

## ITEM 4.7

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

**ITEM:** **APPROVAL OF A REVISED STREET NAME AND IOD, IN TRACT 4055 VILLAGE "DD" WITHIN THE LAKESIDE WEST DISTRICT**

**RECOMMENDATION:** **Adopt Resolution Approving a Revised Street Name in Tract 4055 within the Lakeside West District and Irrevocable Offers of Dedication (IOD) from River Islands Stage 2B, LLC**

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#### **SUMMARY:**

On December 14, 2020, City Council approved a Final Map for Tract 4055 Village "DD". A Vicinity Map is included as Attachment "B". Since approval, San Joaquin County Communications has requested a change in street name and PG&E has requested the addition of Public Utility Easements to the Irrevocable Offers of Dedication (IODs) for adjacent streets.

Staff recommends that the City Council approve the replacement of street name Courtney Scott Lane with Penrose Lane, and the Irrevocable Offers of Dedication of streets and PUEs for Final Map Tract 4055. If this item is approved by Council, staff will request the recordation of a Certificate of Correction (included as Attachment "C") to memorialize the street name change, and the IODs (included as Attachment "D" and "E") at the recordation of Final Map Tract 4055.

#### **BACKGROUND:**

The Lathrop City Council approved a Final Map for Tract 4055 Village "DD" on December 14, 2020. A Vicinity Map is included as Attachment "B". Since approval, San Joaquin County Communications has requested a change in street name to avoid confusion with a similar street name and PG&E has requested the addition of Public Utility Easements to the Irrevocable Offers of Dedication (IODs) for adjacent streets before they will energize their facilities. This is a new approach from PG&E.

Most streets in this area of River Islands have already been constructed. The streets and Public Utility Easements are formally dedicated to the City at the time a final map is recorded to create buildable lots. Some subdivisions are created that are not adjacent to an existing street, typically because the home builder wants to construct homes on a particular size lot. PG&E now requires easements that lead up to the subdivision be dedicated now rather than waiting until the easements are provided with the subdivision that dedicates the streets. Those required easements have been included as Attachment "D and E". If for whatever reason, the needed streets are not dedicated with a final map, the City can simply accept the IODs.

**JANUARY 11, 2021, CITY COUNCIL REGULAR MEETING****APPROVAL OF A REVISED STREET NAME AND IOD, IN TRACT 4055 VILLAGE "DD" WITHIN THE LAKESIDE WEST DISTRICT**

Staff recommends that the City Council approve the replacement of street name Courtney Scott Lane with Penrose Lane on the Final Map for Tract 4055 and approve the Irrevocable Offers of Dedication of streets and PUEs for Final Map Tract 4055. Upon approval of this item by Council, staff will request the recordation of a Certificate of Correction, included as Attachment "C", to memorialize the street name change and record the IODs at the time of the recordation of Final Map for Tract 4055. The Amended Escrow Instructions, included as Attachment "F", reflect these documents.

**FISCAL IMPACT:**

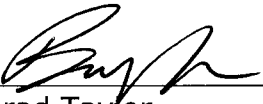
There is no budget impact to the City as all costs are covered by development fees and any shortfalls in the City's maintenance and operating costs are covered by the CFDs.

**ATTACHMENTS:**

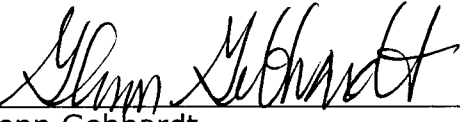
- A. Resolution Approving Tract 4055 Revised Street Name and Irrevocable Offers of Dedication from River Islands Stage 2B, LLC
- B. Village "DD" Vicinity Map
- C. Certificate of Correction
- D. Irrevocable Offers of Dedication, including PUEs, Garden Farms Avenue and Macabee Drive
- E. Irrevocable Offers of Dedication, including PUEs, Garden Farms Avenue
- F. Amended Escrow Instructions

**CITY MANAGER'S REPORT**  
**JANUARY 11, 2021, CITY COUNCIL REGULAR MEETING**  
**APPROVAL OF A REVISED STREET NAME AND IOD, IN TRACT 4055 VILLAGE**  
**"DD" WITHIN THE LAKESIDE WEST DISTRICT**

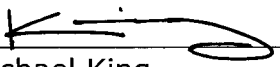
**APPROVALS**

  
\_\_\_\_\_  
Brad Taylor  
Associate Engineer

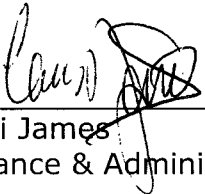
12/17/2020  
Date

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


12/17/2020  
Date

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


12/17/2020  
Date

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

12/17/2020  
Date

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

12-17-2020  
Date

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

12.21.2020  
Date

**RESOLUTION NO. 21-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING A REVISED STREET NAME IN TRACT 4055 WITHIN THE LAKESIDE WEST DISTRICT AND IRREVOCABLE OFFERS OF DEDICATION (IOD) FROM RIVER ISLANDS STAGE 2B, LLC**

**WHEREAS**, the City of Lathrop City Council approved a Final Map for Tract 4055 Village "DD" on December 14, 2020; and

**WHEREAS**, San Joaquin County Communications has requested a change in street name from Courtney Scott Lane to Penrose Lane; and

**WHEREAS**, City staff will request recordation of a Certificate of Correction to memorialize the street name change; and

**WHEREAS**, PG&E has requested the addition of Public Utility Easements to the Irrevocable Offers of Dedication for adjacent streets (Garden Farms Avenue and Macabee Drive) from River Islands Stage 2B, LLC; and

**WHEREAS**, City staff recommends approval of the street name change, recordation of the Certificate of Correction, and recordation of the IODs that include PUEs for Tract 4055.

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

1. Certificate of Correction for the street name change from Courtney Scott Lane to Penrose Lane in Tract 4055 and is hereby approved and the City Clerk is authorized to submit for recordation with the San Joaquin County Assessor/Recorder/County Clerk Office.
2. Accept two Irrevocable Offers of Dedication (IODs) from River Islands Stage 2B, LLC for the western portion of Garden Farms Avenue and for Macabee Drive and for the eastern portion of Garden Farms Avenue, including Public Utility Easements, in substantially the form as attached to the January 11, 2021 staff report, and authorize the City Clerk to issue Certificate of Acceptances.

The foregoing resolution was passed and adopted this 11th day of January 2021, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

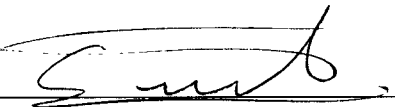
ABSENT:

