in whole or in part, by the community facilities district (the "District") include all direct and incidental costs related to providing for the maintenance of public infrastructure within the River Islands area including the area initially included in the District, as well as any future annexation area of the District and areas adjacent to the foregoing. More specifically, the services shall include, but not be limited to, the maintenance of: (i) parks and open space, including trails and habitat areas, with services to include, but not be limited to, irrigation and vegetation control; (ii) roads and roadways, with services to include, but not be limited to, the maintenance and repair of public streets, striping of streets and repair and repainting of sound walls and other appurtenances; (iii) street lighting, including, but not limited to, repairs to and replacement of street lights along public streets; (iv) landscaping in public areas and in the public right of way along public streets, including, but not limited to, irrigation, tree trimming and vegetation maintenance and control; and (v) any other public services authorized to be funded under Section 53313(d) of the California Government Code. The District may fund any of the following related to the services described in the preceding sentence: obtaining, constructing, furnishing, operating and maintaining equipment, apparatus or facilities related to providing the services and/or equipment, apparatus, facilities or fixtures in areas to be maintained, paying the salaries and benefits of personnel necessary or convenient to provide the services, payment of insurance costs and other related expenses and the provision of reserves for repairs and replacements and for the future provision of services.

The services to be financed by the District are in addition to those provided in the territory of the District before the date of creation of the District, and will not supplant services already available within that territory when the District is created.

##### Administrative Expenses:

The administrative expenses to be funded by the District include the direct and indirect expenses incurred by the River Islands Public Financing Authority (the "Authority") in carrying out its duties with respect to the District (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the County of San Joaquin related to the District or the collection of special taxes, an allocable share of the salaries of any Authority staff directly related thereto and a proportionate amount of the Authority's general administrative overhead related thereto, any amounts paid by the Authority from its general fund with respect to the District or the services authorized to be financed by the District, and expenses incurred by the Authority in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the Authority in any way related to the District.

Other:

The incidental expenses that may be funded by the District include, in addition to the administrative expenses identified above, the payment or reimbursement to the Authority of all costs associated with the establishment and administration of the District.

## EXHIBIT B

### RIVER ISLANDS PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2013-1 (RIVER ISLANDS PUBLIC SERVICES)

#### AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services) shall be levied and collected according to the tax liability determined by the Board of Directors or its designee, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2013-1, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate rate and method of apportionment of Special Tax is adopted for the annexation area.

#### A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

**"Accessory Unit"** means a second residential unit of limited size (e.g., granny cottage, second unit) that shares a Parcel with a single-family detached unit.

**"Acre"** or **"Acreage"** means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded with the County.

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

**"Administrative Expenses"** means any or all of the following: the expenses of the Authority in carrying out its duties with respect to CFD No. 2013-1 including, but not limited to, levying and collecting the Special Tax, fees and expenses of legal counsel, charges levied by the County Auditor's Office, Tax Collector's Office, and/or Treasurer's Office, costs related to annexing property into the CFD, costs related to property owner inquiries regarding the Special Tax, and all other costs and expenses of the Authority, Lathrop Irrigation District, and Island Reclamation District No. 2062 in any way related to the establishment or administration of the CFD.

**"Administrator"** means the person or firm designated by the Authority to administer the Special Tax according to the Amended RMA.

**"Amended RMA"** means this Amended Rate and Method of Apportionment of Special Tax.

**"Assessor's Parcel"** or **"Parcel"** means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

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

**“Association Property”** means any property within the CFD that is owned by a homeowners association or property owners association, excluding Association Property under the pad or footprint of a Residential Unit.

**“Authority”** means the River Islands Public Financing Authority.

**“Authorized Services”** means the public services authorized to be funded by the CFD as set forth in the documents adopted by the Board when the CFD was formed.

**“Board of Directors”** or **“Board”** means the Board of Directors of the River Islands Public Financing Authority.

**“CFD”** or **“CFD No. 2013-1”** means the River Islands Public Financing Authority Community Facilities District No. 2013-1 (River Islands Public Services).

**“CFD Formation”** means the date on which the Resolution of Formation to form CFD No. 2013-1 was adopted by the Board of Directors.

**“City”** means the City of Lathrop.

**“City Council”** means the City Council of the City of Lathrop.

**“County”** means the County of San Joaquin.

**“Developed Property”** means, in any Fiscal Year, the following:

- for Single Family Detached Property, all Parcels of Taxable Property for which a Final Map was recorded on or prior to June 30 of the preceding Fiscal Year
- for Multi-Family Property and Single Family Attached Property, all Parcels of Taxable Property for which a building permit for new construction of a residential structure was issued on or prior to June 30 of the preceding Fiscal Year
- for Non-Residential Property, all Parcels of Taxable Property for which a building permit for new construction of a structure was issued on or prior to June 30 of the preceding Fiscal Year.

**“Escalation Factor”** means, in any Fiscal Year, the lesser of (i) the increase from the prior Fiscal Year, if any, in the Local Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers, or (ii) four percent (4%). The CPI used shall be as determined by the Bureau of Labor Statistics from April to April beginning with the period from April 2013 to April 2014.

**“Final Map”** means a final map, or portion thereof, recorded by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) that creates individual lots on which building permits for new construction may be issued without further subdivision



and for which no further subdivision is anticipated pursuant to a tentative map approved for the property or, if no tentative map has been approved, pursuant to a then current specific plan or other land use plan for the property.

**“Fiscal Year”** means the period starting July 1 and ending on the following June 30.

**“Maximum Special Tax”** means the greatest amount of Special Tax that can be levied in any Fiscal Year determined in accordance with Section C below.

**“Multi-Family Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit or use permit has been issued for construction of a residential structure with five or more Units that share a single Assessor’s Parcel number, are offered for rent to the general public, and cannot be purchased by individual homebuyers.

**“Non-Residential Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a structure that will be used for any non-residential purpose.

**“Proportionately”** means the following: (i) for Developed Property, the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property; and (ii) for Undeveloped Property, the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor’s Parcels of Undeveloped Property.

**“Public Property”** means any property within the boundaries of CFD No. 2013-1 that is owned by or irrevocably offered for dedication to the federal government, State of California, County, City, or other local government or public agency.

**“Residential Property”** means, collectively, Single Family Detached Property, Single Family Attached Property, and Multi-Family Property. Notwithstanding the foregoing, if a building permit is issued for a structure that includes both Residential Units and non-residential uses, the Residential Units within the building will be categorized as Residential Property, and a Special Tax shall be calculated separately for the Residential Units and Non-Residential Property on the Parcel, as set forth in Section C.1.c below.

**“Residential Unit”** means an individual single-family detached unit, an individual residential unit within a duplex, halfplex, triplex, fourplex, townhome, live/work or condominium structure, or an individual apartment unit.

**“SFD Lot”** means an individual residential lot, identified and numbered on a recorded Final Map, on which a building permit was or is permitted to be issued for construction of a single family detached unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved tentative map.

**“Single Family Attached Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the

case even if the Units are purchased and subsequently offered for rent by the owner of the unit), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

**“Single Family Detached Property”** means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit was or is expected to be issued for construction of a Unit that does not share a common wall with another Unit. An Accessory Unit that shares a Parcel with a single-family detached unit shall not be considered a separate Unit for purposes of this Amended RMA.

**“Special Tax”** means a Special Tax levied in any Fiscal Year to pay the Special Tax Requirement.

**“Special Tax Requirement”** means the amount of revenue needed in any Fiscal Year to pay for the following: (i) Authorized Services; (ii) Administrative Expenses; and (iii) amounts needed to cure any delinquencies in the payment of Special Taxes which have occurred or, based on delinquency rates in prior years, may be expected to occur in the Fiscal Year in which the Special Tax will be collected.

**“Taxable Property”** means all Assessor’s Parcels within the boundaries of CFD No. 2013-1 that are not exempt from the Special Tax pursuant to law or Section E below.

**“Tax Zone”** means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this Amended RMA. All of the property within CFD No. 2013-1 at the time of CFD Formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to the CFD, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to the CFD shall be identified by Assessor’s Parcel number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

**“Unanimous Approval Form”** means that form executed by the record owner of fee title to a Parcel or Parcels annexed into the CFD that constitutes the property owner’s approval and unanimous vote in favor of annexing into the CFD and the levy of the Special Tax against his/her Parcel or Parcels pursuant to this Amended RMA.

**“Undeveloped Property”** means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2013-1 that are not Developed Property.

## **B. DATA FOR ANNUAL TAX LEVY**

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel numbers for all Parcels of Taxable Property within the CFD. The Administrator shall also determine: (i) whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property; (ii) in which Tax Zone each Assessor’s Parcel is located; and (iii) the Special Tax Requirement for the then-current Fiscal Year.

In any Fiscal Year, if it is determined that (i) a Final Map for a portion of property in the CFD was recorded after the last date upon which the Assessor will incorporate the newly-created Parcels into the then current tax roll, and (ii) because of the date the Final Map was recorded, the Assessor does not yet recognize the new Parcels created by the Final Map, the Administrator shall calculate

the Special Tax for the property affected by recordation of the Final Map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the original Parcel that was subdivided by recordation of the Final Map.

C. **MAXIMUM SPECIAL TAXES**

1. **Developed Property**

*a. Residential Property*

The Maximum Special Tax for Fiscal Year 2013-14 for all Parcels of Residential Property within Tax Zone 1 shall be \$146 per SFD Lot or Residential Unit. All of the property within the CFD at the time of CFD Formation is within Tax Zone 1; a different Maximum Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Residential Property shall be increased by the Escalation Factor.

*b. Non-Residential Property*

The Maximum Special Tax for Fiscal Year 2013-14 for Non-Residential Property within Tax Zone 1 shall be \$960 per Acre. All of the property within the CFD at the time of CFD Formation is within Tax Zone 1 a different Maximum Special Tax may be identified for property that annexes into the CFD and is part of a separate Tax Zone. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Non-Residential Property shall be increased by the Escalation Factor.

*c. Mixed-Use Property*

If, in any Fiscal Year, the Administrator determines that a Parcel of Developed Property is built or proposed to be built with both Residential Units and non-residential uses, the Maximum Special Tax for the Parcel shall be the sum of (i) the Maximum Special Tax for Residential Property multiplied by all Residential Units on the Parcel, and (ii) the Maximum Special Tax for Non-Residential Property multiplied by the full Acreage of the Parcel. After the aggregate Maximum Special Tax has been determined for a Parcel, such Maximum Special Tax shall be escalated beginning the next Fiscal Year and each Fiscal Year thereafter by the Escalation Factor.

2. **Undeveloped Property**

The Maximum Special Tax for Fiscal Year 2013-14 for all Parcels of Undeveloped Property within Tax Zone 1 shall be \$1,191 per Acre. Beginning July 1, 2014 and each July 1 thereafter, the Maximum Special Tax for Undeveloped Property shall be increased by the Escalation Factor.

