

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

March 3, 2015

FROM: JEFFREY O. RIGNEY, Director
Special Districts Department

SUBJECT: PUBLIC HEARING TO CONSIDER ANNEXATION NO. 7 TO COMMUNITY
FACILITIES DISTRICT 2010-1 - EAST VALLEY FOR STREETLIGHTING
SERVICES

RECOMMENDATION(S)

Conduct a public hearing to:

1. Adopt **Resolution 2015-15** declaring the Board of Supervisors intent to annex portions of Assessor Parcel Numbers 0292-072-01, and 0292-072-02 into Community Facilities District 2010-1 (East Valley) for the purpose of streetlighting services.
2. Adopt **Resolution 2015-16** calling for a special mailed ballot election of the property owner in accordance with California Government Code Section 53339.7.
3. Adopt **Resolution 2015-17** declaring the results of the special mailed ballot election, ordering annexation, and directing the Clerk of the Board to cause the recordation of the annexation map and cause the preparation and recordation of the special tax lien within 15 days.

Hearing Opened

Public Comment: None

Hearing Closed

(Presenter: Jeffrey O. Rigney, Director, 387-5967)

BOARD OF SUPERVISORS COUNTY GOALS AND OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

- Promote public/private collaboration and projects that help to meet the needs of the county residents.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

- Prioritize investments in services and amenities for County unincorporated communities.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The annual cost of the streetlights will be funded by a special tax assessed and collected through the annual property taxes for the parcels which are to be annexed to Community Facilities District 2010-1 (CFD) beginning in 2015-16. All costs of the annexation are paid for by the developer Prologis L.P. (Developer).

Page 1 of 2

cc: w/resolutions
SDD-Rigney
SDD-Joe w/Map for Recordation
CAO-Brown
File - SDD/CFD 2010-1(East Valley)
w/attachments

jr 3/5/15

ITEM 79

Record of Action of the Board of Supervisors

COUNTY OF SAN BERNARDINO

Board of Supervisors

APPROVED REC. NOS. 1 and 2

MOTION	AYE 1	SECOND 2	AYE 3	MOVE 4	AYE 5
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APPROVED REC. NO. 3

MOTION	AYE 1	AYE 2	AYE 3	MOVE 4	SECOND 5
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LAURA H. WELCH, CLERK OF THE BOARD

BY _____

DATED: March 03, 2015

**PUBLIC HEARING TO CONSIDER ANNEXATION NO. 7 TO COMMUNITY
FACILITIES DISTRICT 2010-1 (EAST VALLEY) FOR STREETLIGHTING
SERVICES
MARCH 3, 2015
PAGE 2 OF 2**

The 2015-16 Special Taxes for the parcels included in this annexation are listed below.

Assessor Parcel Number	Acreage	2015-16 Special Tax
Portion of 0292-072-01	16.15	\$797.06
Portion of 0292-072-02	12.62	\$622.85
Total	28.77	\$1,419.91

BACKGROUND INFORMATION

The Special Districts Department (Department), through CFD 2010-1, provides streetlighting services for 67 existing parcels in the unincorporated area of the County adjacent to the City of Redlands. Funding for the streetlighting services is provided through special taxes assessed on the affected parcels. The recommended actions will annex portions of Assessor Parcel Numbers 0292-072-01 and 0292-072-02 into CFD 2010-1 and will provide an ongoing funding mechanism for the streetlight energy charges associated with the development of the parcels. The portions of the parcels to be annexed are the portions for which development is to occur. The parcels are to be developed with the construction of a 597,000 square foot "High-Cube" warehouse distribution facility on 28.77 acres. The special taxes will fund the annual energy costs of 8 streetlights.

The annexation will provide the ongoing funding mechanism for streetlighting services to the affected parcels which serves the goal of Operating in a Fiscally-Responsible and Business-Like Manner and Ensure Development of a Well-Planned, Balanced, and Sustainable County.

The Department has been collaborating with the Developer of this project to ensure that the streetlight planning requirements of the development are met and that financing of the streetlighting services are provided for with the annexation of the parcel into CFD 2010-1. The Developer is the sole owner of the property and has requested that the property be annexed to CFD 2010-1. The special tax for this property is calculated using the same Rate and Method of Apportionment as recorded in the Notice of Special Tax.

The Developer has executed a "waiver and consent" form that requests annexation and waives various time period and mailed ballot voting/election related requirements in order to expedite approval of this annexation.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Dawn Messer, County Counsel, 387-5455) on January 23, 2015; Finance (Jessica Brown, Administrative Analyst, 387-4919 on February 11, 2015; and County Finance and Administration (Mary Jane Olhasso, Assistant Executive Officer, 387-4599) on February 12, 2015.

RESOLUTION NO. 2015-15

**RESOLUTION OF INTENTION TO ANNEX PROPERTY
TO COMMUNITY FACILITIES DISTRICT**

**COMMUNITY FACILITIES DISTRICT NO. 2010-1 (East Valley)
ANNEXATION NO. 7**

On Tuesday March 3, 2015, on motion of Supervisor Hagman, duly seconded by Supervisor Rutherford and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, in response to a petition (the "Petition") submitted by Prologis L.P. (the "Owner"), as the sole owner of the privately-owned real property shown on an exhibit map attached to the Petition (the "Subject Property"), this Board proposes to annex the Subject Property (portions of Assessor Parcel Numbers 0292-072-01 and 0292-072-02) to the existing community facilities district known as "Community Facilities District No. 2010-1 (East Valley), County of San Bernardino, State of California" (CFD 2010-1") as authorized by Article 3.5 of the Mello-Roos Community Facilities Act of 1982 (the "Act"); and

WHEREAS, the boundaries of CFD No. 2010-1 are set forth in the boundary maps for CFD No. 2010-1, recorded on June 14, 2010, in Book No. 84 of Maps of Assessment and Community Facilities District at Pages 78-89, in the Boundary Map of Annexation No. 1 to CFD No. 2010-1, recorded on March 29, 2012, in Book 85 of Maps of Assessment and Community Facilities Districts, at page 29 as Instrument No. 2012-0121778 in the official records of the San Bernardino County Recorder, and in the Boundary Map of Annexation No. 2 to CFD No. 2010-1, recorded on April 1, 2013, in Book 85 of Maps of Assessment and Community Facilities Districts, at page 62 as Instrument No. 2013-0131597, in the official records of the San Bernardino County Recorder and in the Boundary Map of Annexation No. 3 to CFD 2010-1, recorded April 5, 2013, in Book 85 of Maps of Assessment and Community Facilities Districts, at page 64 as Instrument No. 2013-0141654 and in the Boundary Map of Annexation No. 4 to CFD 2010-1, recorded April 17, 2014, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 15 as Instrument No. 2014-0136204 and in the Boundary Map of Annexation No. 5 to CFD 2010-1, recorded June 6, 2014, in Book 86 of Maps of Assessment and Community Facilities Districts, at Page 24 as Instrument No. 2014-0205185 and in the boundary Map of Annexation No. 6 to CFD 2010-1, recorded September 16, 2014, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 29 as Instrument No. 2014-0340531 in the official records of the San Bernardino County Recorder.

WHEREAS, the boundaries of the Subject Property are shown on a map entitled "Proposed Boundaries of Annexation Map No. 7, Community Facilities District 2010-1 (East Valley), County of San Bernardino, State of California" which is on file with the Clerk of this Board (the "Clerk"); and

WHEREAS, Sections 53339.2 and 53339.3 of the Act provides that legal proceedings for the annexation of property to a community facilities district pursuant to the Act shall be instituted by the adoption of a resolution of this Board declaring its intention as provided hereafter in this resolution;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of San Bernardino as follows:

1. This Board hereby finds and determines that public convenience and necessity require that the Subject Property be annexed to the existing territory of CFD No. 2010-1.

2. The types of services proposed to be provided within the Subject Property are the same as for the existing area of CFD No. 2010-1, namely the funding energy charges for streetlights.

