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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO,  
CALIFORNIA, MAKING CERTAIN FINDINGS, CERTIFYING THE  
RESULTS OF AN ELECTION AND ADDING PROPERTY TO  
COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES),  
ANNEXATION NO. 2**

**WHEREAS**, the City Council of the City of Rialto (the “City Council”), has previously formed a Community Facilities District pursuant to the provisions of the “Mello-Roos Community Facilities Act of 1982”, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, said Article 3.5 thereof. The existing Community Facilities District being designated as Community Facilities District No. 2016-1 (Public Services) (hereafter referred to as CFD No. 2016-1); and,

**WHEREAS**, the City Council initiated proceedings to annex certain territory to Community Facilities District No. 2016-1 (Public Services), Annexation No. 2 (hereafter referred to as “Annexation No. 2”); and

**WHEREAS**, the unanimous consent to the annexation of Annexation No. 2 has been received from the property owner or owners of such territory; and

**WHEREAS**, twelve (12) or more registered voters have not resided within the territory of Annexation No. 2 for each of the ninety (90) days preceding January 29, 2019, therefore, pursuant to the Act the qualified electors of Annexation No. 2 shall be the “landowners” of Annexation No. 2 as such term is defined in Government Code Section 53317(f) and each such landowner who is the owner of record, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of land that she or he owns within; and

1       **WHEREAS**, the time limit specified by the Act for conducting an election to submit the  
2 levy of the special taxes on the property within Annexation No. 2 to the qualified electors of  
3 Annexation No. 2 and the requirements for impartial analysis and ballot arguments have been  
4 waived with the unanimous consent of the qualified electors of Annexation No. 2; and

5       **WHEREAS**, the City Clerk of the City of Rialto has caused ballots to be distributed to the  
6 qualified electors of Annexation No. 2, has received and canvassed such ballots and made a  
7 report to the City Council regarding the results of such canvas, a copy of which is attached as  
8 Exhibit A hereto and incorporated herein by this reference; and

9  
10       **WHEREAS**, at this time the measure voted upon and such measure did receive the  
11 favorable 2/3's vote of the qualified electors, and the City Council desires to declare the results  
12 of the election; and

13       **WHEREAS**, a map showing the territory to be annexed and designated as Annexation  
14 No. 2 (hereafter referred to as the "Annexation Map"), a copy of which is attached as Exhibit B  
15 hereto and incorporated herein by this reference, and a list of Properties to be annexed and  
16 landowners, a copy of which is attached as Exhibit C hereto and incorporated herein by this  
17 reference, has been submitted to the City Council.

18  
19 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO HEREBY  
20 RESOLVES FOR THE CITY OF RIALTO COMMUNITY FACILITIES DISTRICT NO. 2016-  
1, ANNEXATION NO. 2 AS FOLLOWS:

21       **Section 1:**     Recitals. The above recitals are all true and correct.

22       **Section 2:**     Findings. This City Council does hereby determine as follows:  
23  
24

1 (a) The unanimous consent to the annexation of Annexation No. 2 to CFD No. 2016-1  
2 has been given by all of the owners within Annexation No. 2 and such consent shall  
3 be kept on file in the Office of the City Clerk.

4 (b) Twelve (12) or more registered voters have not resided within the territory of  
5 Annexation No. 2 for each of the ninety (90) days preceding January 8, 2019,  
6 therefore, pursuant to the Act the qualified electors of Annexation No. 2 shall be the  
7 “landowners” of such Annexation No. 2 as such term is defined in Government Code  
8 Section 53317(f).

9  
10 (c) The qualified electors of Annexation No. 2 have unanimously voted in favor of the  
11 levy of special taxes within Annexation No. 2 upon its annexation to CFD No. 2016-  
12 1.

13 **Section 3:** Annexed Area. The boundaries and parcels of territory within Annexation  
14 No. 2 and on which special taxes will be levied in order to pay for the costs and expenses of  
15 authorized public services are shown on the Annexation Map as submitted to and hereby  
16 approved by this City Council.

17  
18 **Section 4:** Declaration of Annexation. The City Council does hereby determine and  
19 declare that Annexation No. 2 is now added to and becomes a part of CFD No. 2016-1. The City  
20 Council, acting as the legislative body of CFD No. 2016-1, is hereby empowered to levy the  
21 authorized special tax within Annexation No. 2.

22 **Section 5:** Notice. Immediately upon adoption of this Resolution, notice shall be  
23 given as follows:  
24

1 An Amendment to the Notice of Special Tax Lien (Notice of Annexation) shall be  
2 recorded in the Office of the County Recorder no later than fifteen (15) days after the  
3 date of adoption of this Resolution.

4 **Section 6:** The City Clerk shall certify to the adoption of this resolution.

5 PASSED, APPROVED AND ADOPTED this 29<sup>th</sup> day of January, 2019.  
6

7  
8 \_\_\_\_\_  
DEBORAH ROBERTSON, Mayor

9 **ATTEST:**  
10

11 \_\_\_\_\_  
BARBARA. McGEE, City Clerk  
12

13 **APPROVED AS TO FORM:**  
14

15 \_\_\_\_\_  
FRED GALANTE, City Attorney  
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**EXHIBIT A**  
**CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST**

# CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss.  
CITY OF RIALTO )

The undersigned, ELECTION OFFICIAL OF THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DOES HEREBY CERTIFY that pursuant to the provisions commencing with Section 53326 of the Government Code of the State of California, I did canvass the returns of the votes cast at the

CITY OF RIALTO  
COMMUNITY FACILITIES DISTRICT NO. 2016-1  
(PUBLIC SERVICES)  
ANNEXATION NO. 2  
SPECIAL ELECTION

in the City, held on January 29, 2019.