**D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES**

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement for that Fiscal Year and levy the Special Tax on all Parcels of Taxable Property as follows:

Step 1: The Special Tax shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year until the amount levied is equal to the Special Tax Requirement;

Step 2: If additional revenue is needed after Step 1, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year until the amount levied, when combined with the amount levied pursuant to Step 1, is equal to the Special Tax Requirement.

The Special Taxes for CFD No. 2013-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the Authority may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

**E. EXEMPTIONS**

Notwithstanding any other provision of this Amended RMA, no Special Tax shall be levied on Parcels of Association Property or Public Property, except as otherwise provided in the Act.

**F. INTERPRETATION OF SPECIAL TAX FORMULA**

The Authority reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the Authority's discretion. Interpretations may be made by the Authority by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Amended RMA.

**G. APPEAL OF SPECIAL TAX LEVY**

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than one calendar year after having paid the Special Tax that is disputed. The Administrator shall promptly review the appeal and, if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and decide the appeal. If the property owner disagrees with the Administrator's decision relative to the appeal, the owner may then file a written appeal with the Board whose subsequent decision shall be binding. If the decision of the Administrator (if the appeal is not filed with the Board) or the Board (if the appeal is filed with the Board) requires the Special Tax to be modified or changed in favor of the property owner, no cash refund shall be made for prior years' Special Tax levies, but an adjustment shall be made to the next Special Tax levy(ies). This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

## EXHIBIT C

RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2013-1  
(RIVER ISLANDS PUBLIC SERVICES)  
ANNEXATION NO. 15

### MAXIMUM SPECIAL TAXES FOR ZONE 2 OF THE CFD

The table below identifies the Maximum Special Tax for Taxable Property within Tax Zone 2 and all Parcels that annex into Tax Zone 2.

#### TAX ZONE 2 MAXIMUM SPECIAL TAXES

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2013-14 *</i>
Residential Property	\$276.26 per SFD Lot or Residential Unit
Non-Residential Property	\$960.00 per Acre
Mixed-Use Property	See Formula in RMA
Undeveloped Property	\$1,191.00 per Acre

*\* On July 1, 2014, and on each July 1 thereafter, the Maximum Special Taxes shown in Table 1 above shall be increased by the Escalation Factor.*

**RECORDING REQUESTED BY AND  
AFTER RECORDATION RETURN TO:**

Secretary  
River Islands Public Financing Authority  
73 West Stewart Road  
Lathrop, CA 95330

Recorded for the benefit of the River Islands  
Public Financing Authority pursuant to  
Government Code Section 27383

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**AMENDMENT NO. 2 TO NOTICE OF SPECIAL TAX LIEN**

River Islands Public Financing Authority  
Community Facilities District No. 2020-1  
(Stage 2B Public Improvements)  
Annexation No. 2

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Section 53311, *et seq.*, of the California Government Code (the "Act"), the undersigned Secretary of the River Islands Public Financing Authority (the "Authority"), County of San Joaquin, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Board of Directors of the Authority on the property described in Exhibit A hereto. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of facilities described in Exhibit A to the Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder for the County of San Joaquin, State of California (the "County Recorder") on December 1, 2020 as Document No. 2020-166793 (the "Original Notice"), and said special tax is to be levied according to the Rate and Method of Apportionment of Special Tax set forth in Exhibit B to the Original Notice, to which recorded Original Notice reference is hereby made and the provisions of which are incorporated herein in full by this reference.

This Amendment No. 2 to Notice of Special Tax Lien amends the Original Notice to add to the territory within the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements) certain real property identified in Exhibit A hereto (the "Property") and shown within the future annexation area on the boundary map of the community facilities district recorded on September 29, 2020, in Book 7 of Maps of Assessment and Community Facilities Districts at Page 21 (Document No. 2020-128845, in the Office of the County Recorder, which map is the final boundary map of the community facilities district. The Property is being annexed into Zone 2 of the community facilities district, as described in the Rate and Method of Apportionment of Special Taxes for the community facilities district attached as Exhibit B to the Original Notice, with the maximum special tax rates identified in Exhibit B hereto.

The assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included in this Amendment No. 2 to Notice of Special Tax Lien, together with the name(s) of the owner(s) thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Authority are as set forth in Exhibit A hereto which is by this reference made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property or interests therein subject to the special tax lien, interested persons should contact the Treasurer of the River Islands Public Financing Authority, 73 West Stewart Road, Lathrop, California 95330, telephone number (209) 879-7900.

Dated: \_\_\_\_\_, 2020.

By: \_\_\_\_\_  
Jeanne Zolezzi, Secretary,  
River Islands Public Financing Authority

**EXHIBIT A**

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)  
ANNEXATION NO. 2**

**ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN  
ANNEXATION NO. 2 TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)**

<u>Name(s) of Property Owner(s)</u>	<u>San Joaquin County Assessor's Parcel No.</u>
River Islands Stage 2B, LLC 73 W. Stewart Rd., Lathrop, CA 95330	213-470-13



**EXHIBIT B**

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)**

**MAXIMUM SPECIAL TAXES FOR ZONE 2 OF THE CFD**

The table below identifies the Maximum Special Tax for Taxable Property within Tax Zone 2 and all Parcels that annex into Tax Zone 2.

**TAX ZONE 2  
MAXIMUM SPECIAL TAXES**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2020-21 *</i>
Residential Property	\$8,118.24 per Unit
Other Property	\$0.00 per Acre
Final Map Property	\$0.00 per Final Map Lot
Undeveloped Property	\$0.00 per Acre

*\* On July 1, 2021, and on each July 1 thereafter, the Maximum Special Taxes shown in the Table above shall be increased by an amount equal to two percent (2%) of the amount in effect for the prior Fiscal Year.*

**CONSENT TO, AND BALLOT IN FAVOR OF, ANNEXATION OF REAL PROPERTY TO THE RIVER ISLANDS PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2020-1 (STAGE 2B PUBLIC IMPROVEMENTS)**

To: Board of Directors of the River Islands Public Financing Authority, in its capacity as the legislative body for the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements)

The undersigned hereby states and certifies, under penalty of perjury, as follows:

1. The undersigned is the owner (the "Owner"), or the legally authorized representative of the Owner, of fee title to the real property identified by San Joaquin County Assessor's parcel number(s) listed below (the "Property"), and possesses all legal authority necessary to execute this consent to, and ballot in favor of (the "Consent and Ballot"), the annexation of the Property to the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements) (the "CFD").

2. The Owner understands that the Board of Directors of the River Islands Public Financing Authority (the "Board") has conducted proceeding pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Law") to form the CFD to finance various facilities (the "Facilities") described in Exhibit A hereto. The Owner also understands that the proceedings for the formation of the CFD authorized the Board to levy an annual special tax (the "Special Tax") on property in the CFD as specified in the Rate and Method of Apportionment of Special Tax for the CFD (the "Rate and Method"), a copy of which is attached hereto as Exhibit B, and authorized the annexation of property to the CFD, without additional public hearings, upon approval of the fee title owner of the property to be annexed as permitted by Section 53339.7(a) of the Law.

The Owner has been advised that a Notice of Special Tax Lien was recorded against the real property initially included within the boundaries of the CFD in the Office of the San Joaquin County Recorder (the "County Recorder") on December 1, 2020 as Document No. 2020-166793 (the "Notice of Special Tax Lien").

3. The Owner hereby irrevocably consents to, approves, and votes (for purposes of Article XIII A of the California Constitution) in favor of the annexation of the Property to Tax Zone 2 of the CFD (as such Tax Zone is described in the Rate and Method, and as the Maximum Special Tax rates for such Zone 2 are set forth in Exhibit C hereto), and irrevocably consents to, approves and votes in favor of the annual levy of the Special Tax on the Property pursuant to the Rate and Method to finance the Facilities and for the other authorized purposes of the CFD. The Owner

acknowledges that the Secretary of the River Islands Public Financing Authority will record, or cause to be recorded, against the Property in the Office of the County Recorder an amendment to the Notice of Special Tax Lien as required by Section 3117.5 of the California Streets and Highways Code, which will impose a continuing lien on the Property to secure each levy of the Special Tax, and that under the Law said lien (a) will be coequal with the lien for ad valorem real property taxes levied by the County of San Joaquin on the Property, and (b) will be senior to any lien of any mortgage on the Property whether such mortgage lien was recorded prior to or after the recordation of the amendment to the Notice of Special Tax Lien.

4. The Owner hereby irrevocably waives any right the Owner may otherwise have to protest or challenge the validity of the proceedings of the Board to form the CFD and to authorize the annexation of any property (including the Property) to the CFD, and any necessity, requirement or right for further public hearings or any election pertaining to the annexation of the Property to the CFD or the levy of the Special Tax on the Property.

5. The Owner hereby agrees to provide written notice of the annexation of the Property to the CFD, and of the authority of the Board to levy the Special Tax on the Property pursuant to the Rate and Method, to any subsequent purchaser of the Property to the extent required by applicable law.

The Property subject to this Consent and Ballot, and to be annexed to the CFD, consist of the following San Joaquin County Assessor's Parcel(s):

\_\_\_\_\_ See Exhibit D  
\_\_\_\_\_  
\_\_\_\_\_

The full legal name of the fee title Owner of the Property is:

River Islands Stage 2B, LLC  
\_\_\_\_\_

The foregoing Consent and Ballot is hereby executed this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, in \_\_\_\_\_, California.

By: \_\_\_\_\_  
(signature)

Susan Dell'Osso  
(type name of person executing  
Consent and Ballot)

Its: President  
(insert legal capacity of person  
executing Consent and Ballot)

## NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

} ss.

On \_\_\_\_\_, before me, \_\_\_\_\_  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared \_\_\_\_\_  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ [Seal]  
Notary Public

## EXHIBIT A

### RIVER ISLANDS PUBLIC FINANCING AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2020-1 (STAGE 2B PUBLIC IMPROVEMENTS)

#### DESCRIPTION OF FACILITIES AUTHORIZED TO BE FUNDED BY THE DISTRICT

The following generally described public infrastructure and related improvements within, in the vicinity or otherwise incident to the development of the area generally known as River Islands at Lathrop:

Lake improvements, discharge facilities and intake facilities, including grading, pumps, shore improvements, aeration facilities, CDS units, pipes and other necessary infrastructure required to provide storm water, flood retention and recreational facilities.

Bio Retention Basins and BMP improvements, including planting, irrigation and other improvements necessary for storm water storage and cleansing.

Roadway improvements, including grading, fill, pavement section, joint trench, water, sewer, reclaimed water and other utility improvements necessary for or incident to road construction. Also including landscaping, street lights and signage, monuments and traffic signals.

Bridge improvements, including design, construction, utility connections, roadway approaches and other incidental improvements required for construction of bridges.

Water system infrastructure, including tanks, pump stations, distribution lines and other improvements necessary for delivery of potable or reclaimed water.

Sewer system infrastructure and improvements, including treatment facilities, sanitary sewer collection lines and force mains, effluent holding and storage, spray fields, pump stations, lift stations, and other improvements necessary for delivery and treatment of sanitary sewer service.