3. The plan for providing the funding of energy charges for streetlights within the existing area and the Subject Property shall be the plan presently in existence, as the same may be revised from time to time by the County of San Bernardino (the "County") or any agency of the County through which the County provides the funding of energy charges.

4. Except where funds are otherwise available, a special tax will be annually levied on the Subject Property. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property included in the Subject Property, and this lien shall continue in force and effect in perpetuity or until the levy and collection of the special tax obligation by the County ceases. The rate and method of apportionment of the special tax shall be as previously established for CFD 2010-1.

5. On the basis of the written consent and waiver form submitted to and on file with the Clerk of this Board by the Owner, as the landowner of 100% of the Subject Property, this Board hereby sets this same date, as soon as the matter may be heard following adoption of this resolution, in the Board Chambers on the First Floor of the County Government Center, 385 North Arrowhead Avenue, San Bernardino, California, as the time and place for the public hearing on the proposed annexation. At the hearing, testimony of all interested persons and taxpayers for or against the proposed annexation will be heard and protests will be considered from both registered voters, if any, residing within CFD No. 2010-1 and persons owning real property within CFD No. 2010-1. As provided by the Act, written protests by a majority of the registered voters, if any, but including a minimum of six registered voters, or by the owners of a majority in area of land within either the existing CFD No. 2010-1 or the proposed annexation area will constitute a "majority protest" and will require suspension of proceedings for at least one year. Written protests must be filed with the Clerk at or before the time fixed for the hearing.

6. It is anticipated that the special tax will be billed as a separate line item on the regular property tax bill of the County of San Bernardino. However, this Board reserves the right, under Section 53340, to utilize any method of collecting the special tax which it shall, from time to time, determine to be in the best interests of the County, including, but not limited to, direct billing by the County to the property owners and supplemental billing.

7. On the basis of the information set forth in that certain certificate entitled "Voter Count Certification", on file with the Clerk of the Board, in the event that an election is held in these proceedings, it is the intention of this Board that the elector will be the Owner, as the sole landowner within the area of the Subject Property in accordance with Section 53339.7 of the Act.

8. This Board ratifies the publication by the Clerk of a notice of hearing, containing the matters specified by Section 53322 of the Act, one time in a newspaper in general circulation in the area of CFD No. 2010-1, said publication having occurred no later than seven days prior to the date of the public hearing.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES:	SUPERVISORS:	Lovingood, Rutherford, Ramos, Hagman, Gonzales
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	None

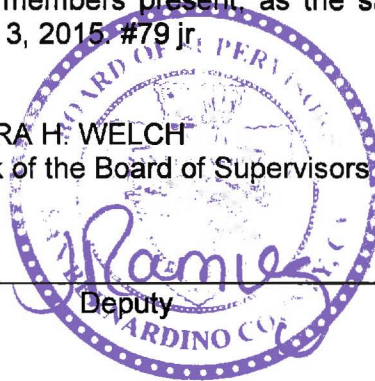
* * * * *

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

I, **LAURA H. WELCH**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of March 3, 2015. #79 jr.

LAURA H. WELCH
Clerk of the Board of Supervisors

By 
Deputy



PETITION FOR THE ANNEXATION
OF CERTAIN PRESCRIBED PROPERTY TO
COMMUNITY FACILITIES DISTRICT NO. 2010-1 (EAST VALLEY)

TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO:


Pursuant to Section 53339.2 of the California Government Code, the undersigned, as the authorized representative of Prologis, L.P., a Delaware limited partnership

(the "Owner"), hereby represents and petitions as follows:

1. The Owner is the sole owner of the real property (the "Subject Property"), shown on the exhibit map attached hereto as Exhibit A and also identified as Assessor's Parcel Number(s) 0292-072-01 & -02 ^{portion of parcels} which real property is situated within the unincorporated area of San Bernardino County.

2. The Owner hereby petitions this Board of Supervisors (this "Board") to (a) initiate and conduct legal proceedings pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, (Sections 53311 et seq. of the of the California Government Code) (the "Act"), for the annexation of the Subject Property to the existing Community Facilities District No. 2010-1 (East Valley), County of San Bernardino, State of California ("CFD No. 2010-1") and (b) conduct a landowner election in accordance with the Act to obtain authorization to annex the Subject Property to CFD 2010-1 and thereby authorize to levy the previously-established special tax for streetlight services of CFD 2010-1 on the Subject Property.

Respectfully Submitted,

By: 
Signature

Scott Mulkay, Vice President of Prologis, Inc., its general parter

Printed Name and Title

January 21, 2015

Date

Standard California Notary Acknowledgment Form Attached

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 San Bernardino)

On January 21, 2015 before me, Joann A. Martinez, Notary Public
(insert name and title of the officer)

personally appeared Scott Mulkay _____,
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 Joann A. Martinez (Seal)

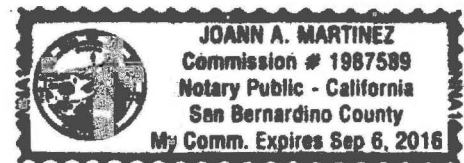


EXHIBIT "A"

That portion of the Southwest one-quarter of Section 16, Township 1 South, Range 3 West, San Bernardino Meridian, in the Unincorporated Territory of San Bernardino County, State of California, according to the official plat thereof, lying within The land described as Parcel 1 and Parcel 2 in that certain Grant Deed recorded December 26, 2013 as Document No. 2013-0550157 of Official Records, in the office of the County Recorder of said County, described in parcels as follows:

Parcel 1:

All that portion of the Southwest one-quarter of Section 16, Township 1 South, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to official plat thereof described as follows:

Beginning 541 feet East of the Southwest corner of Section 16, thence North 1°0' East 1469.37 feet; thence South 89°54' East 390 feet; thence South 1°5' West 1468.71 feet; thence West 388 feet to the Point of Beginning.

Parcel 2:

All that portion of the Southwest one-quarter of Section 16, Township 1 South, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to the official plat thereof, described as follows:

Beginning at the Southwest corner of said Section; thence North along the West line of said Section 16, 1470.31 feet, thence South 89°54' East 567 feet, more or less, to the Northwest corner of land acquired by M.M. Phinney by deed recorded April 15, 1908 in Book 408, Page 340, of Deeds; thence South 1°0' West 1469.37 feet to the South line of said Section; thence West along the South line of said Section 541 feet to the place of beginning.

Excepting therefrom the West 15 feet as conveyed to the County of San Bernardino by deed recorded December 1, 1952, in Book 3063, Page 285 of Official Records.

Excepting therefrom that portion thereof conveyed to the County of San Bernardino, by grant deed recorded September 2, 1988, recording number 88-295427, more particularly described as follows:

That portion of the Southwest quarter of Section 16, Township 1 South, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to the official plat thereof, said portion being more particularly described as follows:

Beginning at the Southwest corner of said Section 16, as said corner is shown on Record of Survey map recorded in Book 65, Page 37, of Records of Survey, records of said County; thence South 89°42'11" East, (record North 89°58'16" East per said record of survey), along the South line of said Section 16, a distance of 929.00 feet to the Southeast

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05-05-14
REVISED
10-01-14

corner of that parcel of land described as Parcel No.1 of deed recorded October 3, 1967, in Book 6899, Page 836, Official Records of said County; thence North $00^{\circ}44'31''$ East, (record North $01^{\circ}03'16''$ East, per said Record of Survey), along the East line of said Parcel No. 1 a distance of 52.00 feet; thence North $89^{\circ}42'11''$ West, along a line parallel with and 52.00 feet North, measured at right angles from the South line of said Section, a distance of 395.45 feet to the beginning of a tangent curve, concave northerly and having a radius of 2948.00 feet; thence Westerly, along said curve through a central angle of $04^{\circ}1'12''$ an arc distance of 206.84 feet; thence tangent to said curve North $85^{\circ}40'59''$ West, a distance of 269.17 feet to the beginning of a tangent curve concave to the Northeast and having a radius of 35.00 feet; thence Northwesterly and Northerly along last said curve through a central angle of $85^{\circ}45'31''$ an arc distance of 52.39 feet to a point of tangency with a line that is parallel with and distant 26.50 feet East measured at right angles from the West line of said Section 16; thence North $00^{\circ}34'32''$ West, along last said parallel line, a distance of 1356.76 feet to the South line of Pioneer Avenue, as shown on said Record of Survey map; thence North $89^{\circ}37'12''$ West, along said South line of Pioneer Avenue and its Westerly prolongation, a distance of 26.50 feet, more or less, to the West line of said Section 16; thence South $00^{\circ}04'32''$ East, along said West line, a distance of 1489.68 feet, more or less, to the Point of beginning.