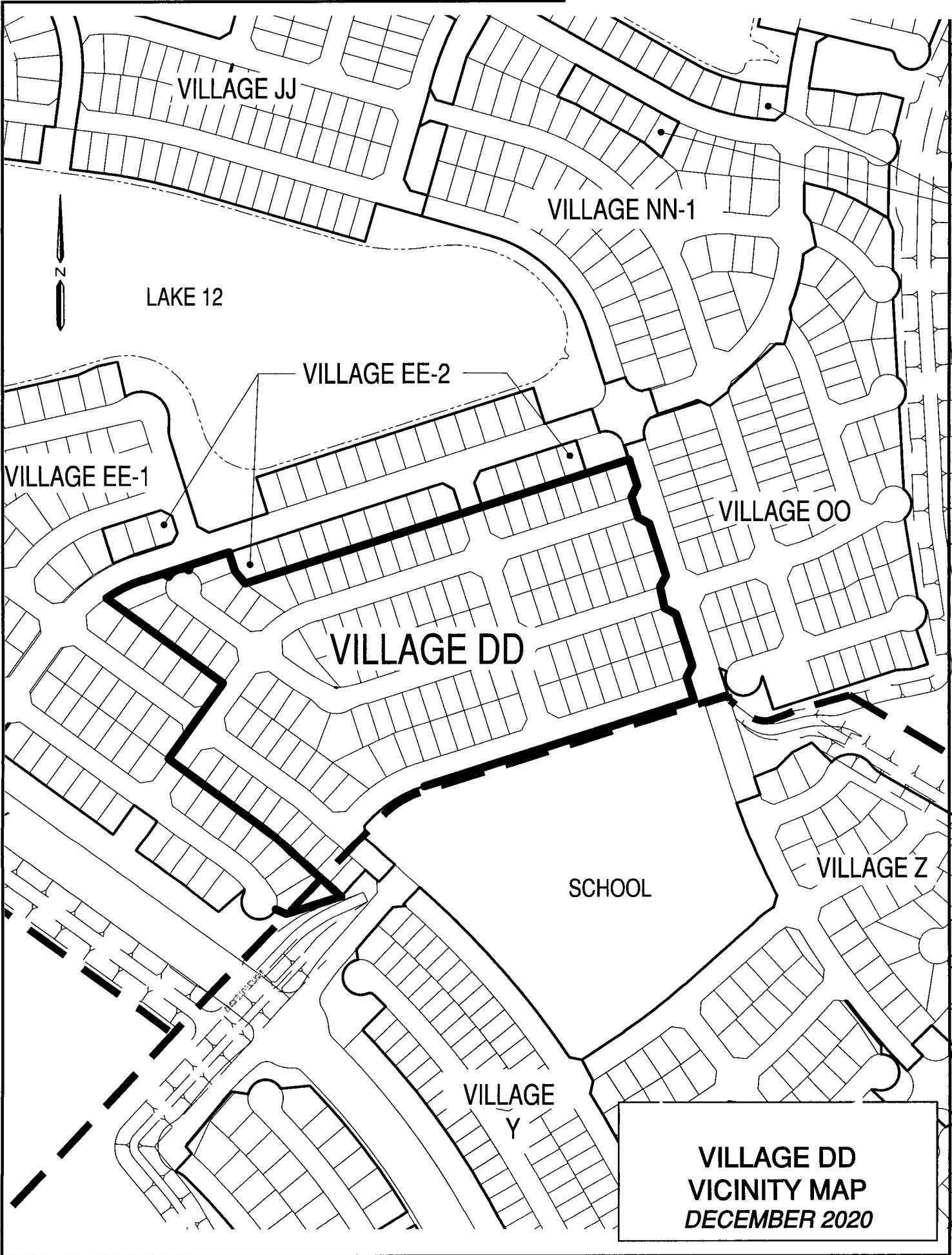
\_\_\_\_\_  
Sonny Dhaliwal, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



VILLAGE JJ

VILLAGE NN-1

LAKE 12

VILLAGE EE-2

VILLAGE EE-1

VILLAGE OO

VILLAGE DD

SCHOOL

VILLAGE Z

VILLAGE  
Y

**VILLAGE DD  
VICINITY MAP  
DECEMBER 2020**



**RECORDING REQUESTED BY, AND  
WHEN RECORDED MAIL TO:**

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**IRREVOCABLE OFFER OF DEDICATION OF EASEMENT  
FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT  
(FUTURE OFFSITE ROADWAY DEDICATION –  
GARDEN FARMS AVENUE AND MACABEE 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 public road purposes, and a public utility easement (PUE) for public purposes, 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, even if rejected by the City, 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

**(Notary Acknowledgment Required for Each Signatory)**



EXHIBIT "A"  
LEGAL DESCRIPTION  
FUTURE ROADWAY DEDICATION AND ADJACENT PUBLIC UTILITY EASEMENT  
(GARDEN FARMS AVENUE AND MACABEE DRIVE)

(See Attached)

12/17/2020

EXHIBIT "A-1"

LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
GARDEN FARMS AVENUE & MACABEE 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 PARCEL 1, AS SAID PARCEL IS 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 THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST, 261.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, CONTINUING ALONG THE SOUTHWESTERLY PROLONGATION OF SAID LINE, 75.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 35.36 FEET;

THENCE, SOUTH 35°54'41" WEST, 60.00 FEET;

THENCE, NORTH 54°05'19" WEST, 110.00 FEET;

THENCE, NORTH 35°54'41" EAST, 60.00 FEET;

THENCE, NORTH 80°54'41" EAST, 35.36 FEET;

THENCE, NORTH 35°54'41" EAST, 150.00 FEET;

THENCE, NORTH 09°05'19" WEST, 35.36 FEET;

THENCE, NORTH 54°05'19" WEST, 376.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 35.36 FEET TO A POINT ON THE NORTHWESTERN LINE OF SAID PARCEL 1 AS SHOWN ON SAID MAP, SAID POINT ALSO BEING 150.00 FEET NORTHEAST FROM THE SOUTHWEST TERMINUS OF THE COURSE, LABELED AS "NORTH 35°54'41" EAST 205.00 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP;

THENCE, ALONG THE SAID NORTHWESTERN LINE OF SAID PARCEL 1 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 35°54'41" EAST, 55.00 FEET, AND
- 2) NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS 390.00 FEET, THROUGH A CENTRAL ANGLE OF 08°39'58", AN ARC DISTANCE OF 58.99 FEET TO A POINT ON THE ARC, WHICH BEARS NORTH 45°25'21" WEST FROM THE CENTER OF SAID CURVE;

12/17/2020

THENCE, LEAVING THE SAID NORTHWESTERN LINE OF SAID PARCEL 1, SOUTH 04°45'20" EAST, 37.93 FEET;

THENCE, SOUTH 54°05'19" EAST, 371.83 FEET;

THENCE, NORTH 80°54'41" EAST, 35.36 FEET;

THENCE, NORTH 35°54'41" EAST, 76.00 FEET TO THE NORTHEASTERN LINE OF SAID PARCEL 1;

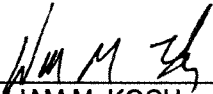
THENCE ALONG SAID NORTHEASTERN LINE, SOUTH 54°05'19" EAST, 60.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 55,779 SQUARE FEET (1.28 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 REAL PROPERTY 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



12/22/2020  
DATE

12/21/2020

EXHIBIT "A-2"

LEGAL DESCRIPTION  
DEDICATION OF PUBLIC UTILITY EASEMENTS  
PARCEL 1, 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 PARCEL 1, AS SAID PARCEL IS 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 THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE LEAVING SAID NORTHEASTERLY LINE, SOUTH 35°54'41" WEST, 76.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 14.14 FEET;

THENCE, NORTH 35°54'41" EAST, 86.00 FEET TO AFORESAID NORTHEASTERLY LINE OF PARCEL 1;

THENCE ALONG SAID NORTHEASTERLY LINE, SOUTH 54°05'19" EAST, 10.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 810 SQUARE FEET, MORE OR LESS.

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

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET;

THENCE LEAVING SAID NORTHEASTERLY LINE, SOUTH 35°54'41" WEST, 76.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 21.22 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 80°54'41" WEST, 14.14 FEET;

12/21/2020

THENCE, NORTH 54°05'19" WEST, 371.83 FEET;

THENCE, NORTH 04°45'20" WEST, 13.18 FEET;

THENCE, SOUTH 54°05'19" EAST, 390.42 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,811 SQUARE FEET, MORE OR LESS.

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

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST, 186.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET;

THENCE, NORTH 09°05'19" WEST, 21.22 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, NORTH 54°05'19" WEST, 396.00 FEET;

THENCE, NORTH 80°54'41" EAST, 14.14 FEET;

THENCE, SOUTH 54°05'19" EAST, 376.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 14.14 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,860 SQUARE FEET, MORE OR LESS.

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

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST, 186.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, SOUTH 35°54'41" WEST, 150.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 14.14 FEET;

THENCE, NORTH 35°54'41" EAST, 170.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 14.14 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,600 SQUARE FEET, MORE OR LESS.

12/21/2020

**P.U.E. #5**

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST 261.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, CONTINUING ALONG THE SOUTHWESTERLY PROLONGATION OF SAID LINE, 75.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 35.36 FEET;

THENCE, SOUTH 35°54'41" WEST, 60.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 35°54'41" WEST, 10.00 FEET;

THENCE, NORTH 54°05'19" WEST, 110.00 FEET;

THENCE, NORTH 35°54'41" EAST 10.00 FEET;

THENCE, SOUTH 54°05'19" EAST, 110.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,100 SQUARE FEET, MORE OR LESS.

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

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST 261.00 FEET TO AN ANGLE POINT IN SAID EASTERN LINE OF SAID PARCEL 1, ALSO BEING THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE ALONG SAID EASTERN LINE, SOUTH 54°05'19" EAST 10.00 FEET;

THENCE, LEAVING SAID EASTERN LINE, SOUTH 35°54'41" WEST, 85.00 FEET;

THENCE, NORTH 09°05'19" WEST, 14.14 FEET TO A POINT ON THE SOUTHWESTERLY PROLONGATION OF THE EASTERN LINE OF SAID PARCEL 1;

THENCE, ALONG SAID SOUTHWESTERLY PROLONGATION OF SAID LINE, NORTH 35°54'41" EAST, 75.00 FEET TO THE **POINT OF BEGINNING**.

