

City of Rialto

Landscaping and Lighting District No. 2 Annexation PPD 2017-0066 (Renaissance East)

CONSENT AND WAIVER

To the Honorable City Council,
City of Rialto
150 S. Palm Ave.
Rialto, Ca. 92376

Members of the Council:

The undersigned property owner, or the authorized representative thereof, hereby represents and certifies as follows:

1. The undersigned is the owner of record or the duly authorized representative of the owner or owners of record (the "Property Owner") of that certain real property (the "Owner's Property") to be located within proposed Landscaping and Lighting District No. 2 ("LLD No. 2"), and is legally authorized to give the consent and waiver contained herein as such owner or on behalf of such owner. Such real property is identified in Exhibit A, which is attached hereto and incorporated herein by this reference.
2. Property Owner is aware of and understands the following:
 - A. The City intends to undertake proceedings pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), and the provisions of the California Constitution Article XIID (hereafter referred to as the "California Constitution") to annex certain property into the Districts for the purpose of financing certain public services (the "Services").
 - B. The City has proposed the levy of assessments (the "Assessments") within the Annexation pursuant to the provisions of the 1972 Act and the Engineer's Reports for the Annexations to finance the Services.

Owner's Property is located within the proposed boundaries of the Annexations, as identified in Exhibit B. If the Annexations are established and the Assessments are approved as described below, Owner's Property will be subject to the levy of the Assessments for the Districts.

- C. The 1972 Act requires, as a prerequisite to forming the Annexations of the Districts, that the City Council adopt a resolution of intention to annex property into the District and fix the time and place for a public hearing on the establishment of the Annexations (the "Public Hearings") which shall be not less than forty-five (45) days after ballots and notices are mailed to the property owners subject to the proposed Assessment after the City declares its intention

to form the Annexations through resolution. The 1972 Act further requires that notice of such public hearing be published at least ten (10) days prior to the date of such public hearing.

- D. The California Constitution requires, as a prerequisite to the levy of the Assessments, that the City must provide the property owners subject to the proposed assessments a ballot to vote for or against the proposed assessment.
 - E. The provisions of the 1972 Act require that the Public Hearing be held no earlier than 45 days following the date the ballots are mailed to property owners subject to the proposed Assessments.
- 3. Property Owner desires and requests that the Public Hearings be expedited and held on April 24, 2018, or on a later date as the City deems necessary.
 - 4. Property Owner expressly consents (a) to the conduct of the Public Hearings on April 24, 2018, or on any date thereafter, upon notice to Property Owner.
 - 5. Property Owner expressly waives:
 - A. any right which Property Owner may have to conduct the Public Hearings on the time periods specified in Government Code Section 53753;
 - B. any protest, complaint or legal action of any nature whatsoever pertaining to the shortening of the time period pertaining to (a) the Public Hearings and notice thereof and (b) any requirement for the mailing of the ballots in the event ballots are distributed by personal service or electronic means;
 - 6. The Property Owner warrants to the City that the presentation of this Consent and Waiver, any waivers contained herein, casting of ballots at the Public Hearing and other actions mandated by the City for the formation of the Annexations and the levy of the Assessments 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 Owner's Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Property Owner agrees, at its expense, to timely supply to the City, current title evidence so that the City may supply any notice and ballot required under the California Constitution for the establishment of the Annexations.
 - 7. The Property Owner agrees to cooperate with the City, its attorneys and consultants and provide all information and disclosures required by the City or the Act about the Assessments to purchasers of the Owner's Property or any part of it.
 - 8. 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 under this Consent and Waiver. By executing this Consent and Waiver, the Property Owner agrees to all of the above.

AUTHORIZED OFFICIAL SIGNATURE

THIS CONSENT AND WAIVER, OF THE AUTHORIZED REPRESENTATIVE was executed this
4th day of April, 2018, in Rialto, California.