EXCEPTING therefrom those portions of Parcels 1 and 2 as described hereinabove lying Northerly of the following described line:

Commencing at the intersection of the centerline of Pioneer Avenue and the survey centerline of Alabama Street as shown on Record of Survey filed in Book 149, Pages 81 through 84, inclusive, of Records of Survey, in the office of the County Recorder of said County; thence along said centerline of Alabama Street South $00^{\circ}23'17''$ East 120.31 feet to a line parallel with and 120.31 feet Southerly of said centerline of Pioneer Avenue, said point also being the TRUE POINT OF BEGINNING; thence leaving said centerline South $89^{\circ}56'02''$ East 225.61 feet to the beginning of a curve concave Northwesterly having a radius of 820.00 feet; thence Easterly and Northeasterly 218.50 feet along said curve through a central angle of $15^{\circ}16'02''$; thence North $74^{\circ}47'56''$ East 237.08 feet to the beginning of a curve concave Southeasterly having a radius of 820.00 feet, the Easterly terminus of said curve being tangent to said centerline of Pioneer Avenue; thence Northeasterly and Easterly 218.50 feet along said curve through a central angle of $15^{\circ}16'02''$ to said centerline of Pioneer Avenue; thence along said centerline of Pioneer

R110331.03 (D)
05-05-14
REVISED
10-01-14

Avenue South 89°56'02" East 104.85 feet to the Northerly prolongation of the Westerly line of the land described as Parcel 1 of that certain Grant Deed recorded July 11, 1985 as Document No. 85-166379 of Official Records, in the office of said County Recorder.

Containing an area of 28.773 acres (gross), 28.114 acres (net), more or less.

Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

 10/1/14
ERIC S. CANTRELL, PLS 7163



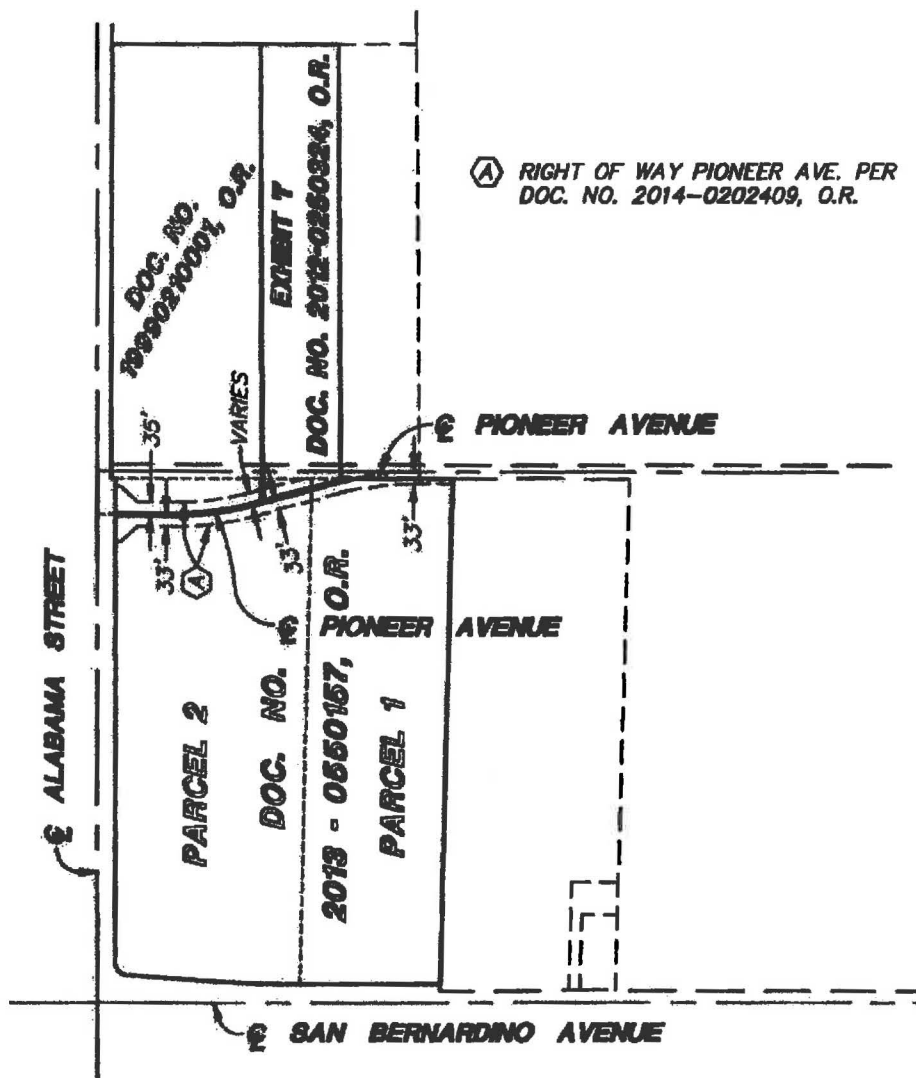
EXHIBIT 'B' LOT LINE ADJUSTMENT

SHEET 1 OF 4



LEGEND:

- PARCEL LINE TO REMAIN
- PARCEL LINE TO BE REMOVED
- NEW PARCEL LINE



NOTE: SEE SHEET 2 FOR
SURVEYOR'S SIGNATURE AND SEAL

Information Portion:

SCALE 1" = 500'

Applicant Name: PROLOGIS, LP C/O SCOTT MULKAY Phone: 909-673-8730 Proposed # of New Lots: 3

Assessor Parcel Number(s): 0292-072-01, 0292-072-02, 0292-071-21, 0292-071-22

Township: 1 S. Range: 3 W. Section: 16 NW NE (SW) SE (Circle One)

Planning Staff Only.