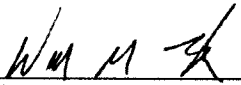
CONTAINING 800 SQUARE FEET, MORE OR LESS.

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

12/21/2020

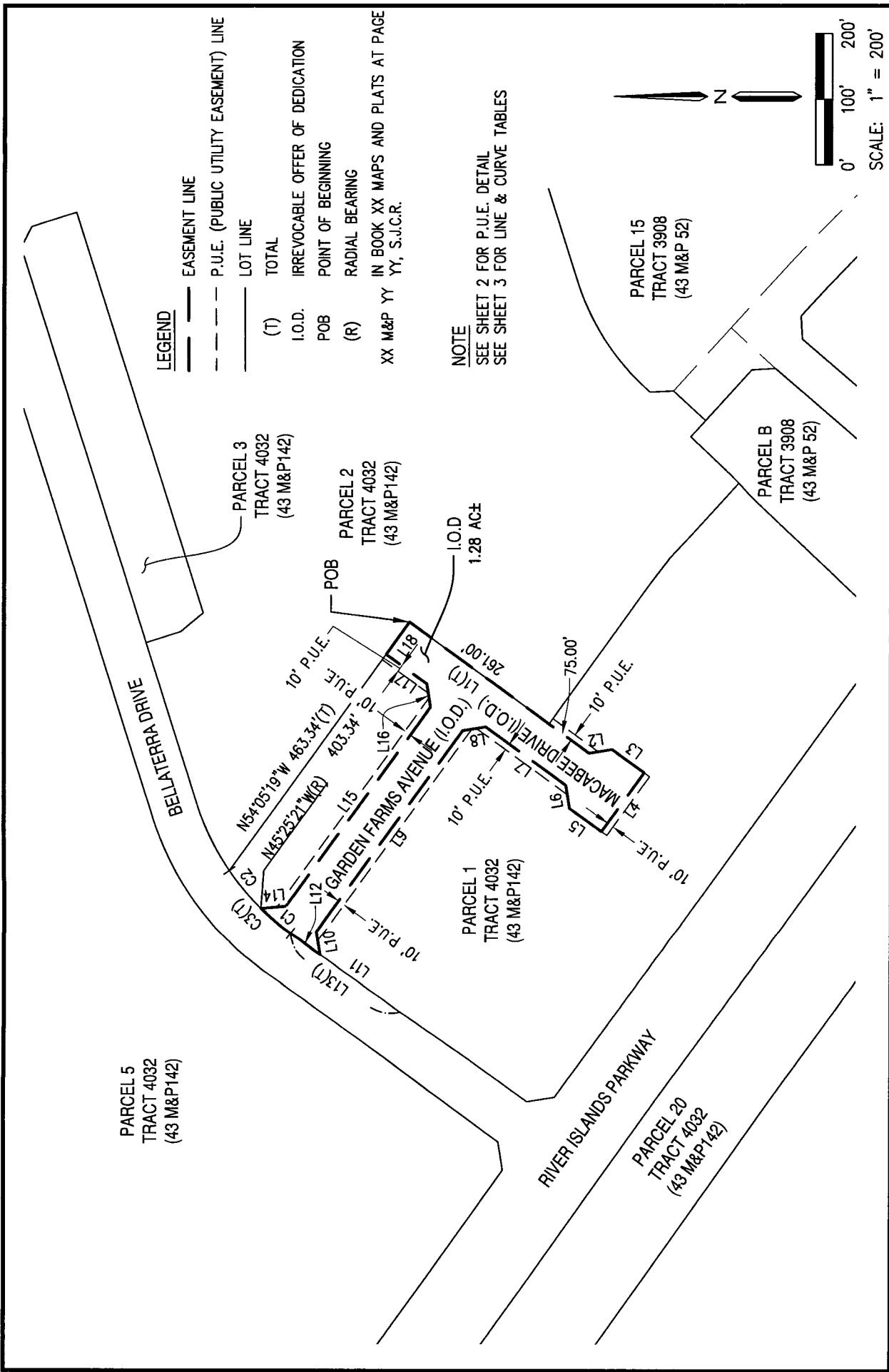
END DESCRIPTION

THIS REAL PROPERTY 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

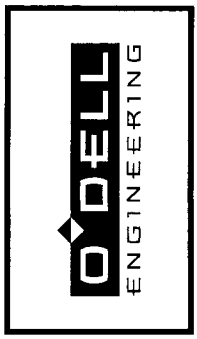
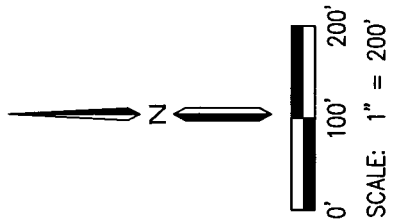


12/22/2020  
DATE



- LEGEND**
- EASEMENT LINE
  - - - P.U.E. (PUBLIC UTILITY EASEMENT) LINE
  - LOT LINE
  - (T) TOTAL
  - I.O.D. IRREVOCABLE OFFER OF DEDICATION
  - POB POINT OF BEGINNING
  - (R) RADIAL BEARING
- XX M&P YY  
YY, S.J.C.R.

**NOTE**  
SEE SHEET 2 FOR P.U.E. DETAIL  
SEE SHEET 3 FOR LINE & CURVE TABLES



**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
AND FOR PUBLIC UTILITY EASEMENTS**

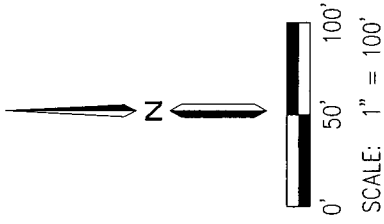
GARDEN FARMS AVENUE & MACABEE DRIVE  
RIVER ISLANDS-STAGE 2B  
SAN JOAQUIN COUNTY  
CALIFORNIA

SCALE: 1" = 200'	
DRAWN BY: JC	
25503-PLAT-VILLAGE DD_GARDEN FARMS AVE FILE: & MACABEE DR 100.DWG	
DATE: 12/18/2020	SHEET: 1 OF 3

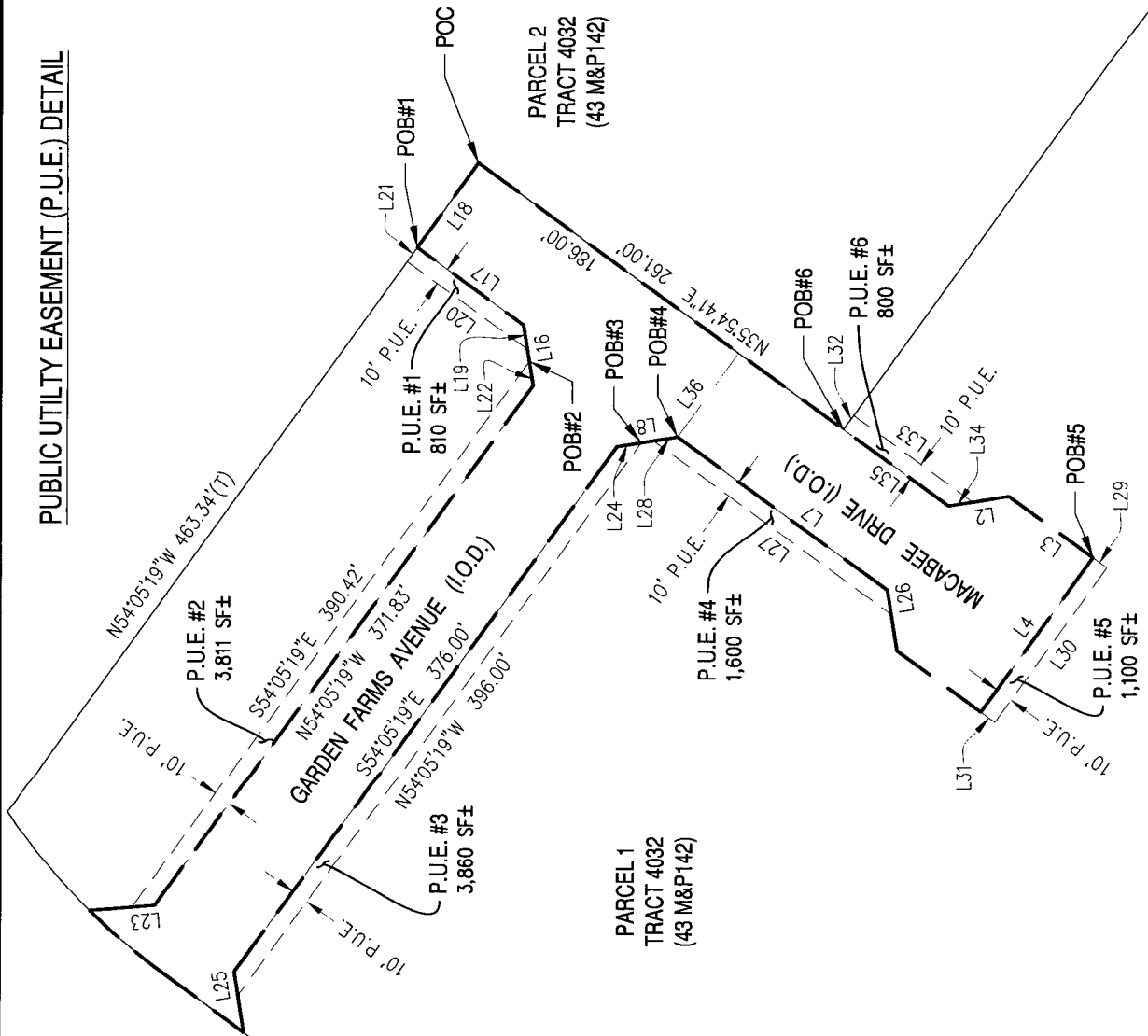
T:\25503-RIVER ISLANDS\DWG\FINAL MAPS\TRACT 4055-VILLAGE DD1\PLATS\25503-PLAT1-VILLAGE DD\_GARDEN FARMS AVE & MACABEE DR 100.DWG