Public parks, as well as landscaping and recreational features along rivers, lakes, within parks and along and including pathways and other public areas.

Electrical system improvements, including offsite improvements, overhead facilities, substations, relocation and removal of electrical poles, undergrounding of service facilities and associated improvements to service the development.

Natural gas facilities upgrades and extensions, including pipeline extension and gas transmission regulator stations.

Telecommunications facilities, including fiber optic cable on and off site and other required infrastructure.

Grading for and construction of levees.

Public safety facilities, including but not limited to fire stations and related appurtenances, also including related site improvements, plus related equipment with a useful life of five years or more.

Elementary schools, middle schools and high schools and related appurtenances, including sports fields, parking and other customary amenities.

Environmental mitigation and related appurtenances related to the facilities and improvements eligible to be funded by the District.

All or a portion of any amount necessary to eliminate any fixed special assessment liens, or to pay, repay, or defease any obligation to pay or any indebtedness secured by any tax, fee, charge, or assessment levied within the area of the District and any property annexed thereto or to pay debt service on any such indebtedness.

The foregoing improvements may include the acquisition of right of way and land, the cost of design, engineering and planning, the costs of any environmental review or traffic studies, survey or other reports, landscaping and irrigation, soils testing, soil preparation including deep dynamic compaction, dewatering, permits, plan check and inspection fees, other public fees, insurance, legal and related overhead costs, coordination and supervision and any other costs or appurtenances related to any of the foregoing.

#### OTHER

The District may also finance any of the following:

1. Bond related expenses, including underwriter's discount, reserve fund, capitalized interest, structuring agent, bond, disclosure and underwriter's counsel and all other incidental expenses.
2. Administrative fees of the Authority and the Bond trustee or fiscal agent related to the District and the Bonds.
3. Reimbursement of costs related to the formation of the District advanced by the Authority or any landowner or developer within the District, as well as reimbursement of any costs

advanced by the Authority or any landowner or developer within the District, for facilities, fees or other purposes or costs of the District.

EXHIBIT B

RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

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A Special Tax applicable to each Assessor's Parcel in the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements) shall be levied and collected according to the tax liability determined by the Board of Directors or its designee, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2020-1, unless exempted by law or by the provisions of Section F below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed into the CFD.

A. **DEFINITIONS**

The terms hereinafter set forth have the following meanings:

**“Accessory Unit”** means a second residential unit of limited size (e.g., granny cottage, second unit) that shares a Parcel with a single-family detached unit.

**“Acre” or “Acreage”** means the land area of an Assessor's Parcel as shown on an Assessor's Parcel map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded with the County.

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

**“Administrative Expenses”** means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees or expenses of its counsel) employed in connection with any Bonds, and the expenses of the Authority in carrying out its duties with respect to CFD No. 2020-1 and the Bonds, including, but not limited to, levying and collecting the Special Tax, the fees and expenses of legal counsel, charges levied by the County Auditor's Office, Tax Collector's Office, and/or Treasurer's Office, costs related to annexing property into the CFD, costs related to property owner inquiries regarding the Special Tax, amounts needed to pay rebate to the federal government with respect to the Bonds, costs associated with complying with any continuing disclosure requirements for the Bonds and the Special Tax, and all other costs and expenses of the Authority, Lathrop Irrigation District, and Island Reclamation District No. 2062 in any way related to the establishment or administration of the CFD.

**“Administrator”** means the person or firm designated by the Authority to administer the Special Tax according to the RMA.



**“Assessor’s Parcel”** or **“Parcel”** means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

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

**“Association Property”** means any property within the CFD that is owned by a homeowners association or property owners association, excluding Association Property under the pad or footprint of a Unit.

**“Authority”** means the River Islands Public Financing Authority.

**“Authorized Facilities”** means those public facilities authorized to be funded by the CFD as set forth in the CFD formation proceedings.

**“Board of Directors”** or **“Board”** means the Board of Directors of the River Islands Public Financing Authority.

**“Bonds”** means bonds or other debt (as defined in the Act), whether in one or more series, issued, insured or assumed by CFD No. 2020-1, including debt issued by agencies other than the Authority (as referenced in Section 53313.5(g) of the Act), to pay for public infrastructure and/or improvements that will serve property included within, or intended to be annexed into, the CFD.

**“Boundary Map”** means Exhibit D to the Resolution of Intention adopted by the Board of Directors, as summarized in Attachment 2.

**“BP Parcel”** means, in any Fiscal Year, all Parcels of Residential Property in CFD No. 2020-1 that is not a COE Parcel as of June 30 of the preceding Fiscal Year.

**“Capitalized Interest”** means funds in any capitalized interest account available to pay debt service on Bonds.

**“CFD”** or **“CFD No. 2020-1”** means the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements).

**“CFD Formation”** means the date on which the Resolution of Formation to form CFD No. 2020-1 was adopted by the Board of Directors.

**“City”** means the City of Lathrop.

**“City Council”** means the City Council of the City of Lathrop.

**“COE Parcel”** means, in any Fiscal Year, all Parcels of Residential Property in CFD No. 2020-1 for which the First Transfer Date has occurred on or prior to June 30 of the preceding Fiscal Year.

“**County**” means the County of San Joaquin.

“**Developed Property**” means, in any Fiscal Year, all Parcels of Taxable Property in CFD No. 2020-1 for which a building permit for new construction was issued by the City on or prior to June 30 of the preceding Fiscal Year.

“**Excess Public Property**” means the acres of Public Property that exceeds the acreage exempted in Section F below. In any Fiscal Year in which a Special Tax must be levied on Excess Public Property pursuant to Step 6 in Section D below, Excess Public Property shall be those Assessor’s Parcel(s) that most recently became Public Property based on the dates on which Final Maps recorded creating such Public Property.

“**Final Map**” means a final map, or portion thereof, recorded by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*) that creates individual lots on which building permits for new construction may be issued without further subdivision and for which no further subdivision is anticipated pursuant to a Tentative Map approved for the property or, if no Tentative Map has been approved, pursuant to a then current specific plan or other land use plan for the property.

“**Final Map Lot**” means an individual residential lot identified and numbered on a Final Map.

“**Final Map Property**” means, in any Fiscal Year, all Final Map Lots for which a Final Map was recorded on or before June 30 of the preceding Fiscal Year and which are not yet Developed Property.

“**First Transfer Date**” means for a Parcel of Residential Property, the date of the first transfer of ownership to a private homeowner after a building permit for new construction has been issued.

“**Fiscal Year**” means the period starting July 1 and ending on the following June 30.

“**Master Developer**” means River Islands Development, and its successors and assignees.

“**Maximum Special Tax**” means the greatest amount of Special Tax that can be levied in any Fiscal Year determined in accordance with Section C below.

“**Other Property**” means, in any Fiscal Year, all Parcels of Developed Property that are not Residential Property.

“**Proportionately**” means the following: (i) for Developed Property, the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Developed Property; (ii) for Final Map Property, the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels of Final Map Property; (iii) for Undeveloped Property, the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor’s Parcels of Undeveloped Property; (iv) for Association Property, the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor’s Parcels of Association

Property; and (v) for Excess Public Property, the ratio of the actual Special Tax to the Maximum Special Tax is equal for all Assessor's Parcels of Excess Public Property.

**"Public Property"** means, in any Fiscal Year: (i) all Parcels within the boundaries of the CFD that are owned by or irrevocably offered for dedication to the federal government, the State of California, the City or any other public agency; and (ii) all Parcels within the boundaries of the CFD that are encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

**"Purchase Agreement"** means an agreement between the Master Developer and a homebuilder.

**"Required Coverage"** means the amount by which the Maximum Special Tax revenues must exceed the debt service on the Bonds and required Administrative Expenses, as set forth in the Indenture, Certificate of Special Tax Consultant, or other formation or bond document that sets forth the minimum required debt service coverage.

**"Residential Property"** means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure consisting of one or more Units.

**"RMA"** means this Rate and Method of Apportionment of Special Tax.

**"Special Tax"** means a Special Tax levied in any Fiscal Year to pay the Special Tax Requirement.

**"Special Tax Requirement"** means the amount necessary in any Fiscal Year: (i) to pay principal and interest on Bonds which are due in the calendar year that begins in such Fiscal Year; (ii) to create and/or replenish reserve funds for the Bonds to the extent such replenishment has not been included in the computation of Special Tax Requirement in a previous Fiscal Year; (iii) to cure any delinquencies in the payment of principal or interest on Bonds which have occurred in the prior Fiscal Year; (iv) to pay Administrative Expenses; and (v) if the Administrator determines Special Tax revenues are available after items (i) through (iv) have been funded, to directly pay the costs of Authorized Facilities that have not been paid by the proceeds of previously issued Bonds to the extent that the inclusion of such amounts does *not* increase the Special Tax levied on Undeveloped Property. The amounts referred to in clauses (i) and (ii) of the preceding sentence may be reduced in any Fiscal Year by: (i) interest earnings on or surplus balances in funds and accounts for the Bonds to the extent that such earnings or balances are available to apply against debt service pursuant to a Bond indenture, Bond resolution, or other legal document that sets forth these terms; (ii) proceeds from the collection of penalties associated with delinquent Special Taxes; and (iii) any other revenues available to pay debt service on the Bonds as determined by the Administrator.

**"Taxable Property"** means all of the Assessor's Parcels within the boundaries of the CFD which are not exempt from the Special Tax pursuant to law or Section F below.

**"Tax Zone"** means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. *All property within CFD No. 2020-1 at the time of CFD Formation*

*is within Tax Zone 1.* Additional Tax Zones may be created when property is annexed to the CFD, and a separate Maximum Special Tax shall be identified for property within the new Tax Zone at the time of such annexation. The Assessor's Parcels included within a new Tax Zone established when such Parcels are annexed to the CFD shall be identified by Assessor's Parcel number in the Unanimous Approval Form that is signed by the owner(s) of the Parcels at the time of annexation.

**“Tentative Map”** means a map that is made for the purpose of showing the design of a proposed subdivision and the conditions pertaining thereto and is not based on a detailed survey of the property within the map and is not recorded at the County Recorder's Office to create legal lots.

**“Unanimous Approval Form”** means that form executed by the record owner of fee title to a Parcel or Parcels annexed into the CFD that constitutes the property owner's approval and unanimous vote in favor of annexing into the CFD and the levy of the Special Tax against his/her Parcel or Parcels pursuant to this RMA.

**“Undeveloped Property”** means, in any Fiscal Year, all Parcels of Taxable Property within the CFD that are not Developed Property, Final Map Property, Association Property, or Excess Public Property.