(Signature)

Robb R. Steel, Int CA

Type or Print Name of Signor

EXHIBIT A

Description of Property Subject to Consent and Waiver

The Property that is the subject of this Consent and Waiver is San Bernardino County Assessor's Parcel Nos.: 0264-151-59 0264-151-79 0264-151-80 0264-151-81 0264-151-93	<i>Name of owner of Record</i> City of Rialto City of Rialto Successor Agency
	<i>The address of the above owner for purposes of Receiving all notices and ballots is:</i> City of Rialto Attn: Robb Steel 150 S. Palm Ave Rialto, Ca 92626

EXHIBIT B

Proposed Boundary Map

The following map shows the boundaries of Annexation PPD 2017-0066 (Renaissance East)

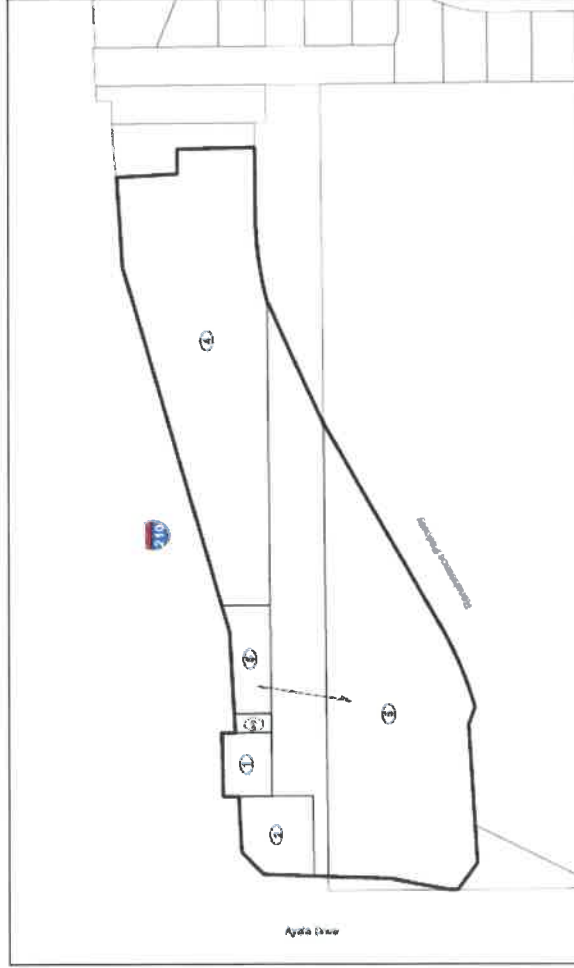
**RIALTO LANDSCAPING AND LIGHTING DISTRICT NO. 2
ANNEXATION BOUNDARY MAP - PPD 2017-0066
(RENAISSANCE EAST)**

CITY OF RIALTO
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA

SHEET 1 OF 1

FILED IN THE OFFICE OF THE CITY CLERK 11/19/2017, DAY OF _____, 2017.
I HEREBY CERTIFY THAT THE MAP WAS PROPOSED IN ACCORDANCE WITH THE
LANDSCAPING AND LIGHTING DISTRICT NO. 2 ANNEXATION, PPD 2017-0066 (RENAISSANCE
EAST) AND THE MAP WAS PROPOSED IN ACCORDANCE WITH THE CITY OF RIALTO
MAKING THE PROPOSED MAP A REGULAR MAP.
BY THE RESOLUTION NO. _____, DAY OF _____, 2017.

CITY CLERK
CITY OF RIALTO



MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	0264-151-59
2	0264-151-79
3	0264-151-80
4	0264-151-81
5	0264-151-93



EXHIBIT C

DESCRIPTION OF SERVICES

The services described below are financed by City of Rialto Landscaping and Lighting District No. 2.

The landscape improvements for the District may include, but are not limited to various streetscape landscaping including parkways and medians as well as public landscaped areas within or adjacent to the properties within a particular development such as landscaped slopes; irrigated and non-irrigated open space areas; landscaped detention or retention basins; and neighborhood greenbelts, trails or parks. These landscape improvements may include turf; ground cover; plants and shrubs; trees; irrigation and drainage systems; ornamental lighting structures; masonry walls or other fencing; entryway monuments; and associated appurtenant facilities located within the various dedicate easements, right-of-ways or public properties associated with the landscaped areas.