**PUBLIC UTILITY EASEMENT (P.U.E.) DETAIL**



**NOTE**  
 SEE SHEET 1 FOR I.O.D. DETAIL  
 SEE SHEET 1 FOR LEGEND  
 SEE SHEET 3 FOR LINE & CURVE TABLES



**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
 IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
 AND FOR PUBLIC UTILITY EASEMENTS  
 GARDEN FARMS AVENUE & MACABEE DRIVE  
 RIVER ISLANDS-STAGE 2B  
 SAN JOAQUIN COUNTY  
 CALIFORNIA**

SCALE AS SHOWN	
DRAWN BY JC	
25503-PLAT-VILLAGE DD_GARDEN FARMS AVE FILE & MACABEE DR IOD DWG	
DATE 12/21/2020	SHEET 2 OF 3



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S35°54'41"W	336.00'
L2	S9°05'19"E	35.36'
L3	S35°54'41"W	60.00'
L4	N54°05'19"W	110.00'
L5	N35°54'41"E	60.00'
L6	N80°54'41"E	35.36'
L7	N35°54'41"E	150.00'
L8	N9°05'19"W	35.36'
L9	N54°05'19"W	376.00'
L10	S80°54'41"W	35.36'
L11	N35°54'41"E	150.00'
L12	N35°54'41"E	55.00'
L13	N35°54'41"E	205.00'
L14	S4°45'20"E	37.93'
L15	S54°05'19"E	371.83'
L16	N80°54'41"E	35.36'
L17	N35°54'41"E	76.00'
L18	S54°05'19"E	60.00'

LINE TABLE		
LINE	DIRECTION	LENGTH
L19	S80°54'41"W	14.14'
L20	N35°54'41"E	86.00'
L21	S54°05'19"E	10.00'
L22	S80°54'41"W	14.14'
L23	N4°45'20"W	13.18'
L24	S9°05'19"E	14.14'
L25	N80°54'41"E	14.14'
L26	S80°54'41"W	14.14'
L27	N35°54'41"E	170.00'
L28	S9°05'19"E	14.14'
L29	S35°54'41"W	10.00'
L30	N54°05'19"W	110.00'
L31	N35°54'41"E	10.00'
L32	S54°05'19"E	10.00'
L33	S35°54'41"W	85.00'
L34	N9°05'19"W	14.14'
L35	S35°54'41"W	75.00'
L36	S54°05'19"E	60.00'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	390.00	8°39'58"	58.99'
C2	390.00	10°57'38"	74.60'
C3	390.00	19°37'36"	133.59'

SCALE: AS SHOWN  
DRAWN BY: JC  
FILE: 25503-PLAT-VILLAGE DD\_GARDEN FARMS AVE & MACABEE DR 100.DWG  
DATE: 12/18/2020

SHEET: 3 OF 3

EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
AND FOR PUBLIC UTILITY EASEMENTS  
GARDEN FARMS AVENUE & MACABEE DRIVE  
RIVER ISLANDS-STAGE 2B  
SAN JOAQUIN COUNTY  
CITY OF LATHROP

CALIFORNIA



**RECORDING REQUESTED BY, AND**  
**WHEN RECORDED MAIL TO:**

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**IRREVOCABLE OFFER OF DEDICATION OF EASEMENT  
FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT  
(FUTURE OFFSITE ROADWAY DEDICATION –  
GARDEN FARMS AVENUE)**

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 public road purposes, and a public utility easement (PUE) for public purposes, 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, even if rejected by the City, 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

**(Notary Acknowledgment Required for Each Signatory)**

EXHIBIT "A"  
LEGAL DESCRIPTION  
FUTURE ROADWAY DEDICATION AND ADJACENT PUBLIC UTILITY EASEMENT  
(GARDEN FARMS AVENUE)

(See Attached)

12/17/2020

EXHIBIT "A-1"

LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
OFFSITE ROADWAY DEDICATION – GARDEN FARMS AVENUE  
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 PARCEL 15, AS SAID PARCEL IS SHOWN ON THE MAP ENTITLED "TRACT 3908, RIVER ISLANDS, STAGE 2A, LARGE LOT FINAL MAP", FILED SEPTEMBER 20, 2018, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 52, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST WESTERN CORNER OF PARCEL 15 OF SAID TRACT 3908, SAID POINT ALSO BEING THE SOUTHERLY TERMINUS OF COURSE L173, LABELED AS "NORTH 42°22'52" EAST 66.00 FEET", ALL AS SHOWN ON SHEET 15 OF SAID MAP OF TRACT 3908;

THENCE ALONG SAID COURSE L173, NORTH 42°22'52" EAST 66.00 FEET;

THENCE SOUTH 47°37'08" EAST 129.02 FEET TO THE MOST NORTHERN CORNER OF THAT PARCEL DESCRIBED IN THAT IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES RECORDED JUNE 28, 2019 AS DOCUMENT NUMBER 2019-068112, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY;

THENCE ALONG THE NORTHWESTERN LINE OF SAID PARCEL, SOUTH 42°22'52" WEST 90.99 FEET TO WESTERN LINE OF SAID PARCEL 15 AS SHOWN ON SAID MAP, BEING THE SOUTHERN TERMINUS OF COURSE L148, LABELED AS "NORTH 03°28'22" WEST 35.88 FEET", ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE ALONG THE WESTERN LINE OF SAID PARCEL 15 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:


- 1) NORTH 03°28'22" WEST 35.88 FEET, AND
- 2) NORTH 47°37'08" WEST 103.28 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 8,837 SQUARE FEET, 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 REAL PROPERTY 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



12/22/2020  
DATE

12/21/2020

EXHIBIT "A-2"

LEGAL DESCRIPTION  
DEDICATION OF PUBLIC UTILITY EASEMENT  
PARCEL 15, TRACT 3908 (43 M&P 52)  
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 PARCEL 15, AS SAID PARCEL IS SHOWN ON THE MAP ENTITLED "TRACT 3908, RIVER ISLANDS, STAGE 2A, LARGE LOT FINAL MAP", FILED SEPTEMBER 20, 2018, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 52, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE NORTHERLY LINE OF PARCEL 15 OF SAID TRACT 3908, SAID POINT ALSO BEING THE NORTHERLY TERMINUS OF COURSE L173, LABELED AS "NORTH 42°22'52" EAST 66.00 FEET", ALL AS SHOWN ON SHEET 15 OF SAID MAP OF TRACT 3908;

THENCE NORTH 42°22'52" EAST 10.00 FEET;

THENCE SOUTH 47°37'08" EAST 129.02 FEET;

THENCE SOUTH 42°22'52" WEST 10.00 FEET TO THE MOST NORTHERN CORNER OF THAT PARCEL DESCRIBED IN THAT IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES RECORDED JUNE 28, 2019 AS DOCUMENT NUMBER 2019-068112, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY;

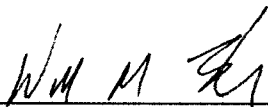
THENCE NORTH 47°37'08" WEST 129.02 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,290 SQUARE FEET, 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 REAL PROPERTY 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



12/21/2020  
DATE



**JOINT ESCROW INSTRUCTIONS (AMENDED)  
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 4055; Escrow No. 1214021453**

Dear Lori:

This letter constitutes the amended 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 and the Irrevocable Offers of Dedication in writing. The closing date for the Transaction is intended to occur by January 31, 2020, 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. Two original Irrevocable Offers of Dedication for Garden Farms Avenue/Macabee Drive and one for just Garden Farms Avenue, including Public Utility Easements, legal description and plat.