**“Unit”** means an individual single family detached residential unit or an individual residential rental unit within a duplex, triplex, fourplex, townhome, condominium structure, or apartment complex. An Accessory Unit that shares a Parcel with a single-family detached unit shall not be considered a separate Unit for purposes of this RMA

## **B. DATA FOR ANNUAL ADMINISTRATION**

On or about July 1 of each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Taxable Property. The Administrator shall also determine: (i) within which Tax Zone each Parcel is located, (ii) whether each Assessor's Parcel is Developed Property, Final Map Property, Undeveloped Property, Association Property, or Excess Public Property, (iii) for Developed Property, which Parcels are Residential Property or Other Property, (iv) for Residential Property, which Parcels are COE Parcels or BP Parcels, and (v) the Special Tax Requirement. In addition, the Administrator shall keep a record of all Parcels for which the Maximum Special Tax has been reduced pursuant to Section C.3 of the RMA as well as the resulting Maximum Special Tax for each Parcel.

In any Fiscal Year, if it is determined that (i) a Final Map for a portion of property in the CFD was recorded after the last date upon which the Assessor will incorporate the newly-created Parcels into the then current tax roll, and (ii) because of the date the Final Map was recorded, the Assessor does not yet recognize the new Parcels created by the Final Map, the Administrator shall calculate the Special Tax for the property affected by recordation of the Final Map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the original Parcel that was subdivided by recordation of the Final Map.

C. **MAXIMUM SPECIAL TAX**

1. *Tax Zone 1*

Table 1 below identifies the Maximum Special Tax for Taxable Property within Tax Zone 1 at CFD Formation and all Parcels that annex into Tax Zone 1 after CFD Formation.

**TABLE 1  
TAX ZONE 1  
MAXIMUM SPECIAL TAXES**

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2020-21 *</i>
Residential Property	\$0 per Unit
Other Property	\$10 per Acre
Final Map Property	\$0 per Final Map Lot
Undeveloped Property	\$10 per Acre

*\* On July 1, 2021, and on each July 1 thereafter, the Maximum Special Taxes shown in Table 1 above shall be increased by an amount equal to two percent (2%) of the amount in effect for the prior Fiscal Year.*

2. *Additional Tax Zones*

If property is annexed into the CFD and a separate Tax Zone is established for such property, Maximum Special Tax rates will be identified for Taxable Property in the new Tax Zone in the Unanimous Approval Form signed by the annexing property owner.

3. *Changes to the Maximum Special Tax*

Prior to the First Transfer Date, the Maximum Special Tax for a Parcel of Residential Property may be reduced **once** if the Administrator determines that the Maximum Special Tax for a Parcel of Residential Property would result in a total effective tax rate, including property tax, tax overrides, and other direct special taxes and assessments, greater than the percentage of the estimated sales price specified in the Purchase Agreement. Notwithstanding the forgoing, the Maximum Special Tax shall **not** be reduced for any Parcel if such a reduction reduces debt service coverage on outstanding Bonds below the Required Coverage.

The Special Tax reduction required pursuant to this section shall be made without a vote of the qualified electors in the CFD and shall be reflected in an amended Notice of Special

Tax Lien against the Parcel in question which the CFD shall cause to be recorded by executing a certificate in substantially the form attached herein as Attachment 1.

*Pursuant to Section 53321 (d) of the Act, the Special Tax levied against a Parcel used for private residential purposes shall under no circumstances increase more than ten percent (10%) as a consequence of delinquency or default by the owner of any other Parcel or Parcels and shall, in no event, exceed the Maximum Special Tax in effect for the Fiscal Year in which the Special Tax is being levied.*

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

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement to be collected in that Fiscal Year, and the Special Tax shall be levied according to the steps outlined below.

- Step 1:** The Special Tax shall be levied Proportionately on each COE Parcel within the CFD up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year determined pursuant to Section C;
- Step 2:** If additional revenue is needed after Step 1, the Special Tax shall be levied Proportionately on each remaining Parcel of Developed Property within the CFD up to 100% of the Maximum Special Tax for each Parcel for such Fiscal Year determined pursuant to Section C;
- Step 3:** If additional revenue is needed after Step 2, and after applying Capitalized Interest to the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Final Map Property within the CFD, up to 100% of the Maximum Special Tax for Final Map Property for such Fiscal Year determined pursuant to Section C;
- Step 4:** If additional revenue is needed after Step 3, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property within the CFD, up to 100% of the Maximum Special Tax for Undeveloped Property for such Fiscal Year determined pursuant to Section C;
- Step 5:** If additional revenue is needed after applying the first four steps, the Special Tax shall be levied Proportionately on each Parcel of Association Property within the CFD, up to 100% of the Maximum Special Tax for Undeveloped Property for such Fiscal Year determined pursuant to Section C;
- Step 6:** If additional revenue is needed after applying the first five steps, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Excess Public Property, exclusive of property exempt from the Special Tax pursuant to Section F below, up to 100% of the Maximum Special Tax for Undeveloped Property for such Fiscal Year determined pursuant to Section C.

**E. COLLECTION OF SPECIAL TAX**

The Special Taxes for CFD No. 2020-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that prepayments are permitted as set forth in Section G below and provided further that the Authority may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until principal and interest on Bonds have been paid and Authorized Facilities have been completed. However, in no event shall a Special Tax be levied after Fiscal Year 2101-02.

**F. EXEMPTIONS**

Notwithstanding any other provision of this RMA, no Special Tax shall be levied on any Parcel of Public Property at CFD Formation, except as otherwise provided in the Act. A separate amount of public acreage may be exempted each time property annexes into the CFD, and such additional exemption shall only apply to property within the annexation area. A Special Tax may be levied on Excess Public Property pursuant to Step 6 of Section D; however, a public agency may require that the special tax obligation on land conveyed to it that would be classified as Excess Public Property be prepaid pursuant to Section G below.

**G. PREPAYMENT OF SPECIAL TAX**

The following definitions apply to this Section G:

**“Final Bond Sale”** means, at any point in time, the last series of Bonds issued by the CFD, which issuance uses up virtually all of the remaining capacity available from the Maximum Special Tax revenues that can be generated within the CFD, as determined by the Authority. If additional Bonds are expected to be issued after outstanding Bonds retire, the “Final Bond Sale” may not be the last series of Bonds ever issued by the CFD, but instead the last sale of Bonds that can be issued before some or all of the outstanding Bonds retire.

**“Outstanding Bonds”** means all outstanding Bonds issued on behalf of the CFD prior to the date of prepayment, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor’s Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as determined by the Administrator), that next principal payment shall be subtracted from the total Bond principal that remains outstanding, and the difference shall be used as the amount of Outstanding Bonds for purposes of this prepayment formula.

The Special Tax obligation applicable to an Assessor's Parcel in the CFD may be prepaid and the obligation of the Assessor's 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 such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the Authority with written notice of intent to prepay. Within 30 days of receipt of such written notice, the Authority or its designee shall notify such owner of the prepayment amount for such Assessor's Parcel.

**1. Full Prepayment Prior to Final Bond Sale**

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

- Step 1.** Compute the total Maximum Special Tax that could be collected from the Assessor's Parcel repaying the Special Tax in the Fiscal Year in which prepayment would be received by the Authority.
- Step 2.** Estimate the bonding capacity based on the Maximum Special Tax determined in Step 1 and an assumed bond term of 30 years using, as the interest rate for the bonding capacity calculation, the greater of (i) the current interest rate as determined by the Administrator based on discussions with industry professionals or (ii) the average true interest cost (TIC) on the Outstanding Bonds as identified by the Administrator. Notwithstanding the foregoing, if at any point in time the Administrator determines that the Maximum Special Tax revenue that could be collected from Taxable Property after the proposed prepayment is less than 110% of debt service on Bonds that will remain outstanding after defeasance or redemption of Bonds from proceeds of the estimated prepayment, the amount of the prepayment shall be increased until the amount of Bonds defeased or redeemed is sufficient to reduce remaining annual debt service to a point at which 110% debt service coverage is realized.
- Step 3.** Determine the costs of computing the prepayment amount and the costs of recording any notices to evidence the prepayment (the "*Administrative Fees and Expenses*").
- Step 4.** The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 2 and 3 (the "*Prepayment Amount*").

**2. Full Prepayment After Final Bond Sale**

Prepayment must be made not less than 75 days prior to any redemption date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes. The Prepayment Amount shall be calculated as follows: (capitalized terms as defined below):



	Bond Redemption Amount
plus	Redemption Premium
plus	Defeasance Requirement
plus	Administrative Fees and Expenses
<u>less</u>	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

- Step 1.** Compute the total Maximum Special Tax that could be collected from the Assessor's Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the Authority.
- Step 2.** Divide the Maximum Special Tax from Step 1 by the Maximum Special Tax revenues that could be collected in that Fiscal Year.
- Step 3.** Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (*the "Bond Redemption Amount"*).
- Step 4.** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (*the "Redemption Premium"*).
- Step 5.** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds. However, if Bonds are callable at the first interest payment date after the prepayment has been received, Steps 5, 6 and 7 of this prepayment formula will not apply.
- Step 6:** Compute the amount of interest the Authority reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received until the redemption date for the Outstanding Bonds.
- Step 7:** Take the amount computed pursuant to Step 5 and subtract the amount computed pursuant to Step 6 (*the "Defeasance Requirement"*).
- Step 8.** Determine the costs of computing the prepayment amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (*the "Administrative Fees and Expenses"*).
- Step 9.** If and to the extent so provided in the indenture pursuant to which the Outstanding Bonds to be redeemed were issued, a reserve fund credit shall be

calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the “*Reserve Fund Credit*”).

**Step 10.** The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 4, 7, and 8, less the amount computed pursuant to Step 9 (the “*Prepayment Amount*”).

### **3. *Partial Prepayments***

A partial prepayment may be made in an amount equal to any percentage of full prepayment desired by the party making a partial prepayment, except that the full amount of administrative fees and expenses determined in Step 3 of Section G.1 or Step 8 of Section G.2 shall be included in the partial prepayment. The Maximum Special Tax that can be levied on an Assessor’s Parcel after a partial prepayment is made is equal to the Maximum Special Tax that could have been levied prior to the prepayment, reduced by the percentage of a full prepayment (less the amount collected for administrative fees and expenses) that the partial prepayment (less the amount collected for administrative fees and expenses) represents, all as determined by or at the direction of the Administrator.

## **H. INTERPRETATION OF SPECIAL TAX FORMULA**

The Authority reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the Authority’s discretion. Interpretations may be made by the Authority by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this RMA.