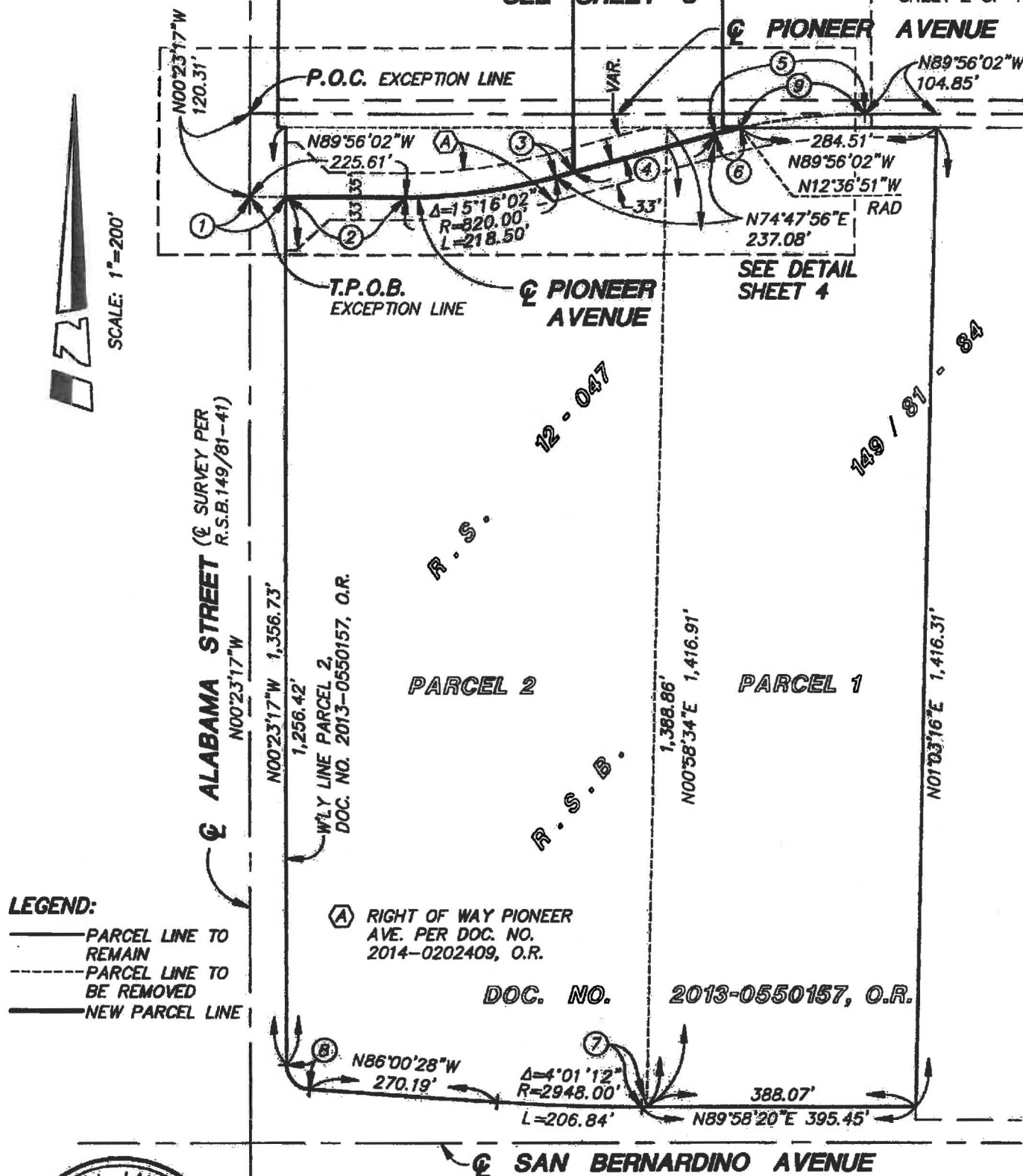
File/Index: _____ Land Use District: _____ Overlay: _____ Rd. Bk.: _____

Approval Date: _____

Approval By: _____ X _____

R110331.03

R: \11033103\MAP033103\DWG\LL\033103.LL02-1.DWG



PREPARED BY OR UNDER THE
SUPERVISION OF:

Eric S. Cantrell 10-1-14
ERIC S. CANTRELL, L.S. 7163
EXPIRATION DATE: DECEMBER 31, 2015

**NOTE: SEE SHEET 4 FOR
COURSE & CURVE DATA.**



SCALE: 1"=200'

(A) RIGHT OF WAY PIONEER
AVE. PER DOC. NO.
2014-0202409, O.R.

ALABAMA STREET (C SURVEY PER
R.S.B.149/81-41)
N00°23'17"W

N'LY LINE DOC. NO.
19990210001, O.R.

12-047

N'LY LINE EXHIBIT 'I',
DOC. NO. 2012-0250324, O.R.

DOC. NO. 19990210001, O.R.

W'LY LINE DOC. NO.
19990210001, O.R.

E'LY LINE DOC. NO.
19990210001, O.R.

W'LY LINE EXHIBIT 'I',
DOC. NO. 2012-0250324, O.R.

E'LY LINE EXHIBIT 'I',
DOC. NO. 2012-0250324, O.R.

EXHIBIT
'I'

DOC. NO.

2012-0250324, O.R.

PIONEER AVENUE

P.O.C. EXCEPTION LINE

N00°23'17"W
120.31'

N89°56'02"W

225.61'

A=15°16'02"
R=820.00'
L=218.50'

T.P.O.B.
EXCEPTION LINE

PIONEER AVENUE

R.S.

N74°47'56"E
237.08'

SEE DETAIL
SHEET 4

RAD

149/81-84

LEGEND:

- PARCEL LINE TO REMAIN
- - - - - PARCEL LINE TO BE REMOVED
- NEW PARCEL LINE

SEE SHEET 2

NOTE: SEE SHEET 4 FOR
COURSE & CURVE DATA.

PARCEL 1

EXHIBIT 'I'

DOC. NO.
2012-0250324, O.R.

N00°39'33"W
64.39'

DOC. NO.

19990210001, O.R.

W'LY LINE DOC. NO.
19990210001, O.R.

PIONEER AVENUE

N 89° 56' 02" W

N'LY LINE PARCEL 2,
DOC. NO. 2013-0550157, O.R.

PIONEER AVENUE

RIGHT OF WAY PIONEER AVE. PER
DOC. NO. 2014-0202409, O.R.

COURSE & CURVE DATA:

- ① $N89^{\circ}56'02''W$ 52.00'
- ② $N89^{\circ}56'02''W$ 173.61'
- ③ $N74^{\circ}47'56''E$ 26.51'
- ④ $N74^{\circ}47'56''E$ 210.57'
- ⑤ $\Delta=15^{\circ}16'02''$ $R=820.00'$
 $L=218.50'$
- ⑥ $\Delta=02^{\circ}35'13''$ $R=820.00'$
 $L=37.02'$
- ⑦ $N89^{\circ}58'20''E$ 7.38'
- ⑧ $\Delta=85^{\circ}37'11''$ $R=35.00'$
 $L=52.30'$
- ⑨ $\Delta=12^{\circ}40'49''$ $R=820.00'$
 $L=181.48'$

PARCEL 2

DOC. NO.

2013-0550157, O.R.

-W'LY LINE PARCEL 2,
DOC. NO. 2013-0550157, O.R.

N00°23'17"W 1,356.73'

N00°23'17"
- 120.31'

-T.P.O.B. EXCEPTION LINE

ALABAMA STREET (C SURVEY PER
R.S.B.149/81-41)

_____ PARCEL LINE TO REMAIN
 - - - - - PARCEL LINE TO BE REMOVED
 _____ NEW PARCEL LINE

PROPOSED BOUNDARIES OF ANNEXATION NO. 7
COMMUNITY FACILITIES DISTRICT 2010-1 (EAST VALLEY)
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

Page 1 of 1

Exempt recording requested, per
CA Government Code §6103.

Filed in the Office of the Clerk of
the Board of Supervisors of the
County of San Bernardino this
day of _____, 2015.

Laura H. Welch, Clerk of the Board
County of San Bernardino

Prepared by:

Huitt-Zollars, Inc.
3990 Concourse, Suite 330
Ontario, CA 91764

Maurice H. Murad 1/20/2015
Maurice H. Murad, PE 33366 Date

I hereby certify that the within map showing the proposed
boundaries of Annexation No. 7 of County of San Bernardino
Community Facilities District No. 2010-1 (East Valley), San
Bernardino County, State of California, was approved by the
Board of Supervisors of the County of San Bernardino at a
regular meeting thereof, held on the _____ day of
_____, 2015, by its Resolution No. _____