B.2. One original Final Map for Tract 4055, executed and acknowledged by the City.

B.3. One Original Certificate of Correction, changing Courtney Scott Lane to Penrose Lane on Final Map for Tract 4055.



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

B.4. 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.5. 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.6. 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).

B.7. 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).

The documents listed in Items B.1, B.2, B.3, B.4, B.5, B.6 and B.7 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.

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

- 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 **\$49,171.39**, 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 **15.005** 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.

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@riverslands.com](mailto:sdelloso@riverslands.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.

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

**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:
  - 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.

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

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

**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**  
**WHEN RECORDED MAIL TO:**

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**IRREVOCABLE OFFER OF DEDICATION OF EASEMENT  
FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT  
(FUTURE OFFSITE ROADWAY DEDICATION –  
GARDEN FARMS AVENUE AND MACABEE 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 public road purposes, and a public utility easement (PUE) for public purposes, 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, even if rejected by the City, 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

**(Notary Acknowledgment Required for Each Signatory)**

EXHIBIT "A"  
LEGAL DESCRIPTION  
FUTURE ROADWAY DEDICATION AND ADJACENT PUBLIC UTILITY EASEMENT  
(GARDEN FARMS AVENUE AND MACABEE DRIVE)

(See Attached)

12/17/2020

EXHIBIT "A-1"

LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
GARDEN FARMS AVENUE & MACABEE 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 PARCEL 1, AS SAID PARCEL IS 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 THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST, 261.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, CONTINUING ALONG THE SOUTHWESTERLY PROLONGATION OF SAID LINE, 75.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 35.36 FEET;

THENCE, SOUTH 35°54'41" WEST, 60.00 FEET;

THENCE, NORTH 54°05'19" WEST, 110.00 FEET;

THENCE, NORTH 35°54'41" EAST, 60.00 FEET;

THENCE, NORTH 80°54'41" EAST, 35.36 FEET;

THENCE, NORTH 35°54'41" EAST, 150.00 FEET;

THENCE, NORTH 09°05'19" WEST, 35.36 FEET;

THENCE, NORTH 54°05'19" WEST, 376.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 35.36 FEET TO A POINT ON THE NORTHWESTERN LINE OF SAID PARCEL 1 AS SHOWN ON SAID MAP, SAID POINT ALSO BEING 150.00 FEET NORTHEAST FROM THE SOUTHWEST TERMINUS OF THE COURSE, LABELED AS "NORTH 35°54'41" EAST 205.00 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP;

THENCE, ALONG THE SAID NORTHWESTERN LINE OF SAID PARCEL 1 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 35°54'41" EAST, 55.00 FEET, AND
- 2) NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS 390.00 FEET, THROUGH A CENTRAL ANGLE OF 08°39'58", AN ARC DISTANCE OF 58.99 FEET TO A POINT ON THE ARC, WHICH BEARS NORTH 45°25'21" WEST FROM THE CENTER OF SAID CURVE;

12/17/2020

THENCE, LEAVING THE SAID NORTHWESTERN LINE OF SAID PARCEL 1, SOUTH 04°45'20" EAST, 37.93 FEET;

THENCE, SOUTH 54°05'19" EAST, 371.83 FEET;

THENCE, NORTH 80°54'41" EAST, 35.36 FEET;

THENCE, NORTH 35°54'41" EAST, 76.00 FEET TO THE NORTHEASTERN LINE OF SAID PARCEL 1;

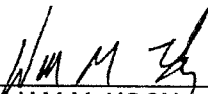
THENCE ALONG SAID NORTHEASTERN LINE, SOUTH 54°05'19" EAST, 60.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 55,779 SQUARE FEET (1.28 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 REAL PROPERTY 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



12/24/2020  
DATE



12/21/2020

EXHIBIT "A-2"

LEGAL DESCRIPTION  
DEDICATION OF PUBLIC UTILITY EASEMENTS  
PARCEL 1, 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 PARCEL 1, AS SAID PARCEL IS 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 THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE LEAVING SAID NORTHEASTERLY LINE, SOUTH 35°54'41" WEST, 76.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 14.14 FEET;

THENCE, NORTH 35°54'41" EAST, 86.00 FEET TO AFORESAID NORTHEASTERLY LINE OF PARCEL 1;

THENCE ALONG SAID NORTHEASTERLY LINE, SOUTH 54°05'19" EAST, 10.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 810 SQUARE FEET, MORE OR LESS.

P.U.E. #2

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET;

THENCE LEAVING SAID NORTHEASTERLY LINE, SOUTH 35°54'41" WEST, 76.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 21.22 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 80°54'41" WEST, 14.14 FEET;

12/21/2020

THENCE, NORTH 54°05'19" WEST, 371.83 FEET;

THENCE, NORTH 04°45'20" WEST, 13.18 FEET;

THENCE, SOUTH 54°05'19" EAST, 390.42 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,811 SQUARE FEET, MORE OR LESS.

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

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST, 186.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET;

THENCE, NORTH 09°05'19" WEST, 21.22 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, NORTH 54°05'19" WEST, 396.00 FEET;

THENCE, NORTH 80°54'41" EAST, 14.14 FEET;

THENCE, SOUTH 54°05'19" EAST, 376.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 14.14 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,860 SQUARE FEET, MORE OR LESS.

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

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST, 186.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, NORTH 54°05'19" WEST, 60.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, SOUTH 35°54'41" WEST, 150.00 FEET;

THENCE, SOUTH 80°54'41" WEST, 14.14 FEET;

THENCE, NORTH 35°54'41" EAST, 170.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 14.14 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,600 SQUARE FEET, MORE OR LESS.

12/21/2020

**P.U.E. #5**

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST 261.00 FEET;

THENCE, LEAVING THE EASTERN LINE OF SAID PARCEL 1, CONTINUING ALONG THE SOUTHWESTERLY PROLONGATION OF SAID LINE, 75.00 FEET;

THENCE, SOUTH 09°05'19" EAST, 35.36 FEET;

THENCE, SOUTH 35°54'41" WEST, 60.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE, CONTINUING SOUTH 35°54'41" WEST, 10.00 FEET;

THENCE, NORTH 54°05'19" WEST, 110.00 FEET;

THENCE, NORTH 35°54'41" EAST 10.00 FEET;

THENCE, SOUTH 54°05'19" EAST, 110.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,100 SQUARE FEET, MORE OR LESS.

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

**COMMENCING** AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID TRACT 4032, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THE COURSE, LABELED AS "NORTH 54°05'19" WEST 463.34 FEET", ALL AS SHOWN ON SHEET 6 OF SAID MAP OF TRACT 4032;

THENCE, ALONG THE EASTERN LINE OF SAID PARCEL 1, SOUTH 35°54'41" WEST 261.00 FEET TO AN ANGLE POINT IN SAID EASTERN LINE OF SAID PARCEL 1, ALSO BEING THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED EASEMENT;

THENCE ALONG SAID EASTERN LINE, SOUTH 54°05'19" EAST 10.00 FEET;

THENCE, LEAVING SAID EASTERN LINE, SOUTH 35°54'41" WEST, 85.00 FEET;

THENCE, NORTH 09°05'19" WEST, 14.14 FEET TO A POINT ON THE SOUTHWESTERLY PROLONGATION OF THE EASTERN LINE OF SAID PARCEL 1;

THENCE, ALONG SAID SOUTHWESTERLY PROLONGATION OF SAID LINE, NORTH 35°54'41" EAST, 75.00 FEET TO THE **POINT OF BEGINNING**.