## **I. APPEAL OF SPECIAL TAX LEVY**

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the Administrator not later than one calendar year after having paid the Special Tax that is disputed. The Administrator shall promptly review the appeal and, if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and decide the appeal. If the property owner disagrees with the Administrator’s decision relative to the appeal, the owner may then file a written appeal with the Board whose subsequent decision shall be binding. If the decision of the Administrator (if the appeal is not filed with the Board) or the Board (if the appeal is filed with the Board) requires the Special Tax to be modified or changed in favor of the property owner, no cash refund shall be made for prior years’ Special Tax levies, but an adjustment shall be made to the next Special Tax levy(ies). This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

**ATTACHMENT 1**

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)**

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX**

1. Pursuant to Section C.3 of the Rate and Method of Apportionment of Special Tax (the “Rate and Method”) for the River Islands Public Financing Authority Community Facilities District No. 2020-1 (Stage 2B Public Improvements) (“CFD No. 2020-1”), the Maximum Special Tax for a Parcel of Residential Property within CFD No. 2020-1 has been modified as follows:

<i>Assessor’s Parcel Number</i>	<i>Maximum Special Tax Fiscal Year 2020-21 *</i>
XXX-XXX-XXX	\$[    ] per Unit

*\* On July 1, 2021, and on each July 1 thereafter, the Maximum Special Taxes shown in the table above shall be increased by an amount equal to two percent (2%) of the amount in effect for the prior Fiscal Year.*

2. The Maximum Special Tax for Residential Property may only be modified prior to the First Transfer Date (i.e., the date of the first transfer of ownership to a private homeowner after a building permit for new construction was issued).
3. Upon execution of this Certificate by CFD No. 2020-1, CFD No. 2020-1 shall prepare an amended notice of Special Tax lien for CFD No. 2020-1 reflecting the modifications set forth herein. Amended notices of Special Tax lien shall be recorded by groups, once a sufficient number of notices have been prepared.

The undersigned acknowledges receipt of this certificate and of the modification of the Maximum Special Tax as set forth in this Certificate. Capitalized undefined terms used herein have the meanings ascribed thereto in the Rate and Method.

River Islands Public Financing Authority  
Community Facilities District No. 2020-1 (Stage 2B Public Improvements)

By: \_\_\_\_\_

Date: \_\_\_\_\_

# ATTACHMENT 2

PROPOSED BOUNDARY OF  
**RIVER ISLANDS PUBLIC FINANCING AUTHORITY**  
**COMMUNITY FACILITIES DISTRICT NO. 2020-1**  
**(STAGE 2B PUBLIC IMPROVEMENTS)**  
 SAN JOAQUIN COUNTY, STATE OF CALIFORNIA

SECRETARY'S CERTIFICATE

1. FILED IN THE OFFICE OF THE SECRETARY OF THE BOARD OF DIRECTORS OF THE RIVER ISLANDS PUBLIC FINANCING AUTHORITY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

SECRETARY

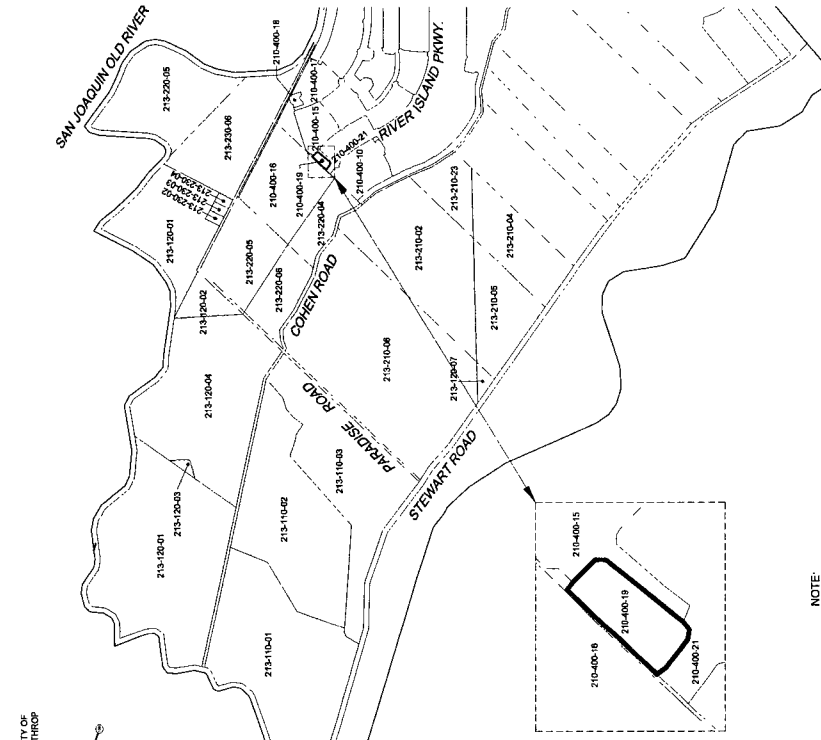
2. I HEREBY CERTIFY THAT THIS MAP WAS APPROVED BY THE BOARD OF DIRECTORS OF THE RIVER ISLANDS PUBLIC FINANCING AUTHORITY AT A MEETING THEREOF HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, BY ITS RESOLUTION NO \_\_\_\_\_.

SECRETARY

COUNTY RECORDERS CERTIFICATE

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT NO. \_\_\_\_\_ OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

COUNTY RECORDER  
 SAN JOAQUIN  
 STATE OF CALIFORNIA



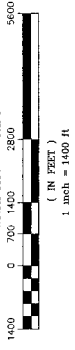
NOTE:

1. REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY FOR THE DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREON.
2. CPT NO. 2020-1 INCLUDES ONLY APN 213-400-19 AT FORMATION.

LEGEND

- 210-400-19 ASSESSORS PARCEL NUMBER
- FUTURE ANNEXATION AREA
- ASSESSORS PARCEL LOT LINE
- COMMUNITY FACILITIES DISTRICT NO. 2020-1

GRAPHIC SCALE



**GCG**  
 GOODWIN CONSULTING GROUP

EXHIBIT C

RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)

MAXIMUM SPECIAL TAXES FOR ZONE 2 OF THE CFD

The table below identifies the Maximum Special Tax for Taxable Property within Tax Zone 2 and all Parcels that annex into Tax Zone 2.

TAX ZONE 2  
MAXIMUM SPECIAL TAXES

<i>Type of Property</i>	<i>Maximum Special Tax Fiscal Year 2020-21 *</i>
Residential Property	\$8,118.24 per Unit
Other Property	\$0.00 per Acre
Final Map Property	\$0.00 per Final Map Lot
Undeveloped Property	\$0.00 per Acre

*\* On July 1, 2021, and on each July 1 thereafter, the Maximum Special Taxes shown in the Table above shall be increased by an amount equal to two percent (2%) of the amount in effect for the prior Fiscal Year.*

**EXHIBIT D**

**RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)  
ANNEXATION NO. 2**

**ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND WITHIN  
ANNEXATION NO. 2 TO RIVER ISLANDS PUBLIC FINANCING AUTHORITY  
COMMUNITY FACILITIES DISTRICT NO. 2020-1  
(STAGE 2B PUBLIC IMPROVEMENTS)**

<b>Name(s) of Property Owner(s)</b>	<b>San Joaquin County Assessor's Parcel No.</b>
River Islands Stage 2B, LLC 73 W. Stewart Rd., Lathrop, CA 95330	213-470-13

By

*Recording Requested by and  
Please Return to:*

City Clerk  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, California 95330

*This Instrument Benefits City Only.  
No Fee Required. (GC 27383)*

This Space Above for Recorder's Use Only

**IRREVOCABLE OFFER OF DEDICATION OF EASEMENT  
FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT  
(TRACT 4052 – OFFSITE ROADWAY DEDICATION – SHRUTE DRIVE, POSEY  
STREET, ENNEKING DRIVE & MULHOLLAND DRIVE)**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, River Islands Stage 2B, LLC, a Delaware limited liability company, hereby grant(s) to the CITY OF LATHROP, a municipal corporation in the County of San Joaquin, State of California, an easement for ingress, egress and road purposes, and a public utility easement (PUE), over and across the hereinafter described real property situated in City of Lathrop and more particularly described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

This Offer of Dedication is made pursuant to Section 7050 of the Government Code of the State of California, and may be accepted at any time by the City Engineer of the City of Lathrop. This Offer of Dedication may be terminated, and right to accept such offer abandoned in the same manner as is prescribed for the vacation of streets or highways by Part 3 of Division 9, or Chapter 2 of Division 2 of the Streets and Highways Code of the State of California, whichever is applicable.

The above described easement is to be kept open, clear and free from buildings and structures of any kind. This Offer of Dedication shall be irrevocable and shall be binding on the Grantor's heirs, executors, administrators, successors and assigns.

**SIGNATURES:**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2021

RIVER ISLANDS STAGE 2B, LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Susan Dell'Osso  
Its: President

EXHIBIT "A"  
LEGAL DESCRIPTION  
OFFSITE ROADWAY DEDICATION AND ADJACENT PUBLIC UTILITY EASEMENT  
SHRUTE DRIVE, POSEY STREET, ENNEKING DRIVE & MULHOLLAND DRIVE  
(See Attached)



EXHIBIT "A-1"

LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
OFFSITE ROADWAY DEDICATION  
SHRUTE DRIVE, POSEY STREET, ENNEKING DRIVE & MULHOLLAND DRIVE  
RIVER ISLANDS-STAGE 2B  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

CERTAIN REAL PROPERTY SITUATE IN THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCELS 17 AND 18, AS SAID PARCELS ARE SHOWN ON THE MAP ENTITLED "TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP", FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 142, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE NORTHEASTERN LOT LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 430.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 68°27'44" EAST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 216.71 FEET, AND
- 2) SOUTH 07°20'17" WEST 65.33 FEET TO A POINT ON THE NORTHEASTERN LINE OF PARCEL 18 OF SAID MAP;

THENCE, LEAVING THE EASTERN LINE OF PARCEL 17, ALONG THE NORTHEASTERN AND A SOUTHERN LINE OF SAID PARCEL 18, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 07°20'17" WEST 60.00 FEET, AND
- 2) NORTH 82°39'43" WEST 89.13 FEET;

THENCE, LEAVING THE EASTERN LINE OF PARCEL 18, CONTINUING ALONG THE WESTERLY PROLONGATION OF LAST SAID LINE, NORTH 82°39'43" WEST 117.80 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 450.00 FEET, THROUGH A CENTRAL ANGLE OF 68°07'11", AN ARC DISTANCE OF 535.01 FEET;

THENCE, NORTH 60°46'54" WEST 60.00 FEET;

THENCE, NORTH 11°59'20" WEST 36.80 FEET;

THENCE, NORTH 54°36'01" WEST 122.35 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1865.00 FEET, THROUGH A CENTRAL ANGLE OF 02°18'34", AN ARC DISTANCE OF 75.17 FEET;

THENCE, ALONG A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 59.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 37°42'32" EAST, THROUGH A CENTRAL ANGLE OF 87°20'55", AN ARC DISTANCE OF 89.95 FEET;

THENCE, SOUTH 40°21'37" WEST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2680.00 FEET, THROUGH A CENTRAL ANGLE OF 09°05'49", AN ARC DISTANCE OF 425.51 FEET;

THENCE, SOUTH 46°27'55" WEST 109.89 FEET;

THENCE, SOUTH 50°15'08" WEST 167.84 FEET;

THENCE, SOUTH 04°35'31" WEST 42.91 FEET TO A POINT ON THE SOUTHWESTERN LOT LINE, BEING A CURVE OF SAID PARCEL 18, ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RIVER ISLANDS PARKWAY;

THENCE, NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2937.00 FEET, FROM WHICH THE CENTER OF THE SAID CURVE BEARS NORTH 48°55'54" EAST, THROUGH A CENTRAL ANGLE OF 02°38'29", AN ARC DISTANCE OF 135.39 FEET TO THE SOUTHWESTERN LINE OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE, ALONG THE SOUTHWESTERN LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 84°05'15" EAST 42.91 FEET,
- 2) NORTH 50°15'08" EAST 168.33 FEET,
- 3) NORTH 53°44'28" EAST 110.44 FEET,
- 4) NORTH 48°32'26" EAST 80.02 FEET;

THENCE, LEAVING THE SOUTHWESTERN LINE OF SAID PARCEL 17, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2620.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 42°20'05" WEST, THROUGH A CENTRAL ANGLE OF 07°18'19", AN ARC DISTANCE OF 334.05 FEET;

THENCE, NORTH 40°21'37" EAST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 59.00 FEET, THROUGH A CENTRAL ANGLE OF 87°20'55", AN ARC DISTANCE OF 89.95 FEET.