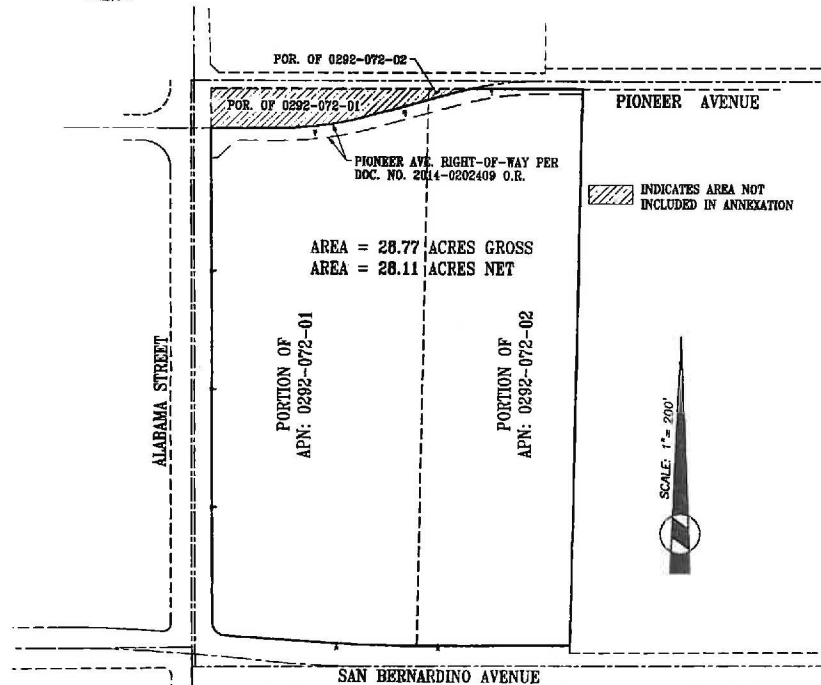
Laura H. Welch, Clerk of the Board
County of San Bernardino



Assessors' Parcel Numbers within the Boundaries
of Annexation No. 7 CFD 2010-1:

Portion of 0292-072-01 and a portion of
0292-072-02

Reference is made to the Assessor Maps of the
County of San Bernardino for a description of the
lines and dimensions of the lot and parcel, and the
map of the Boundaries of County of San Bernardino
Community Facilities District No. 2010-1 (East
Valley) recorded on June 14, 2010, in Book No. 84
of Maps of Assessment and Community Facilities
District at Pages 78-89, on March 29, 2012, in
Book No. 85 of Maps of Assessment and Community
Facilities District at Page 29 and on April 1, 2013,
in Book No. 85 of Maps of Assessment and
Community Facilities District at Page 64 and on
April 5, 2013, in Book No. 85 of Maps of
Assessment and Community Facilities District at
Page 64 and on April 17, 2014 in Book 86 of Maps
of Assessment and Community Facilities District at
Page 15 and on June 8, 2014, in Book 86 of Maps
of Assessment and Community Facilities Districts, at
page 24 as Instrument No. 2014-0205185 and on
September 16, 2014, in Book 86 of Maps of
Assessment and Community Facilities Districts, at
page 29 as Instrument No. 2014-0340531 in the
official records of the San Bernardino County
Recorder, State of California.



LEGAL DESCRIPTION:

THAT PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING WITHIN THE LAND DESCRIBED AS PARCEL 1 AND PARCEL 2 IN THAT CERTAIN GRANT DEED RECORDED DECEMBER 28, 2013 AS DOCUMENT NO. 2013-0580157 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED IN PARCELS AS FOLLOWS:

PARCEL 1:

ALL THAT PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF DESCRIBED AS FOLLOWS:

BEGINNING 541 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16, THENCE NORTH 1°10' EAST 1469.37 FEET; THENCE SOUTH 89°54' EAST 380 FEET; THENCE SOUTH 1°15' WEST 1468.71 FEET; THENCE WEST 388 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

ALL THAT PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 16, 1470.31 FEET; THENCE SOUTH 89°54' EAST 567 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LAND ACQUIRED BY M.M. PRINNEY BY DEED RECORDED APRIL 15, 1908 IN BOOK 458, PAGE 340, OF DEEDS; THENCE SOUTH 1°10' WEST 1469.37 FEET TO THE SOUTH LINE OF SAID SECTION; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 541 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE WEST 15 FEET AS CONVEYED TO THE COUNTY OF SAN BERNARDINO BY DEED RECORDED DECEMBER 1, 1952, IN BOOK 3063, PAGE 285 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THE COUNTY OF SAN BERNARDINO, BY GRANT DEED RECORDED SEPTEMBER 2, 1988, RECORDING NUMBER 88-285427, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 16, AS SAID CORNER IS SHOWN ON RECORD OF SURVEY MAP RECORDED IN BOOK 85, PAGE 37, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY, THENCE SOUTH 89°42'11" EAST, (RECORD NORTH 89°58'16" EAST PER SAID RECORD OF SURVEY), ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 929.00 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED AS PARCEL NO.1 OF DEED RECORDED OCTOBER 3, 1967, IN BOOK 6899, PAGE 836, OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH 00°44'31" EAST, (RECORD NORTH 01°03'16" EAST, PER SAID RECORD OF SURVEY), ALONG THE EAST LINE OF SAID PARCEL NO. 1 A DISTANCE OF 52.00 FEET; THENCE NORTH 89°42'11" WEST, ALONG A LINE PARALLEL WITH AND 52.00 FEET NORTH, MEASURED AT RIGHT ANGLES FROM THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 365.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 2948.00 FEET; THENCE WESTERLY, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°11'22" AN ARC DISTANCE OF 208.84 FEET; THENCE TANGENT TO SAID CURVE NORTH 85°40'59" WEST, A DISTANCE OF 288.17 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 35.00 FEET; THENCE NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 85°46'31" AN ARC DISTANCE OF 52.39 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS PARALLEL WITH AND DISTANT 26.50 FEET EAST MEASURED AT RIGHT ANGLES FROM THE WEST LINE OF SAID SECTION 16; THENCE NORTH 00°34'32" WEST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1356.76 FEET TO THE SOUTH LINE OF PIONEER AVENUE, AS SHOWN ON SAID RECORD OF SURVEY MAP; THENCE NORTH 89°37'12" WEST, ALONG SAID SOUTH LINE OF PIONEER AVENUE AND ITS WESTERLY PROLONGATION, A DISTANCE OF 28.50 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 16; THENCE SOUTH 00°04'32" EAST, ALONG SAID WEST LINE, A DISTANCE OF 1469.68 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PORTIONS OF PARCELS 1 AND 2 AS DESCRIBED HEREINABOVE LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF PIONEER AVENUE AND THE SURVEY CENTERLINE OF ALABAMA STREET AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 149, PAGES 81 THROUGH 84, INCLUSIVE, OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID CENTERLINE OF ALABAMA STREET SOUTH 00°23'17" EAST 120.31 FEET TO A LINE PARALLEL WITH AND 120.31 FEET SOUTHERLY OF SAID CENTERLINE OF PIONEER AVENUE, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID CENTERLINE SOUTH 89°56'02" EAST 225.81 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 820.00 FEET; THENCE EASTERLY AND NORTHEASTERLY 218.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 151°18'02" TO SAID CENTERLINE OF PIONEER AVENUE; THENCE NORTHEASTERLY AND EASTERLY 218.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 151°18'02" TO SAID CENTERLINE OF PIONEER AVENUE; THENCE ALONG SAID CENTERLINE OF PIONEER AVENUE SOUTH 89°56'02" EAST 104.85 FEET TO THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF THE LAND DESCRIBED AS PARCEL 1 OF THAT CERTAIN GRANT DEED RECORDED JULY 11, 1985 AS DOCUMENT NO. 85-168379 OF OFFICIAL RECORDS, IN THE OFFICE OF SAID COUNTY RECORDER.

SAN BERNARDINO COUNTY RECORDERS CERTIFICATE

This map has been filed under the Document
Number _____ this
_____ day of _____, 2015,
at _____ in Book _____ of Maps of
Assessment and Community Facilities
District at Page(s) _____ at the Request
of the County of San Bernardino Community
Facilities District 2010-1 in the amount of
\$0.00.

Bob Dutton, Assessor-Recorder-County Clerk
County of San Bernardino

By _____
Deputy Recorder

PROPOSED BOUNDARIES OF ANNEXATION NO. 7
COMMUNITY FACILITIES DISTRICT 2010-1 (EAST VALLEY)
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

Page 1 of 1

Exempt recording requested, per
CA Government Code §6103.

Filed in the Office of the Clerk of
the Board of Supervisors of the
County of San Bernardino this 3rd day of
March, 2015.