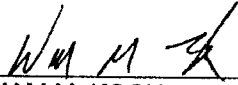
CONTAINING 800 SQUARE FEET, MORE OR LESS.

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

12/21/2020

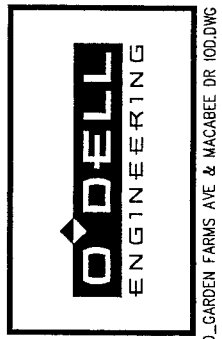
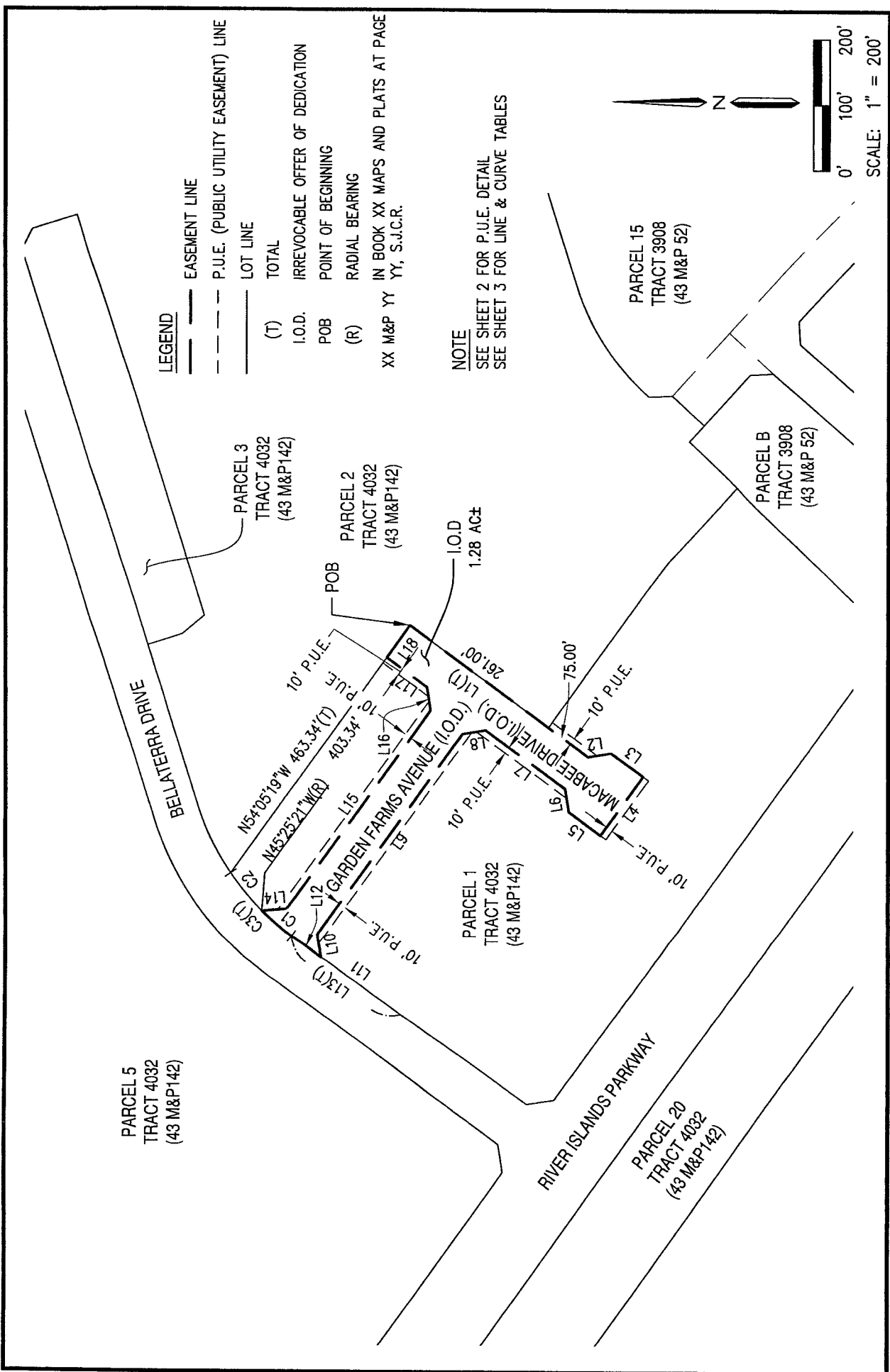
END DESCRIPTION

THIS REAL PROPERTY 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



12/22/2020  
DATE



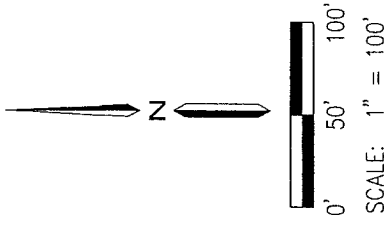
**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
AND FOR PUBLIC UTILITY EASEMENTS**

**GARDEN FARMS AVENUE & MACABEE DRIVE  
RIVER ISLANDS-STAGE 2B  
SAN JOAQUIN COUNTY  
CALIFORNIA**

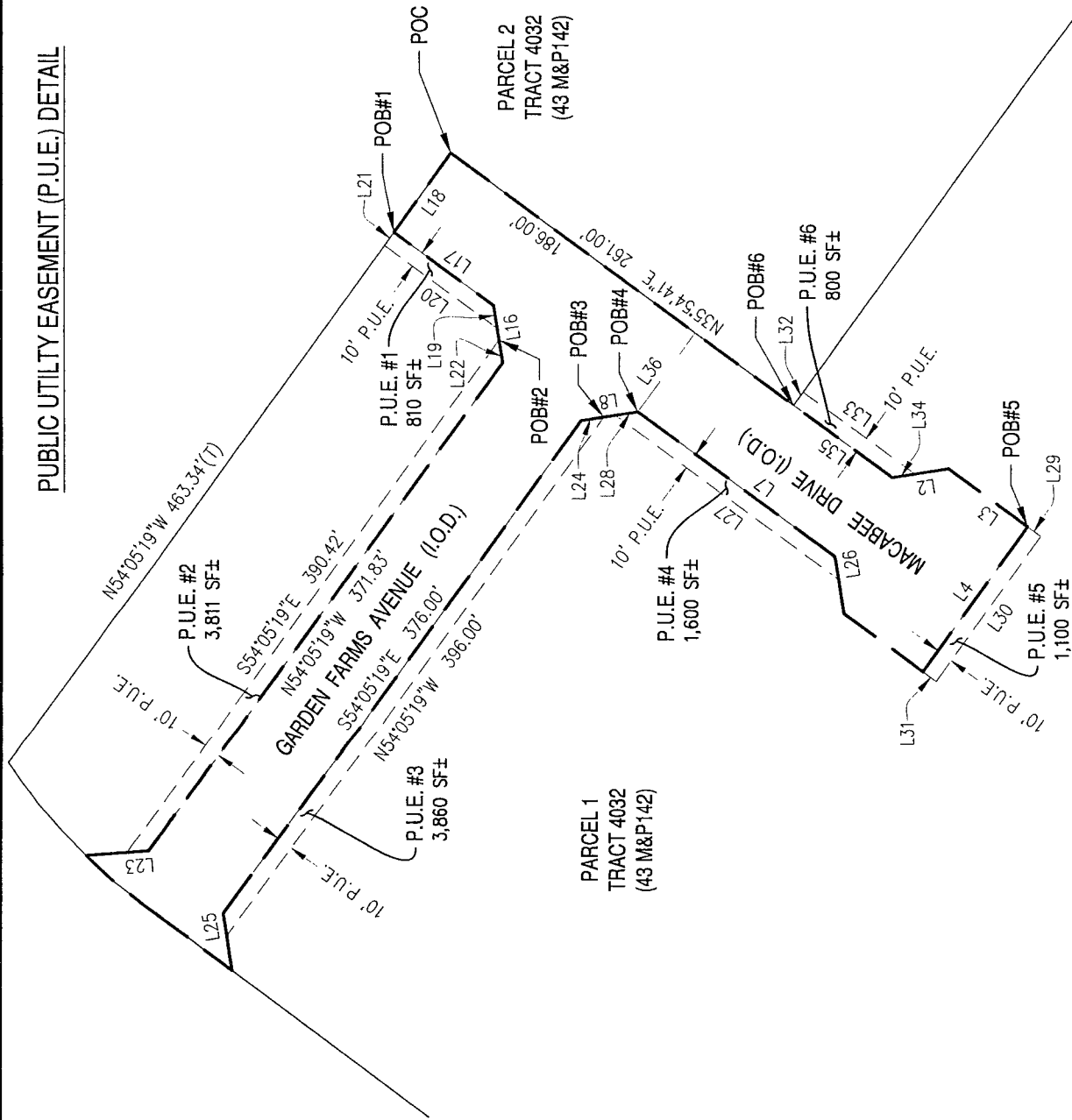
SCALE: 1" = 200'	DRAWN BY: JC	FILE: 25503-PLAT-VILLAGE DD_GARDEN FARMS AVE & MACABEE DR 100.DWG	DATE: 12/18/2020	SHEET: 1 OF 3