I FURTHER CERTIFY that this Statement of Votes Cast shows the whole number of votes cast in the area proposed to be annexed, Annexation No. 2 to Community Facilities District No. 2016-1 (Public Services) of the City of Rialto for or against the Measure are full, true and correct.

VOTES CAST ON PROPOSITION A: YES \_\_\_\_\_  
NO \_\_\_\_\_

VOTES CAST ON PROPOSITION B: YES \_\_\_\_\_  
NO \_\_\_\_\_

WITNESS my hand this 29th day of January, 2019.

BARBARA McGEE, City Clerk

# EXHIBIT B

## ANNEXATION MAP

SHEET 1 OF 1

**ANNEXATION MAP NO. 2 OF  
COMMUNITY FACILITIES DISTRICT NO. 2016-1  
(PUBLIC SERVICES)**  
 CITY OF RIALTO  
 COUNTY OF SAN BERNARDINO  
 STATE OF CALIFORNIA

**VICINITY MAP**

**SITE**

FILED IN THE OFFICE OF THE CITY CLERK OF  
CITY OF RIALTO THIS \_\_\_\_ DAY OF  
\_\_\_\_, 20\_\_.

CITY CLERK  
CITY OF RIALTO

I HEREBY CERTIFY THAT THE WITHIN MAP  
SHOWING THE PROPOSED BOUNDARIES OF  
ANNEXATION MAP NO. 2 OF COMMUNITY  
FACILITIES DISTRICT NO. 2016-1 (PUBLIC  
SERVICES) OF THE CITY OF RIALTO, COUNTY OF  
SAN BERNARDINO, STATE OF CALIFORNIA, WAS  
APPROVED BY THE CITY COUNCIL OF CITY OF  
RIALTO AT A REGULAR MEETING THEREOF, HELD  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, BY  
ITS RESOLUTION NO. \_\_\_\_\_.

CITY CLERK  
CITY OF RIALTO

REFERENCE IS MADE TO THAT BOUNDARY MAP  
OF THE COMMUNITY FACILITIES DISTRICT NO.  
2016-1 (PUBLIC SERVICES) OF THE CITY OF  
RIALTO RECORDED WITH THE SAN BERNARDINO  
COUNTY RECORDERS' OFFICE ON OCTOBER 8,  
2016 IN BOOK 87, PAGE 29 OF MAPS OF  
ASSESSMENT AND COMMUNITY FACILITIES  
DISTRICTS, AS INSTRUMENT NO. 2016-0418016.

THE LINES AND DIMENSIONS OF EACH LOT OR  
PARCEL SHOWN ON THIS DIAGRAM SHALL BE  
THOSE LINES AND DIMENSIONS AS SHOWN ON  
THE SAN BERNARDINO COUNTY ASSESSOR'S  
MAPS FOR THOSE PARCELS LISTED.

THE SAN BERNARDINO COUNTY ASSESSOR'S  
MAPS SHALL GOVERN FOR ALL DETAILS.

**SAN BERNARDINO COUNTY RECORDERS  
CERTIFICATE**

THIS MAP HAS BEEN FILED UNDER DOCUMENT  
NUMBER \_\_\_\_\_ THIS \_\_\_\_ DAY OF  
\_\_\_\_, 20\_\_, AT \_\_\_\_ M. IN BOOK  
\_\_\_\_ OF \_\_\_\_ AT THE REQUEST OF \_\_\_\_ AT  
\$ \_\_\_\_\_ IN THE AMOUNT OF  
\$ \_\_\_\_\_.

BOB DUTTON  
ASSESSOR-RECORDER-CLERK  
COUNTY OF SAN BERNARDINO

BY: \_\_\_\_\_  
DEPUTY RECORDER

**LEGEND**

ANNEXATION BOUNDARY

MAP REFERENCE NUMBER

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	0243-151-07



**EXHIBIT C**

**LIST OF PROPERTIES TO BE ANNEXED**

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1 **LIST OF PROPERTIES TO BE ANNEXED**

2 **ANNEXATION #2**

3 **ASSESSOR PARCEL NO(S)**

4 **0243-351-32-0000 THROUGH 0243-351-39-0000**

5 THE ETIWANDA HOMES PROJECT (THE "PROJECT") PROPOSED FOR  
6 ANNEXATION HAS BEEN DEVELOPED BY 642 N. LINDEN LLC AND IS LOCATED  
7 ON THE WEST SIDE OF LINDEN AVENUE APPROXIMATELY 950 FEET SOUTH OF  
8 ETIWANDA AVENUE. THE SITE INCLUDES THE DEVELOPMENT OF 8 NEW  
9 SINGLE-FAMILY RESIDENTIAL UNITS. THE ANNEXATION CONSISTS OF  
10 APPROXIMATELY 1.81 GROSS ACRES.

11 **Vesting Tract No.**

12 n/a

13 **Address**

14 **642 Linden Ave**  
15 **Rialto CA 92376**

16 **Landowner**

17 **SA Golden Investments**  
18 **c/o 642 N Linden LLC**  
19 **918 S Teakwood Ave**  
20 **Bloomington, CA 92316**

21 Other Landowners:

22 [1520 WEST CORNELL STREET, RIALTO CA](#) - CHRISTINA ROBLEDO and CONRADO  
23 ROBLEDO

24 [1532 WEST CORNELL STREET, RIALTO CA](#) -- KATHLEEN O'CONNOR