Laura H. Welch
Laura H. Welch, Clerk of the Board
County of San Bernardino

Prepared by:

Huitt-Zollars, Inc.
3990 Concourse, Suite 330
Ontario, CA 91764

Maurice H. Murad
Maurice H. Murad, PE 33368

1/20/2015
Date

I hereby certify that the within map showing the proposed
boundaries of Annexation No. 7 of County of San Bernardino
Community Facilities District No. 2010-1 (East Valley), San
Bernardino County, State of California, was approved by the
Board of Supervisors of the County of San Bernardino at a
regular meeting thereof, held on the 3rd day of
March, 2015, by its Resolution No.

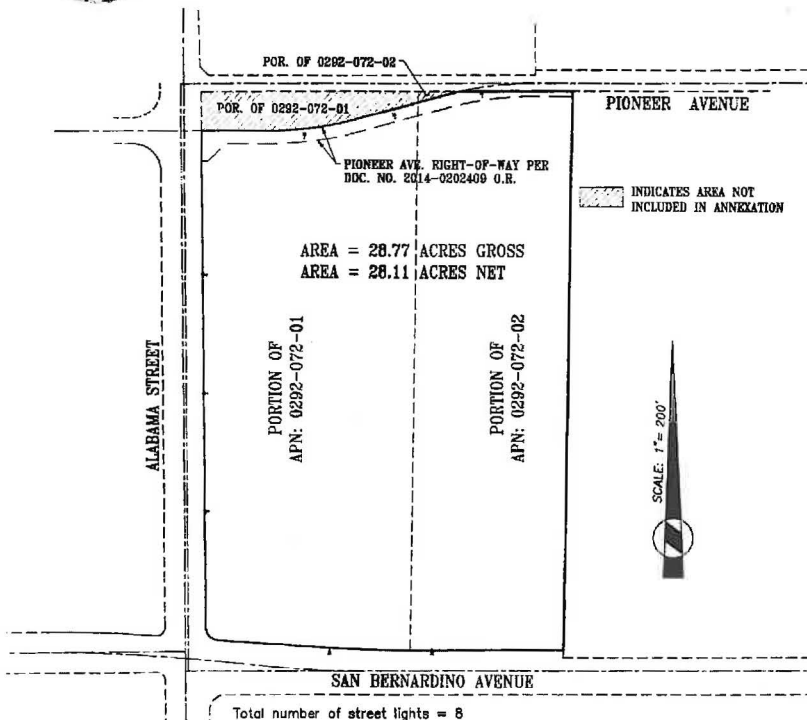
Laura H. Welch
Laura H. Welch, Clerk of the Board
County of San Bernardino



Assessors' Parcel Numbers within the Boundaries
of Annexation No. 7 CFD 2010-1:

Portion of 0292-072-01 and a portion of
0292-072-02

Reference is made to the Assessor Maps of the
County of San Bernardino for a description of the
lines and dimensions of the lot and parcel, and the
map of the Boundaries of County of San Bernardino
Community Facilities District No. 2010-1 (East
Valley) recorded on June 14, 2010, in Book No. 84
of Maps of Assessment and Community Facilities
District at Pages 78-89, on March 29, 2012, in
Book No. 85 of Maps of Assessment and Community
Facilities District at Page 29 and on April 1, 2013,
in Book No. 85 of Maps of Assessment and
Community Facilities District at Page 64 and on
April 5, 2013, in Book No. 85 of Maps of
Assessment and Community Facilities District at
Page 64 and on April 17, 2014 in Book 86 of Maps
of Assessment and Community Facilities District at
Page 15 and on June 6, 2014, in Book 86 of Maps
of Assessment and Community Facilities Districts, at
page 24 as instrument No. 2014-0205185 and on
September 16, 2014, in Book 86 of Maps of
Assessment and Community Facilities Districts, at
page 29 as instrument No. 2014-0340531 in the
official records of the San Bernardino County
Recorder, State of California.



LEGAL DESCRIPTION:

THAT PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING WITHIN THE LAND DESCRIBED AS PARCEL 1 AND PARCEL 2 IN THAT CERTAIN GRANT DEED RECORDED DECEMBER 26, 2013 AS DOCUMENT NO. 2013-0550157 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED IN PARCELS AS FOLLOWS:

PARCEL 1:

ALL THAT PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF DESCRIBED AS FOLLOWS:

BEGINNING 541 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16, THENCE NORTH 1°0' EAST 1469.37 FEET; THENCE SOUTH 89°54' EAST 390 FEET; THENCE SOUTH 15° WEST 1468.71 FEET; THENCE WEST 388 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

ALL THAT PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 16, 1470.31 FEET, THENCE SOUTH 89°54' EAST 587 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LAND ACQUIRED BY M.M. PHINNEY BY DEED RECORDED APRIL 15, 1908 IN BOOK 408, PAGE 340, OF DEEDS; THENCE SOUTH 1°0' WEST 1469.37 FEET TO THE SOUTH LINE OF SAID SECTION; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 541 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE WEST 15 FEET AS CONVEYED TO THE COUNTY OF SAN BERNARDINO BY DEED RECORDED DECEMBER 1, 1952, IN BOOK 3063, PAGE 285 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THE COUNTY OF SAN BERNARDINO, BY GRANT DEED RECORDED SEPTEMBER 2, 1988, RECORDING NUMBER 88-295427, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 16, AS SAID CORNER IS SHOWN ON RECORD OF SURVEY MAP RECORDED IN BOOK 85, PAGE 37, OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY; THENCE NORTH 89°58'16" EAST PER SAID RECORD OF SURVEY, ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 928.00 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED AS PARCEL NO. 1 OF DEED RECORDED OCTOBER 3, 1967, IN BOOK 8899, PAGE 636, OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH 00°44'31" EAST, (RECORD NORTH 01°03'16" EAST, PER SAID RECORD OF SURVEY), ALONG THE EAST LINE OF SAID PARCEL NO. 1 A DISTANCE OF 92.00 FEET; THENCE NORTH 89°42'11" WEST, ALONG A LINE PARALLEL WITH AND 52.00 FEET NORTH, MEASURED AT RIGHT ANGLES FROM THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 395.45 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 2848.00 FEET; THENCE WESTERLY, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°11'12" AN ARC DISTANCE OF 208.84 FEET; THENCE TANGENT TO SAID CURVE NORTH 85°40'59" WEST, A DISTANCE OF 269.17 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 85.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 85°45'31" AN ARC DISTANCE OF 52.39 FEET TO A POINT OF TANGENCY WITH A LINE THAT IS PARALLEL WITH AND DISTANT 26.50 FEET EAST MEASURED AT RIGHT ANGLES FROM THE WEST LINE OF SAID SECTION 16; THENCE NORTH 00°34'32" WEST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1356.76 FEET TO THE SOUTH LINE OF PIONEER AVENUE, AS SHOWN ON SAID RECORD OF SURVEY MAP; THENCE NORTH 89°37'12" WEST, ALONG SAID SOUTH LINE OF PIONEER AVENUE AND ITS WESTERLY PROLONGATION, A DISTANCE OF 26.50 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 16; THENCE SOUTH 00°04'32" EAST, ALONG SAID WEST LINE, A DISTANCE OF 1489.68 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PORTIONS OF PARCELS 1 AND 2 AS DESCRIBED HEREINABOVE LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF PIONEER AVENUE AND THE SURVEY CENTERLINE OF ALABAMA STREET AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 149, PAGES 81 THROUGH 84, INCLUSIVE, OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG SAID CENTERLINE OF ALABAMA STREET SOUTH 00°23'17" EAST 120.31 FEET TO A LINE PARALLEL WITH AND 120.31 FEET SOUTHERLY OF SAID CENTERLINE OF PIONEER AVENUE, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID CENTERLINE SOUTH 89°56'02" EAST 225.61 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 820.00 FEET; THENCE EASTERLY AND NORTHEASTERLY 218.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°16'02" TO SAID CENTERLINE OF PIONEER AVENUE, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE EASTERLY 218.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°16'02" TO SAID CENTERLINE OF PIONEER AVENUE; THENCE NORTHEASTERLY AND EASTERLY 218.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°16'02" TO SAID CENTERLINE OF PIONEER AVENUE; THENCE ALONG SAID CENTERLINE OF PIONEER AVENUE SOUTH 89°56'02" EAST 104.85 FEET TO THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF THE LAND DESCRIBED AS PARCEL 1 OF THAT CERTAIN GRANT DEED RECORDED JULY 11, 1985 AS DOCUMENT NO. 85-186379 OF OFFICIAL RECORDS, IN THE OFFICE OF SAID COUNTY RECORDER.