T:\25503-RIVER ISLANDS\DWG\FINAL MAPS\TRACT 4055-VILLAGE DD1\PLATS\25503-PLAT-VILLAGE DD\_GARDEN FARMS AVE & MACABEE DR 100.DWG

**PUBLIC UTILITY EASEMENT (P.U.E.) DETAIL**



**NOTE**  
 SEE SHEET 1 FOR I.O.D. DETAIL  
 SEE SHEET 1 FOR LEGEND  
 SEE SHEET 3 FOR LINE & CURVE TABLES



**EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
 IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
 AND FOR PUBLIC UTILITY EASEMENTS  
 GARDEN FARMS AVENUE & MACABEE DRIVE  
 RIVER ISLANDS-STAGE 2B  
 SAN JOAQUIN COUNTY  
 CALIFORNIA**

SCALE: AS SHOWN	SHEET: 2 OF 3
DRAWN BY: JC	
FILE: 25503-PLAT-VILLAGE DD_GARDEN FARMS AVE & MACABEE DR (00.DWG)	
DATE: 12/21/2020	



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S35°54'41"W	336.00'
L2	S9°05'19"E	35.36'
L3	S35°54'41"W	60.00'
L4	N54°05'19"W	110.00'
L5	N35°54'41"E	60.00'
L6	N80°54'41"E	35.36'
L7	N35°54'41"E	150.00'
L8	N9°05'19"W	35.36'
L9	N54°05'19"W	376.00'
L10	S80°54'41"W	35.36'
L11	N35°54'41"E	150.00'
L12	N35°54'41"E	55.00'
L13	N35°54'41"E	205.00'
L14	S4°45'20"E	37.93'
L15	S54°05'19"E	371.83'
L16	N80°54'41"E	35.36'
L17	N35°54'41"E	76.00'
L18	S54°05'19"E	60.00'

LINE TABLE		
LINE	DIRECTION	LENGTH
L19	S80°54'41"W	14.14'
L20	N35°54'41"E	86.00'
L21	S54°05'19"E	10.00'
L22	S80°54'41"W	14.14'
L23	N4°45'20"W	13.18'
L24	S9°05'19"E	14.14'
L25	N80°54'41"E	14.14'
L26	S80°54'41"W	14.14'
L27	N35°54'41"E	170.00'
L28	S9°05'19"E	14.14'
L29	S35°54'41"W	10.00'
L30	N54°05'19"W	110.00'
L31	N35°54'41"E	10.00'
L32	S54°05'19"E	10.00'
L33	S35°54'41"W	85.00'
L34	N9°05'19"W	14.14'
L35	S35°54'41"W	75.00'
L36	S54°05'19"E	60.00'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	390.00	8°39'58"	58.99'
C2	390.00	10°57'38"	74.60'
C3	390.00	19°37'36"	133.59'

SCALE: AS SHOWN

DRAWN BY: JC

FILE: 25503-PLAT-VILLAGE\_DD\_GARDEN FARMS AVE & MACABEE DR 100.DWG

DATE: 12/18/2020

SHEET: 3 OF 3

EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
 IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
 AND FOR PUBLIC UTILITY EASEMENTS  
 GARDEN FARMS AVENUE & MACABEE DRIVE  
 RIVER ISLANDS-STAGE 2B  
 SAN JOAQUIN COUNTY

CITY OF LATHROP

CALIFORNIA



**RECORDING REQUESTED BY, AND  
WHEN RECORDED MAIL TO:**

CITY OF LATHROP  
ATTN: CITY CLERK  
390 TOWNE CENTRE DRIVE  
LATHROP, CA 95330  
*Exempt from payment of recording fees (GC 27383)*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**IRREVOCABLE OFFER OF DEDICATION OF EASEMENT  
FOR PUBLIC ROADWAY PURPOSES AND PUBLIC UTILITY EASEMENT  
(FUTURE OFFSITE ROADWAY DEDICATION –  
GARDEN FARMS AVENUE)**

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 public road purposes, and a public utility easement (PUE) for public purposes, 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, even if rejected by the City, 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

**(Notary Acknowledgment Required for Each Signatory)**



EXHIBIT "A"  
LEGAL DESCRIPTION  
FUTURE ROADWAY DEDICATION AND ADJACENT PUBLIC UTILITY EASEMENT  
(GARDEN FARMS AVENUE)

(See Attached)

12/17/2020

EXHIBIT "A-1"

LEGAL DESCRIPTION  
IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
OFFSITE ROADWAY DEDICATION – GARDEN FARMS AVENUE  
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 PARCEL 15, AS SAID PARCEL IS SHOWN ON THE MAP ENTITLED "TRACT 3908, RIVER ISLANDS, STAGE 2A, LARGE LOT FINAL MAP", FILED SEPTEMBER 20, 2018, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 52, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST WESTERN CORNER OF PARCEL 15 OF SAID TRACT 3908, SAID POINT ALSO BEING THE SOUTHERLY TERMINUS OF COURSE L173, LABELED AS "NORTH 42°22'52" EAST 66.00 FEET", ALL AS SHOWN ON SHEET 15 OF SAID MAP OF TRACT 3908;

THENCE ALONG SAID COURSE L173, NORTH 42°22'52" EAST 66.00 FEET;

THENCE SOUTH 47°37'08" EAST 129.02 FEET TO THE MOST NORTHERN CORNER OF THAT PARCEL DESCRIBED IN THAT IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES RECORDED JUNE 28, 2019 AS DOCUMENT NUMBER 2019-068112, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY;

THENCE ALONG THE NORTHWESTERN LINE OF SAID PARCEL, SOUTH 42°22'52" WEST 90.99 FEET TO WESTERN LINE OF SAID PARCEL 15 AS SHOWN ON SAID MAP, BEING THE SOUTHERN TERMINUS OF COURSE L148, LABELED AS "NORTH 03°28'22" WEST 35.88 FEET", ALL AS SHOWN ON SHEET 16 OF SAID MAP;

THENCE ALONG THE WESTERN LINE OF SAID PARCEL 15 AS SHOWN ON SAID MAP, THE FOLLOWING TWO (2) COURSES:


- 1) NORTH 03°28'22" WEST 35.88 FEET, AND
- 2) NORTH 47°37'08" WEST 103.28 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 8,837 SQUARE FEET, 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 REAL PROPERTY 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



12/22/2020  
DATE

12/21/2020

EXHIBIT "A-2"

LEGAL DESCRIPTION  
DEDICATION OF PUBLIC UTILITY EASEMENT  
PARCEL 15, TRACT 3908 (43 M&P 52)  
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 PARCEL 15, AS SAID PARCEL IS SHOWN ON THE MAP ENTITLED "TRACT 3908, RIVER ISLANDS, STAGE 2A, LARGE LOT FINAL MAP", FILED SEPTEMBER 20, 2018, IN BOOK 43 OF MAPS AND PLATS, AT PAGE 52, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE NORTHERLY LINE OF PARCEL 15 OF SAID TRACT 3908, SAID POINT ALSO BEING THE NORTHERLY TERMINUS OF COURSE L173, LABELED AS "NORTH 42°22'52" EAST 66.00 FEET", ALL AS SHOWN ON SHEET 15 OF SAID MAP OF TRACT 3908;

THENCE NORTH 42°22'52" EAST 10.00 FEET;

THENCE SOUTH 47°37'08" EAST 129.02 FEET;

THENCE SOUTH 42°22'52" WEST 10.00 FEET TO THE MOST NORTHERN CORNER OF THAT PARCEL DESCRIBED IN THAT IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES RECORDED JUNE 28, 2019 AS DOCUMENT NUMBER 2019-068112, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY;

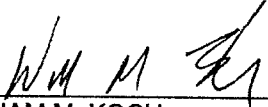
THENCE NORTH 47°37'08" WEST 129.02 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,290 SQUARE FEET, MORE OR LESS.