THENCE, NORTH 42°06'57" EAST 60.01 FEET;

THENCE, SOUTH 49°38'23" EAST 168.86 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1805.00 FEET, THROUGH A CENTRAL ANGLE OF 02°16'46", AN ARC DISTANCE OF 71.81 FEET;

THENCE, SOUTH 54°36'01" EAST 122.35 FEET;

THENCE, NORTH 82°47'17" EAST 36.80 FEET TO A POINT ON THE SOUTHERN LOT LINE OF SAID PARCEL 17, SAID POINT BEING NORTHEASTERLY ALONG A CURVE WITH A RADIUS OF 510.00 FEET, AN ARC DISTANCE OF 110.04 FEET FROM THE NORTHERN TERMINUS OF THE COURSE LABELED AS "N23°43'41"E 302.93 FEET", ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE, ALONG THE SOUTHERN LOT LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 510.00 FEET, FROM WHICH POINT THE CENTER OF SAID CURVE BEARS SOUTH

48°25'09" EAST, THROUGH A CENTRAL ANGLE OF 55°45'26", AN ARC DISTANCE OF 496.31, AND

2) SOUTH 82°39'43" EAST 121.93 FEET;

THENCE, LEAVING THE SOUTHERN LINE OF SAID PARCEL 17, NORTH 52°20'17" EAST 35.36 FEET;

THENCE, NORTH 07°20'17" EAST 40.33 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 370.00 FEET, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, NORTH 68°27'44" EAST 60.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 153,488 SQUARE FEET (3.52 ACRES), MORE OR LESS.

A PLAT OF THE ABOVE DESCRIBED EASEMENT IS ATTACHED HERETO AS **EXHIBIT "B"** AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

\_\_\_\_\_  
WILLIAM M. KOCH  
PROFESSIONAL LAND SURVEYOR  
CALIFORNIA NO. 8092



\_\_\_\_\_  
DATE

EXHIBIT "A-2"

LEGAL DESCRIPTION  
DEDICATION OF PUBLIC UTILITY EASEMENTS  
PARCELS 5, 18 & 18, TRACT 4032 (43 M&P 142)  
RIVER ISLANDS-STAGE 2B  
CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

CERTAIN REAL PROPERTY SITUATE IN THE CITY OF LATHROP, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCELS 5, 17 AND 18, AS SAID PARCELS ARE SHOWN ON THE MAP ENTITLED "TRACT 4032, RIVER ISLANDS-STAGE 2B, LARGE LOT FINAL MAP", FILED OCTOBER 8, 2020, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 142, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

P.U.E. #1

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE NORTHEASTERN LOT LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 430.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 68°27'44" EAST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 216.71 FEET, AND
- 2) SOUTH 07°20'17" WEST 65.33 FEET TO A POINT ON THE NORTHEASTERN LINE OF PARCEL 18 OF SAID MAP;

THENCE, LEAVING THE EASTERN LINE OF PARCEL 17, ALONG THE NORTHEASTERN AND A SOUTHERN LINE OF SAID PARCEL 18, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 07°20'17" WEST 60.00 FEET, AND
- 2) NORTH 82°39'43" WEST 1.82 FEET TO THE CORNER OF SAID PARCEL 5, ALSO BEING THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, ALONG THE EASTERLY LINE OF SAID PARCEL 5, SOUTH 07°20'17" WEST 10.00 FEET;

THENCE, LEAVING SAID EASTERLY LINE, NORTH 82°39'43" WEST 205.11 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 440.00 FEET, THROUGH A CENTRAL ANGLE OF 68°07'11", AN ARC DISTANCE OF 523.12 FEET;

THENCE, NORTH 60°46'54" WEST 10.00 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 450.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 60°46'54" EAST, THROUGH A CENTRAL ANGLE OF 68°07'11", AN ARC DISTANCE OF 535.01 FEET;

THENCE, SOUTH 82°39'43" EAST 205.11 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 7,342 SQUARE FEET, MORE OR LESS.

**P.U.E. #2**

**COMMENCING** AT THE SOUTHWESTERN CORNER OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERN LOT LINE, BEING A CURVE OF SAID PARCEL 18, ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RIVER ISLANDS PARKWAY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2937.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 51°34'32" EAST, THROUGH A CENTRAL ANGLE OF 02°38'29", AN ARC DISTANCE OF 135.39 FEET;

THENCE, LEAVING SAID SOUTHWESTERN LOT LINE, NORTH 04°35'31" EAST 28.93 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING NORTH 04°35'31" EAST 13.98 FEET;

THENCE, NORTH 50°15'08" EAST 167.84 FEET;

THENCE, NORTH 46°27'55" EAST 109.89 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2680.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 40°32'34" WEST, THROUGH A CENTRAL ANGLE OF 09°05'49", AN ARC DISTANCE OF 425.51 FEET;

THENCE, NORTH 40°21'37" EAST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, THROUGH A CENTRAL ANGLE OF 33°50'56", AN ARC DISTANCE OF 34.86 FEET;

THENCE, SOUTH 40°21'37" WEST 178.99 FEET;

THENCE, SOUTH 82°07'56" WEST 7.51 FEET;

THENCE, SOUTH 40°21'37" WEST 68.11 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2685.00 FEET, THROUGH A CENTRAL ANGLE OF 00°47'50", AN ARC DISTANCE OF 37.36 FEET;

THENCE, SOUTH 59°53'46" EAST 5.09 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2690 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 48°51'48" WEST, THROUGH A CENTRAL ANGLE OF 08°18'54", AN ARC DISTANCE OF 390.38 FEET;

THENCE, SOUTH 46°27'55" WEST 109.96 FEET;

THENCE, SOUTH 50°15'08" WEST 177.94 FEET;

CONTAINING 8,972 SQUARE FEET, MORE OR LESS.

**P.U.E. #3**

**COMMENCING** AT THE SOUTHWESTERN CORNER OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERN LOT LINE, BEING A CURVE OF SAID PARCEL 18, ALSO BEING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RIVER ISLANDS PARKWAY, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2937.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 51°34'32" EAST, THROUGH A CENTRAL ANGLE OF 02°38'29", AN ARC DISTANCE OF 135.39 FEET;

THENCE, LEAVING SAID SOUTHWESTERN LOT LINE, NORTH 04°35'31 EAST 42.91 FEET;

THENCE, NORTH 50°15'08" EAST 167.84 FEET;

THENCE, NORTH 46°27'55" EAST 109.89 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2680.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 40°32'34" WEST, THROUGH A CENTRAL ANGLE OF 09°05'49", AN ARC DISTANCE OF 425.51 FEET;

THENCE, NORTH 40°21'37 EAST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, THROUGH A CENTRAL ANGLE OF 53°59'32", AN ARC DISTANCE OF 55.60 FEET; TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 04°21'09" WEST, THROUGH A CENTRAL ANGLE OF 33°21'23", AN ARC DISTANCE OF 34.35 FEET;

THENCE, ALONG A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 1865.00 FEET, THROUGH A CENTRAL ANGLE OF 02°18'34", AN ARC DISTANCE OF 75.17 FEET;

THENCE, SOUTH 54°36'01" EAST 122.35 FEET;

THENCE, SOUTH 11°59'20" EAST, 14.77 FEET;

THENCE, NORTH 54°26'01" WEST 133.22 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1875.00 FEET, THROUGH A CENTRAL ANGLE OF 03°18'02", AN ARC DISTANCE OF 108.01 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,252 SQUARE FEET, MORE OR LESS.

**P.U.E. #4**

**COMMENCING** AT THE SOUTHWESTERN CORNER OF SAID PARCEL 17, SAID POINT ALSO BEING THE SOUTHERN TERMINUS OF COURSE C123, ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE, SOUTH 84°05'15" EAST 28.93 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, NORTH 50°15'08" EAST 178.40 FEET;

THENCE, NORTH 53°44'28" EAST 110.29 FEET;

THENCE, NORTH 48°32'26" EAST 79.49 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,610.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 42°20'11" WEST, THROUGH A CENTRAL ANGLE OF 04°17'55", AN ARC DISTANCE OF 195.82 FEET;

THENCE, SOUTH 88°21'00" EAST 6.69 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,615.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 46°43'57" WEST, THROUGH A CENTRAL ANGLE OF 01°18'26", AN ARC DISTANCE OF 59.66 FEET;

THENCE, NORTH 36°33'23" WEST 5.10 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,610.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 48°03'43" WEST, THROUGH A CENTRAL ANGLE OF 01°34'40", AN ARC DISTANCE OF 71.88 FEET;

THENCE, NORTH 40°21'37" EAST 252.70 FEET;

THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 59.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 83°29'20" WEST, THROUGH A CENTRAL ANGLE OF 33°50'56", AN ARC DISTANCE OF 34.86 FEET;

THENCE, SOUTH 40°21'37" WEST 219.84 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2,620.00 FEET, THROUGH A CENTRAL ANGLE OF 07°18'19", AN ARC DISTANCE OF 334.05 FEET TO AN ANGLE POINT IN THE SOUTHWESTERN LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP;

THENCE, ALONG THE SOUTHWESTERN LINE OF SAID PARCEL 17 AS SHOWN ON SAID MAP, THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 48°32'26" WEST 80.02 FEET,
- 2) SOUTH 53°44'28" WEST 110.44 FEET,
- 3) SOUTH 50°15'08" WEST 168.33 FEET,
- 4) NORTH 84°05'15" WEST 13.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,078 SQUARE FEET, MORE OR LESS.

