

**TO: CITY COUNCIL OF CITY OF RIALTO, ACTING AS THE LEGISLATIVE
BODY OF THE CITY OF RIALTO COMMUNITY FACILITIES DISTRICT
NO. 2020-1 (EL RANCHO VERDE)**

FROM: AG ESSENTIAL HOUSING CA 4, L.P.

**PETITION REQUESTING MODIFICATIONS TO
CITY OF RIALTO COMMUNITY FACILITIES DISTRICT NO. 2020-1
(EL RANCHO VERDE)**

**(INCLUDING CONSENT AND WAIVER OF CERTAIN
PROCEDURES AND TIME REQUIREMENTS WITH RESPECT TO
LANDOWNER ELECTION)**

The undersigned, on behalf of AG ESSENTIAL HOUSING CA 4, L.P., a Delaware limited partnership (the “Property Owner”), does hereby certify under penalty of perjury that the following statements are all true and correct:

1. As of the date hereof, the Property Owner is the owner of certain property located in the City of Rialto (the “City”) described on Exhibit “A” attached hereto (the “Property”).

2. The undersigned is authorized to represent the Property Owner and has the authority to petition the City Council (the “Council”) of the City, in its capacity as the legislative body (the “Legislative Body”) of the City of Rialto Community Facilities District No. 2020-1 (El Rancho Verde) (the “District”), and to give the consent and waiver contained herein with respect to modifications to the District pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (the “Act”), being Chapter 2.5 of Part 1 of Division 2 of title 5 (commencing with Section 53311) of the California Government Code.

3. The undersigned, pursuant to Section 53332 of the Act, hereby requests that proceedings be commenced within the District to (i) eliminate the designation of improvement areas; (ii) modify the original rates and methods of apportionment to consolidate into one rate and method of apportionment and increase certain special tax rates; (iii) increase the maximum bonded indebtedness for the District; (iv) modify the boundaries of the District to eliminate certain non-taxable property; and (v) revise the appropriations limit for the District.

4. The undersigned hereby certifies that as of the date of this Petition, the Property consists of approximately 123.44 acres of land. To the undersigned’s best knowledge no registered voters reside within the Property, and there will be none during the 90-day period preceding the public hearing to be conducted by the City Council pursuant to Government Code Section 53336.

5. The undersigned has had an opportunity to consult with legal counsel with respect to the matters contained herein and is fully and completely informed of and understands the matters contained herein.

6. The undersigned agrees that it received adequate notice of the public hearing proposed for September 13, 2022. The Property Owner and the appropriate officers thereof have received necessary and relevant information regarding the District and the proposed modifications to the District and the District has made available to the Property Owner sufficient opportunity to obtain such information.

7. In accordance with the provisions of the Act, and specifically Sections 53326(a) and 53327(b) thereof allowing certain time and conduct requirements relative to a special landowner election to be waived with the unanimous consent of all the landowners and concurrence of the election official conducting the election, the undersigned (i) expressly consents to the conduct of the special election at the earliest possible time following the conclusion of the public hearing and (ii) expressly waives any requirement to have the special election conducted within the time periods specified in Section 53326 of the Act or in the California Elections Code.

8. The undersigned waives any requirement for the mailing of the ballot for the special election and expressly agrees that said election may be conducted by mailed or hand-delivered ballot to be returned as quickly as possible to the designated election official, being the office of the City Clerk and the undersigned requests that the results of said election be canvassed and reported to the Council at the same meeting of the Council as the public hearing on the modifications to the District or the next available meeting.

9. The undersigned expressly waives all applicable waiting periods for the election and waives the requirement for analysis and arguments relating to the special election, as set forth in Section 53327 of the Act, and consents to not having such materials provided to the landowner in the ballot packet, and expressly waives any requirements as to the form of the ballot.

10. The undersigned expressly waives all notice requirements relating to hearings and special elections, whether by posting, publishing or mailing, and whether such requirements are found in the California Elections Code, the California Government Code or other laws or procedures, including but not limited to any notice provided for by compliance with the provisions of Section 4101 of the California Elections Code.

11. The Property Owner hereby appoints Steven S. Benson, as its authorized representative to vote in the election referred to herein and certifies that his true and exact signature is set forth below:

[signature]

12. The undersigned hereby consents to and expressly waives any and all claims based on any irregularity, error, mistake or departure from the provisions of the Act (other than the holding and accurate counting of votes at the election) or other laws of the State and any and all laws and requirements incorporated therein, and no step or action in any proceeding relative to the modifications to the District or the special election therein shall be invalidated or affected by any such irregularity, error, mistake or departure.

13. The undersigned further agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the modifications to the District under the Act unless and until deemed filed by the City in its absolute discretion.

IN WITNESS WHEREOF, we hereunto set our hand this ____ day of _____, 2022.

AG ESSENTIAL HOUSING CA 4, L.P.,
a Delaware limited partnership

By: AGWIP Asset Management, LLC, an Arizona
limited liability corporation

By: _____
Steven S. Benson, Its Manager

Mailing Address: 8585 E. Hartford Drive, Suite 118
Scottsdale, AZ 85255

Telephone: (602) 418-0443
Email: steve.benson@agwipam.com

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF RIALTO THIS
____ DAY OF _____, 2022.

City Clerk

EXHIBIT A

DESCRIPTION OF THE PROPERTY

**CITY OF RIALTO COMMUNITY FACILITIES DISTRICT NO. 2020-1
(EL RANCHO VERDE)**

The following described property is situated in the City of Rialto, County of San Bernardino, State of California:

0264-092-01
0264-092-02
0264-092-03
0264-112-01
0264-822-02
0264-722-01
0264-112-02
0264-112-03
0264-102-01
0264-792-03
0264-792-01
0264-792-02
0264-122-01