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

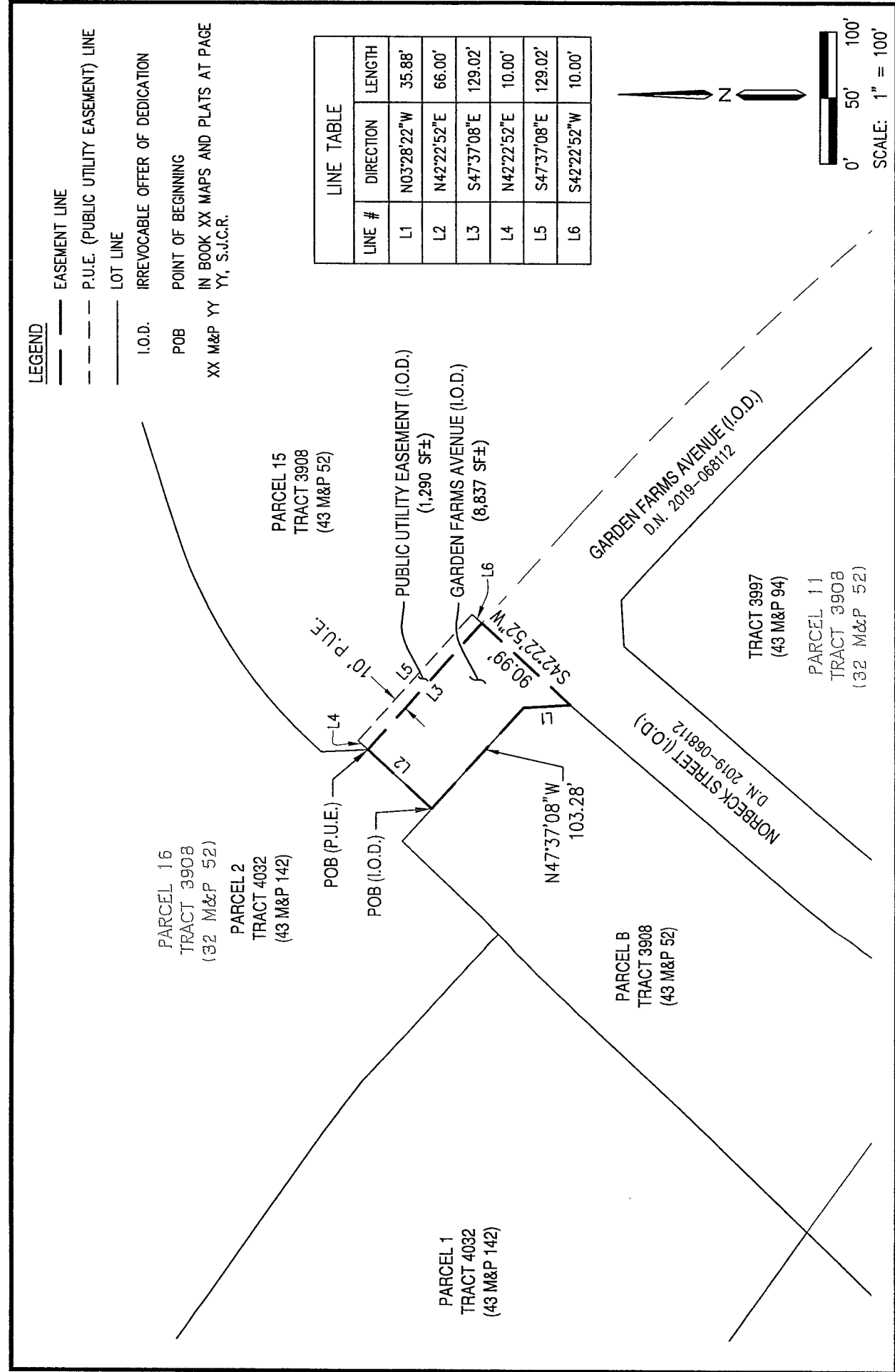
END DESCRIPTION

THIS REAL PROPERTY 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



12/21/2020  
DATE



**LEGEND**  
 --- EASEMENT LINE  
 - - - P.U.E. (PUBLIC UTILITY EASEMENT) LINE  
 --- LOT LINE  
 I.O.D. IRREVOCABLE OFFER OF DEDICATION  
 POB POINT OF BEGINNING  
 XX M&P YY IN BOOK XX MAPS AND PLATS AT PAGE YY, S.J.C.R.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N03°28'22"W	35.88'
L2	N42°22'52"E	66.00'
L3	S47°37'08"E	129.02'
L4	N42°22'52"E	10.00'
L5	S47°37'08"E	129.02'
L6	S42°22'52"W	10.00'

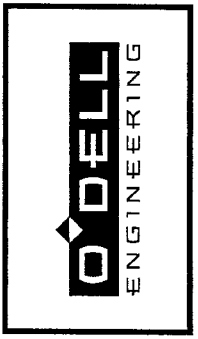
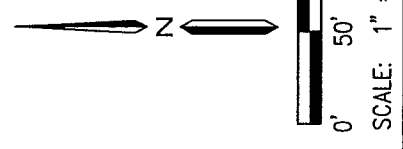


EXHIBIT "B" PLAT TO ACCOMPANY LEGAL DESCRIPTION  
 IRREVOCABLE OFFER OF DEDICATION FOR RIGHT-OF-WAY PURPOSES  
 AND PUBLIC UTILITY EASEMENT  
 OFFSITE ROADWAY DEDICATION - GARDEN FARMS AVENUE  
 RIVER ISLANDS - STAGE 2B  
 SAN JOAQUIN COUNTY  
 CALIFORNIA

SCALE: 1" = 100'	DRAWN BY: JC	FILE: 25503-PLAT-VLLAGE DD_GARDEN FARMS AVE 100.DWG	DATE: 12/21/2020	SHEET: 1 OF 1



**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

---

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

City of Lathrop  
Community Facilities District No. 2013-1  
(River Islands Public Services and Facilities)  
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 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 Fifteenth 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 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 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. 15

ASSESSOR'S PARCEL NUMBER(S) AND OWNER(S) OF LAND  
WITHIN ANNEXATION NO. 15 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	213-470-02



**EXHIBIT B**  
**CITY OF LATHROP**  
**COMMUNITY FACILITIES DISTRICT NO. 2013-1**  
**(RIVER ISLANDS PUBLIC SERVICES AND FACILITIES)**  
**ANNEXATION NO. 15**

**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>
<b><u>Residential Property:</u></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 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. 213-470-02

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)

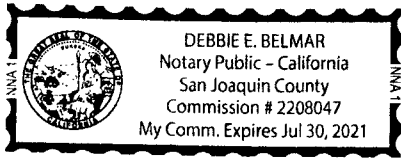
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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 December 8, 2020, before me, Debbie E. Belmar, a Notary Public, personally appeared Susan Dell’Osso, 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.



Place Notary Seal Above

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 Debbie E. Belmar  
Signature of Notary Public

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

- Signer’s Name: \_\_\_\_\_
  - Corporate Officer – Title(s): \_\_\_\_\_
  - Partner –  Limited  General
  - Individual  Attorney in Fact
  - Trustee  Guardian or Conservator
  - Other: \_\_\_\_\_
- Signer is Representing: \_\_\_\_\_

- Signer’s Name: \_\_\_\_\_
  - Corporate Officer – Title(s): \_\_\_\_\_
  - Partner –  Limited  General
  - Individual  Attorney in Fact
  - Trustee  Guardian or Conservator
  - Other: \_\_\_\_\_
- Signer is Representing: \_\_\_\_\_

**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 C1 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. 15**

**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>
<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 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.*

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**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

**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	213-470-02

**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):

213-470-02

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

River Islands Stage 2B, LLC

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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

**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	213-470-02

**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):

213-470-02

\_\_\_\_\_

\_\_\_\_\_

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.*

BT

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

DRAFT

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

**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)**

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	213-470-02

**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	\$_____ per Unit
Other Property	\$_____ per Acre
Final Map Property	\$_____ per Final Map Lot
Undeveloped Property	\$_____ 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) DRAFT

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: \_\_\_\_\_



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	\$_____ per Unit
Other Property	\$_____ per Acre
Final Map Property	\$_____ per Final Map Lot
Undeveloped Property	\$_____ 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	213-470-02