Recorded in Official Records,
County of San Bernardino
Doc. # 2015-0009750
3/20/2015 10:15 AM

SAN BERNARDINO COUNTY RECORDERS CERTIFICATE

This map has been filed under the Document
Number 2015-0009750 this
3rd day of March, 2015,
at 12:15 PM in Book 86 of Maps of
Assessment and Community Facilities
Districts at Page(s) 17, at the Request
of the County of San Bernardino Community
Facilities District 2010-1 in the amount of
\$0.00.

Bob Dutton, Assessor-Recorder-County Clerk
County of San Bernardino

Bob Dutton
Deputy Recorder

**COUNTY OF SAN BERNARDINO
COMMUNITY FACILITIES DISTRICT NO. 2010-1 (EAST VALLEY)**

WAIVER AND CONSENT RESPECTING CONDUCT OF MAILED-BALLOT, LANDOWNER ELECTION

The undersigned is an authorized representative of Prologis, L.P. (the "Owner"), the sole owner of land (the "Subject Property") shown on the exhibit map attached to the petition submitted to the Board of Supervisors (the "Board") of the County of San Bernardino (the "County") and also identified as Assessor's Parcel Number(s) portion of parcels 0292-072-01 & -02, requesting the annexation of the Subject Property to the County of San Bernardino Community Facilities District No. 2010-1 (East Valley) ("CFD No. 2010-1").

The undersigned is a person legally entitled and authorized to cast the ballots for the Owner in the mailed-ballot election to be conducted on March 3, 2015, to determine whether the Subject Property shall be annexed to CFD No. 2010-1 and thereby made subject to the special tax of CFD No. 2010-1 pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code) (the "Act"),

The undersigned, on behalf of the Owner, hereby waives (and, with respect to Item 4, agrees to) each of the following:

1. any and all minimum time periods relative to the landowner election to be held pursuant to Government Code Section 53339.7 of the Act;
2. the preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of Government Code Section 53327(b) of the Act;
3. the requirements regarding the time to mail ballots to the qualified electors under Elections Code Section 4101, and agrees to accept either mailed service or personal service of the ballot;
4. the requirements regarding identification envelopes for the return of mailed ballots contained in Government Code Section 53327.5 of the Act; and
5. any and all defects in notice or procedure in the proceedings for the annexation of the Subject Property to CFD No. 2010-1, including but not limited to the conduct of the election, whether known or unknown (other than the right to have ballots accurately counted).

**COUNTY OF SAN BERNARDINO
COMMUNITY FACILITIES DISTRICT NO. 2010-1 (EAST VALLEY)**

WAIVER AND CONSENT RESPECTING CONDUCT OF MAILED-BALLOT, LANDOWNER ELECTION

The undersigned expressly acknowledges, represents and states that the election is being expedited by the County, pursuant to this Waiver and Consent, at the particular instance and request of Owner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on January 21, 2015.

Prologis, L.P., a Delaware limited partnership

By: Prologis, Inc., its general partner

By:  _____

Signature

Scott Mulkay, Vice President

Print Name and Title

In the event this Waiver and Consent is executed in reliance upon an "Appointment of Representative to Execute Waiver and Consent and to Cast Ballot", a photocopy of the dated and signed appointment form must be attached hereto prior to submission of this Waiver and Consent and the related Special Election Ballot to the Clerk.

Standard California Notary Acknowledgment Form Attached

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 San Bernardino

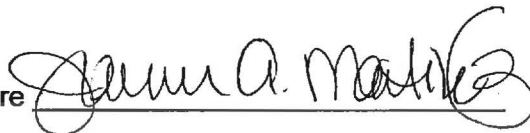
On January 21, 2015 before me, Joann A. Martinez, Notary Public
(insert name and title of the officer)

personally appeared Scott Mulkay
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.

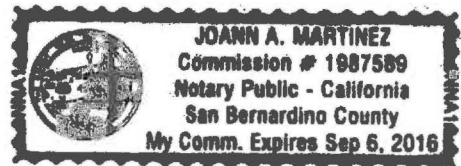
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

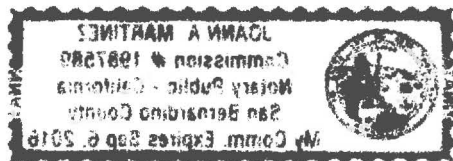
WITNESS my hand and official seal.

Signature



(Seal)





ASSISTANT SECRETARY'S CERTIFICATE



Elections Office of the Registrar of Voters

Michael J. Scarpello
Registrar of Voters

January 21, 2015

County of San Bernardino
Special Districts Department
Attention: Gail Joe
157 W. 5th Street, 2nd Floor
San Bernardino, CA 92415-0450

Dear Ms. Joe:

On December 23, 2014, the San Bernardino County Elections Office received a request to provide a Certification of Registered Voters for CFD 2010-1. Our office has examined the records of voter registrations on file within this district, and hereby certifies the following information as of December 30, 2014:

CFD 2010-1 (Existing)

Registered voters within the area: 0

Registered voters within the surrounding areas: 0

CFD 2010-1 (Additional)

Registered voters within the area: 0

Registered voters within the surrounding areas: 0

Enclosed, you will also find an invoice for services rendered for this request. If you have any questions, please feel free to contact the Elections Office at (909) 387-8300.

Sincerely,

Michael J. Scarpello
Registrar of Voters
Enclosure

BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD
Vice Chairman, First District

JANICE RUTHERFORD
Second District

JAMES RAMOS
Chairman, Third District

CURT HAGMAN
Fourth District

JOSIE GONZALES
Fifth District

GREGORY C. DEVEREAUX
Chief Executive Officer

RESOLUTION NO. 2015-16

**RESOLUTION CALLING SPECIAL MAILED-BALLOT ELECTION
RESPECTING PROPOSED ANNEXATION NO. 7 TO
COMMUNITY FACILITIES DISTRICT NO. 2010-1 (East Valley)**

On Tuesday March 3, 2015, on motion of Supervisor Hagman, duly seconded by Supervisor Rutherford and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, reference is made to the Resolution of Intention to Annex Property to Community Facilities District (the "Resolution of Intention"), adopted by this Board of Supervisors (this "Board" adopted on this same date, for the description of the petition received from Prologis L.P. (the "Owner"), as the sole owner of certain real property (the "Subject Property") which the Owner is requesting be annexed to the existing Community Facilities District No. 2010-1 (East Valley) ("CFD No. 2010-1"); and

WHEREAS, this Board scheduled this same date as the date for the public hearing with respect to the proposed annexation of the Subject Property (the "Proposed Annexation"); and

WHEREAS, on this same date, at the time set for the public hearing by the Resolution of Intention, this Board conducted the public hearing, and at the close of the public hearing this Board determined that a majority protest under Section 53324 of the Government Code was not made at the hearing; and

WHEREAS, in order to proceed with the Proposed Annexation, as provided by the Resolution of Intention, the matter must be submitted to an election of the qualified electors in the territory of the Subject Property, as provided in the form of special election ballot attached hereto as Exhibit A and by this reference incorporated herein; and

WHEREAS, a Certificate Regarding Registered Voters and Landowners (the "Certificate") has been filed with the Clerk of this Board (the "Clerk"), certifying that at no time during the ninety days preceeding the close of the protest hearing on this date, were there ever any persons registered to vote within the territory of the Subject Property, with the result that, pursuant to Section 53326 of the Government Code, the qualified electors for the proposed special election shall be the Owner;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of San Bernardino as follows:

1. This Board finds and determines that the foregoing recitals are true and correct.
2. This Board accepts the Certificate heretofore filed in these proceedings and finds, in accordance therewith, that there presently are, and at all times during the ninety days just past there have been no registered voters residing within the boundaries of the Subject property. Accordingly, under Section 53326 of the Government Code, the qualified electors for the proposed special election shall be the Owner.
3. This Board further finds and determines that the Owner is the sole landowner of record of the Subject Property and that the Certificate correctly sets forth the amount of property

owned by the Owner, the number of votes to which the Owner is entitled pursuant to said Section 53326 being said number of acres rounded up to the nearest whole integer.