**P.U.E. #5**

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, SOUTH 68°27'44" WEST 60.00 FEET;

THENCE, SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 38°27'44" WEST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, SOUTH 07°20'17" WEST 40.33 FEET;

THENCE, SOUTH 52°20'17" WEST 35.36 FEET;

THENCE, NORTH 82°39'43" WEST 121.93 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 55°45'26", AN ARC DISTANCE OF 496.31 FEET;

THENCE, SOUTH 82°47'17" WEST 22.03 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 82°47'17" WEST 14.77 FEET;

THENCE, NORTH 54°36'01" WEST 122.35 FEET;

THENCE, ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1805.00 FEET, THROUGH A CENTRAL ANGLE OF 02°16'46", AN ARC DISTANCE OF 71.81 FEET;

THENCE, NORTH 49°38'23" WEST 168.86 FEET;

THENCE, NORTH 40°21'37" EAST 10.00 FEET;

THENCE, SOUTH 49°38'23" EAST 168.63 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1795.00 FEET, THROUGH A CENTRAL ANGLE OF 02°16'19", AN ARC DISTANCE OF 71.18 FEET;

THENCE, SOUTH 54°36'01" EAST 133.22 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,680 SQUARE FEET, MORE OR LESS.

**P.U.E. #6**

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, SOUTH 68°27'44" WEST 60.00 FEET;

THENCE, SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 38°27'44" WEST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, SOUTH 07°20'17" WEST 40.33 FEET;

THENCE, SOUTH 52°20'17" WEST 21.22 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 52°20'17" WEST 14.14 FEET;

THENCE, NORTH 82°39'43" WEST 121.93 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 55°45'26", AN ARC DISTANCE OF 496.31 FEET;

THENCE, SOUTH 82°47'17" WEST 14.99 FEET;



THENCE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 520.00, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 68°27'44" WEST, THROUGH A CENTRAL ANGLE OF 57°00'01", AN ARC DISTANCE OF 517.32 FEET;

THENCE, SOUTH 82°39'43" EAST 131.93 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 6,338 SQUARE FEET, MORE OR LESS.

**P.U.E. #7**

**COMMENCING** AT A POINT ON THE NORTHEASTERN LOT LINE, BEING A CURVE WITH A RADIUS OF 430.00 FEET, OF PARCEL 17 OF SAID TRACT 4032, SAID POINT ALSO BEING THE WESTERLY TERMINUS OF THE COURSE, LABELED AS "L210", ALL AS SHOWN ON SHEET 14 OF SAID MAP OF TRACT 4032;

THENCE, SOUTH 68°27'44" WEST 60.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 38°27'44" WEST, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 186.47 FEET;

THENCE, SOUTH 07°20'17" WEST 40.33 FEET;

THENCE, SOUTH 52°20'17" WEST 14.14 FEET;

THENCE, NORTH 07°20'17" EAST 50.33 FEET;

THENCE, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 360.00 FEET, THROUGH A CENTRAL ANGLE OF 28°52'33", AN ARC DISTANCE OF 181.43 FEET;

THENCE, NORTH 68°27'44" EAST 10.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,293 SQUARE FEET, MORE OR LESS.

A PLAT OF THE ABOVE DESCRIBED EASEMENTS IS ATTACHED HERETO AS **EXHIBIT "B"** AND BY THIS REFERENCE MADE A PART HEREOF.

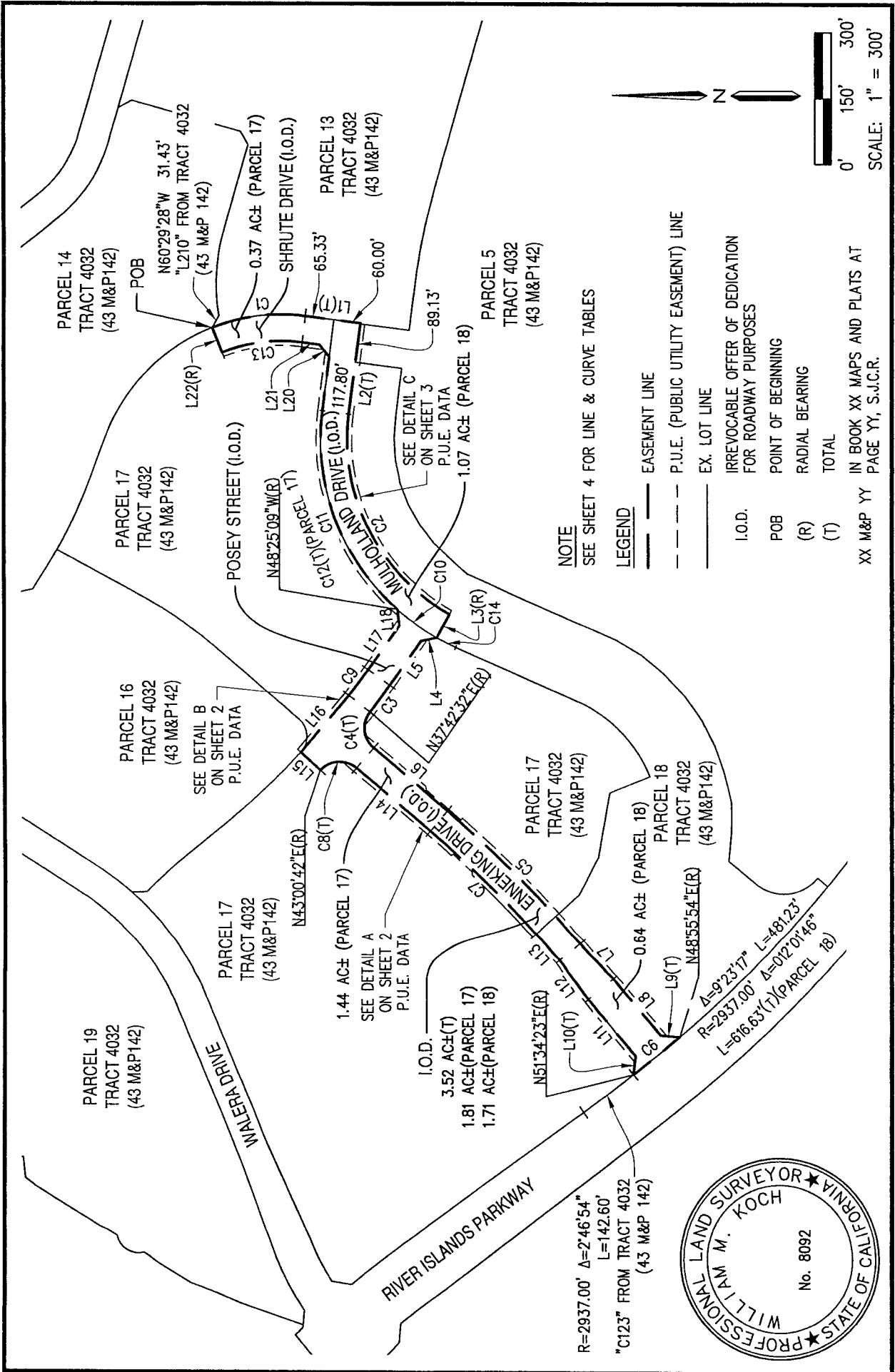
END DESCRIPTION

THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

\_\_\_\_\_  
WILLIAM M. KOCH  
PROFESSIONAL LAND SURVEYOR  
CALIFORNIA NO. 8092



\_\_\_\_\_  
DATE



**NOTE**  
SEE SHEET 4 FOR LINE & CURVE TABLES

- LEGEND**
- EASEMENT LINE
  - - - P.U.E. (PUBLIC UTILITY EASEMENT) LINE
  - EX. LOT LINE

- I.O.D. IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES
- POB POINT OF BEGINNING
- (R) RADIAL BEARING
- (T) TOTAL
- XX M&P YY IN BOOK XX MAPS AND PLATS AT PAGE YY, S.J.C.R.

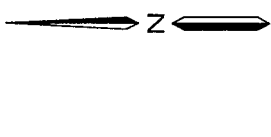
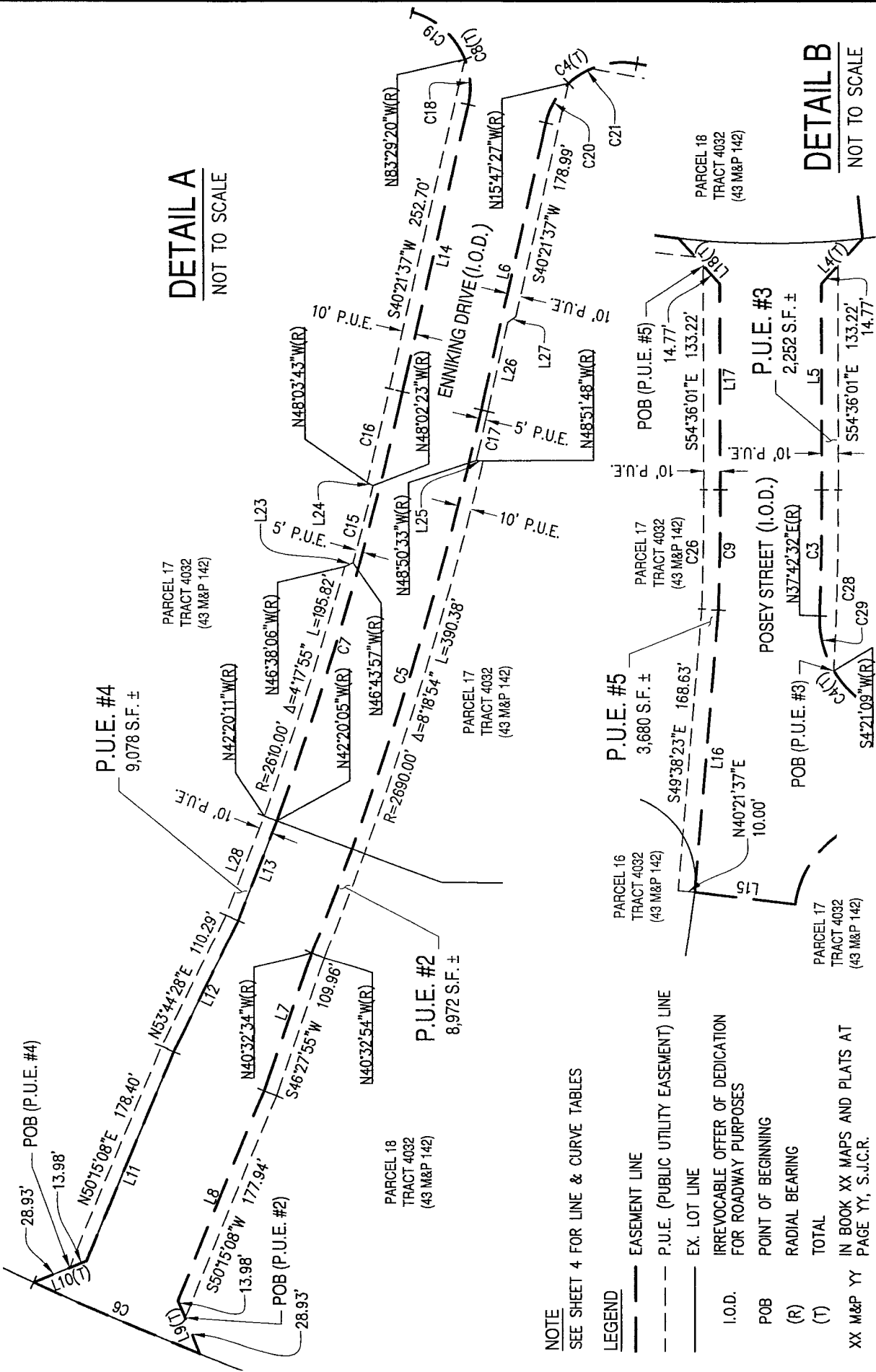


EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
 IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
 OFFSITE ROADWAY DEDICATION  
 SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET  
 RIVER ISLANDS - STAGE 2B  
 SAN JOAQUIN COUNTY CALIFORNIA  
 CITY OF LATHROP

SCALE: 1" = 300'
DRAWN BY: JC
FILE: 25503-PLAT-VILLAGE JJ_PARCEL ONE 100.DWG
DATE: 12/29/2020
SHEET: 1 OF 4

**DETAIL A**  
NOT TO SCALE

**DETAIL B**  
NOT TO SCALE



**NOTE**  
SEE SHEET 4 FOR LINE & CURVE TABLES

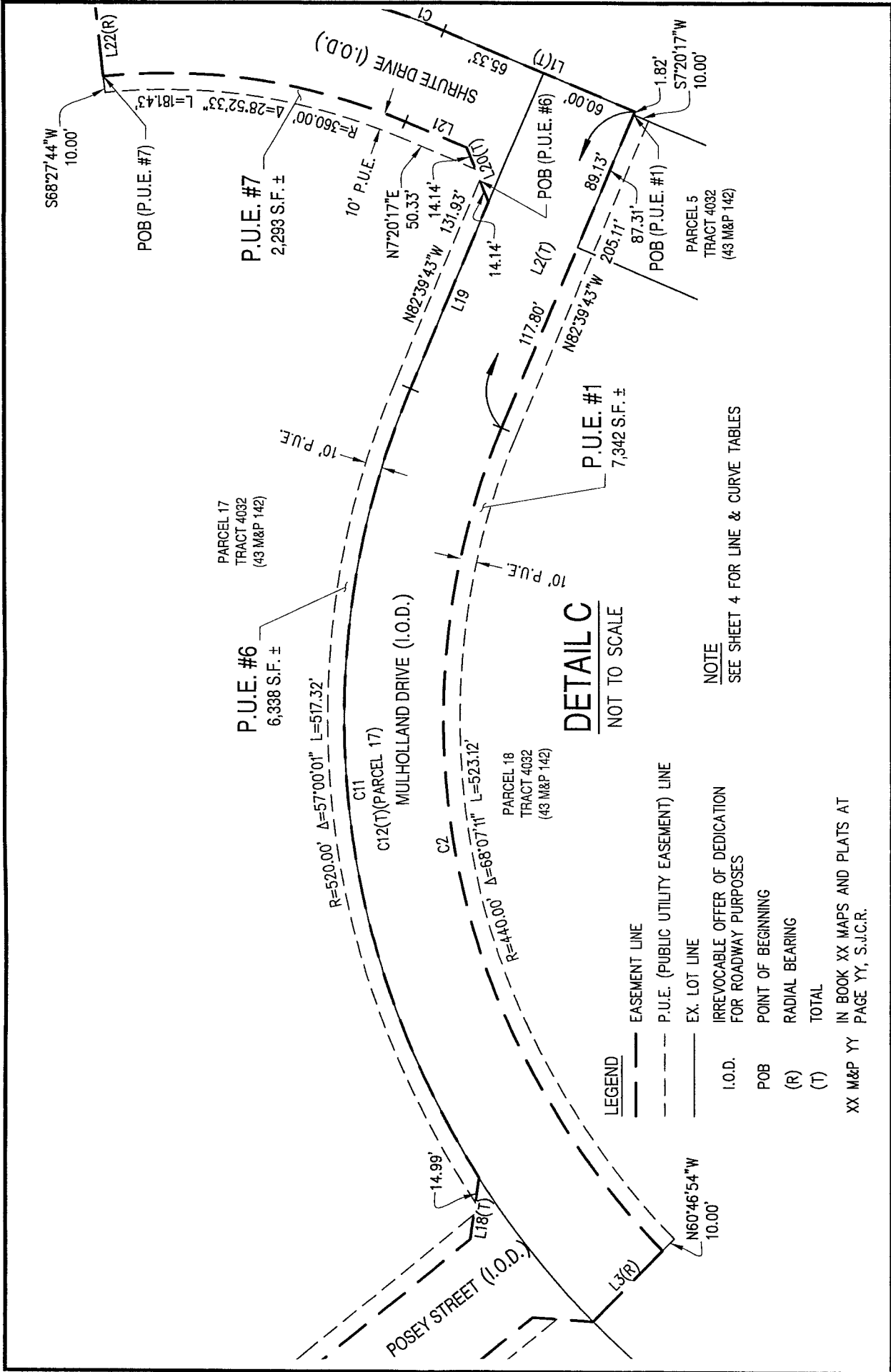
**LEGEND**

---	EASEMENT LINE
---	P.U.E. (PUBLIC UTILITY EASEMENT) LINE
---	EX. LOT LINE
---	IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES
I.O.D.	IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES
POB	POINT OF BEGINNING
(R)	RADIAL BEARING
(T)	TOTAL
XX M&P YY	IN BOOK XX MAPS AND PLATS AT PAGE YY, S.J.C.R.

SCALE: N/A
DRAWN BY: JC
FILE: 25503-PLAT-VILLAGE JJ_PARCEL ONE 100.DWG
DATE: 12/29/2020
SHEET: 2 OF 4

**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES**  
**OFFSITE ROADWAY DEDICATION**  
**RIVER ISLANDS - STAGE 2B**  
 SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET  
 SAN JOAQUIN COUNTY  
 CALIFORNIA





**DETAIL C**  
NOT TO SCALE

- LEGEND**
- EASEMENT LINE
  - - - P.U.E. (PUBLIC UTILITY EASEMENT) LINE
  - EX. LOT LINE
- NOTE**
- I.O.D. IRREVOCABLE OFFER OF DEDICATION FOR ROADWAY PURPOSES
  - POB POINT OF BEGINNING
  - (R) RADIAL BEARING
  - (T) TOTAL
- IN BOOK XX MAPS AND PLATS AT  
PAGE YY, S.J.C.R.

NOTE  
SEE SHEET 4 FOR LINE & CURVE TABLES



EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
OFFSITE ROADWAY DEDICATION  
SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET  
RIVER ISLANDS - STAGE 2B  
SAN JOAQUIN COUNTY CALIFORNIA

SCALE: N/A	FILE: 25503-PLAT-VILLAGE_JJ_PARCEL ONE 100.DWG
DRAWN BY: JC	
DATE: 12/29/2020	
SHEET: 3 OF 4	

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1(T)	S07°20'17"W	125.33'
L2(T)	N82°39'43"W	206.93'
L3	N60°46'54"W	60.00'
L4	N11°59'20"W	36.80'
L5	N54°36'01"W	122.35'
L6	S40°21'37"W	219.84'
L7	S46°27'55"W	109.89'
L8	S50°15'08"W	167.84'
L9(T)	N04°35'31"E	42.91'
L10(T)	N84°05'15"W	42.91'
L11	N50°15'08"E	168.33'
L12	N53°44'28"E	110.44'
L13	N48°32'26"E	80.02'
L14	N40°21'37"E	219.84'
L15	N42°06'57"E	60.01'
L16	S49°38'23"E	168.86'
L17	S54°36'01"E	122.35'
L18	N82°47'17"E	36.80'
L19	S82°39'43"E	121.93'
L20	N52°20'17"E	35.36'

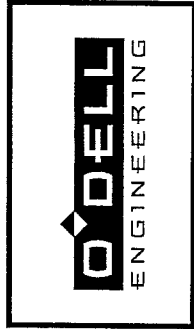
LINE TABLE		
LINE #	DIRECTION	LENGTH
L21	N07°20'17"E	40.33'
L22	N68°27'44"E	60.00'
L23	N88°21'00"W	6.69'
L24	N36°33'23"W	5.10'
L25	N59°53'46"W	5.09'
L26	S40°21'37"W	68.11'
L27	S82°07'56"W	7.51'
L28	N48°32'26"E	79.49'

CURVE TABLE				
CURVE #	RADIUS	DELTA	LENGTH	
C1	430.00'	28°52'33"	216.71'	
C2	450.00'	68°07'11"	535.01'	
C3	1865.00'	2°18'34"	75.17'	
C4(T)	59.00'	87°20'55"	89.95'	
C5	2680.00'	9°05'49"	425.51'	
C6	2937.00'	2°38'29"	135.39'	
C7	2620.00'	7°18'19"	334.05'	
C8(T)	59.00'	87°20'55"	89.95'	
C9	1805.00'	2°16'46"	71.81'	
C10	510.00'	12°21'45"	110.04'	
C11	510.00'	55°45'26"	496.31'	
C12(T)	510.00'	73°36'37"	655.22'	
C13	370.00'	28°52'33"	186.47'	
C14	510.00'	5°29'26"	48.87'	
C15	2615.00'	1°18'26"	59.66'	
C16	2610.00'	1°34'40"	71.88'	
C17	2685.00'	0°47'50"	37.36'	
C18	59.00'	33°50'56"	34.86'	
C19	59.00'	53°29'59"	55.09'	
C20	59.00'	33°50'56"	34.86'	

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C21	59.00'	53°29'59"	55.09'

SCALE: N/A
DRAWN BY: JC
FILE: 25503-PLAT-VILLAGE JJ_PARCEL ONE 100.DWG
DATE: 12/29/2020
SHEET: 4 OF 4

EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
 IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
 OFFSITE ROADWAY DEDICATION  
 SHRUTE DRIVE, ENNEKING DRIVE, MULHOLLAND DRIVE & POSEY STREET  
 RIVER ISLANDS - STAGE 2B  
 SAN JOAQUIN COUNTY  
 CALIFORNIA





Office of the City Clerk

390 Towne Centre Dr. – Lathrop, CA 95330  
Phone (209) 941-7230 – Fax (209) 941-7229  
www.ci.lathrop.ca.us

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in real property conveyed by the **IRREVOCABLE OFFER OF DEDICATION OF EASEMENT FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT (TRACT 4052 – OFFSITE ROADWAY DEDICATION – SHRUTE DRIVE, POSEY STREET, ENNEKING DRIVE & MULHOLLAND DRIVE)**, dated **January \_\_\_\_, 2021**, from **River Islands Stage 2B, LLC., a Delaware limited liability company**, granted to the City of Lathrop, municipal corporation and governmental agency in the County of San Joaquin, State of California, is hereby accepted by the undersigned officer on behalf of the City Council pursuant to authority conferred by Resolution No. 90-72, of the City Council adopted on September 26, 1990, and the duly authorized officer.  
(GC 27281)

By: \_\_\_\_\_  
Teresa Vargas, City Clerk

Dated: \_\_\_\_\_