4. This Board further finds and determines that an authorized representative of the Owner has filed with the Clerk (a) the special election ballot pertaining to the Subject Property and (b) waiver and consent, by which the time limits and related requirements respecting preparation and distribution of election materials are waived.
5. Pursuant to Sections 53326 of the Government Code, this Board hereby calls an election to be held and conducted forthwith upon adoption of this resolution, and sets this same date as the election date. Pursuant to Section 53326 of the Government Code, the election shall be conducted by mailed ballot; provided that personal service of the ballot is permitted under the terms of the waiver and consent on file with the Clerk and shall therefore be permitted and ratified. The action of the Clerk in having made personal service of the ballot, in the form of Exhibit A, to the Owner is hereby ratified.
6. The measure to be submitted to the qualified electors of the Subject Property shall be as set forth in Exhibit A.
7. The Clerk having received the only eligible ballot prior to adoption of this resolution, shall immediately close the election and declare the results to this Board.
8. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES:	SUPERVISORS:	Lovingood, Rutherford, Ramos, Hagman, Gonzales
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	None

* * * * *

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

I, **LAURA H. WELCH**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of March 3, 2015: #79-jr

LAURA H. WELCH
Clerk of the Board of Supervisors

By 
Deputy

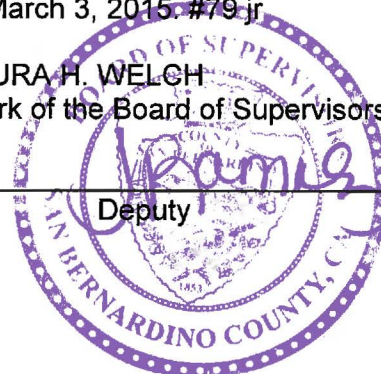


EXHIBIT "A"
COUNTY OF SAN BERNARDINO
COMMUNITY FACILITIES DISTRICT NO. 2010-1 (EAST VALLEY)

Annexation No. 7
SPECIAL ELECTION BALLOT
(Mailed-Ballot Election)

This ballot is for the use of the authorized representative of the following owner of land within the County of San Bernardino Community Facilities District No. 2010-1 ("CFD No. 2010-1"):

<u>Name of Landowner</u>	<u>Number of Acres Owned</u>	<u>Total Votes</u>
Prologis L.P.	28.77	29

According to the provisions of the Mello-Roos Community Facilities Act of 1982, and resolutions of the Board of Supervisors (the "Board") of the County of San Bernardino (the "County"), the above-named landowner is entitled to cast the number of votes shown above under the heading "Total Votes", representing the total votes for the property owned by said landowner.

In order to be counted, this ballot must be executed and certified below and be returned to the Clerk of the Board, either by mail or in person, prior to 10:00 a.m. on Tuesday, March 3, 2015, or as soon thereafter as the matter of the special election for CFD No. 2010-1 Annexation No. 7 shall be considered by the Board at its meeting on said date, to:

Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue
San Bernardino, CA 92415

Mailing by March 3, 2015 will not be sufficient. The ballot must be physically received by the Clerk prior to the deadline in order to be counted.

EXHIBIT "A"
COUNTY OF SAN BERNARDINO
COMMUNITY FACILITIES DISTRICT NO. 2010-1 (EAST VALLEY)

Annexation No. 7
SPECIAL ELECTION BALLOT – PAGE 2

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT.

BALLOT MEASURE

Mark "YES" OR "NO
WITH AN "X"

Shall the Board of Supervisors of the County of San Bernardino be authorized to Order the annexation of the property shown on the map entitled "Annexation Map No. 7" to its existing Community Facilities District No. 2010-1 ("CFD No. 2010-1") and levy the special tax previously authorized for CFD No. 2010-1 on said property to finance streetlight services, all as specified in its resolutions pertaining thereto?

YES

NO

Certification for Special Election Ballot

The undersigned is an authorized representative of the above-named landowner and is legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

Prologis L.P.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, 2015.

By: _____

Scott Mulkay, Vice President

Prologis, L.P. A Delaware Limited Partnership

By: Prologis, Inc. it's General Partner

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, 2015.

By: _____

Authorized Signer

In the event this Special Election Ballot is executed in reliance upon an "Appointment of Representative to Execute Waiver and Consent and to Cast Ballot," a photocopy of the dated and signed appointment form must be attached hereto prior to submission of this Special Election Ballot and the related Waiver and Consent to the Clerk.

RESOLUTION NO. 2015-17

**RESOLUTION DECLARING ELECTION RESULTS AND ORDERING ANNEXATION
TO COMMUNITY FACILITIES DISTRICT NO. 2010-1 (East Valley)**

ANNEXATION NO. 7

On Tuesday March 3, 2015, on motion of Supervisor Hagman, duly seconded by Supervisor Gonzales and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, on this date, at the time set for the public hearing in the matter of annexing certain prescribed land (the "Subject Property") to Community Facilities District No. 2010-1 (East Valley) ("CFD No. 2010-1") by its Resolution of Intention to Annex Property to Community Facilities District, this Board of Supervisors (this "Board") conducted the public hearing, and at the close of the public hearing, this Board determined that a majority protest under Section 53339.6 of the Government Code was not made at the hearing; and

WHEREAS, at the conclusion of the public hearing, this Board adopted its Resolution Calling Special Mailed-Ballot Election pursuant to Section 53339.7 of the Government Code; and

WHEREAS, by said resolution calling the election, the two questions of annexing the Subject Property and levying a special tax as previously authorized for property within CFD No. 2010-1 were combined into a single ballot measure pursuant to Section 53353.5 of the Government Code, as provided in the form of special election ballot attached thereto as Exhibit A; and

WHEREAS, a Certificate of Clerk regarding Receipt of Property Owner Waiver and Consent Form and Ballot and Declaring Election Results, dated this same date (the "Clerk's Certificate") executed by the Clerk of this Board (the "Clerk"), has been filed with this Board, certifying that a completed ballot has been returned to the Clerk for the sole landowner-voter eligible to cast a ballot in said special election, with all votes cast as "Yes" votes in favor of the ballot measure, and further certifying on said basis that the special mailed-ballot election was closed; and

WHEREAS, this Board has received, reviewed and hereby accepts the Clerk's Certificate and wishes by this resolution to declare the results of the special mailed-ballot election;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of San Bernardino as follows:

1. This Board finds and determines that the foregoing recitals are true and correct.
2. This Board finds and determines and declares that the ballot measure submitted to the qualified elector of CFD No. 2010-1 has been passed and approved by that qualified elector in accordance with Sections 53339.8 and 53355 of the Government Code, and the Subject Property is hereby declared annexed to CFD No. 2010-1 and made subject to the special tax of CFD No. 2010-1 in accordance with the rate and method of apportionment of special tax previously approved for CFD No. 2010-1.

3. This Board hereby authorizes and directs the Clerk to cause the following:

- a. The recordation with the San Bernardino County Recorder (the "County Recorder") of the map entitled "Proposed Boundaries of Annexation No. 7, Community Facilities District No. 2010-1 (East Valley), County of San Bernardino, State of California" which map is on file with the Clerk; and
- b. The preparation and recordation with the County Recorder of a notice of special tax lien in accordance with the provisions of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code. Said notice shall be recorded in said County Recorder's office within fifteen days of today's date.

4. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: SUPERVISORS: Lovingood, Rutherford, Ramos, Hagman, Gonzales

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

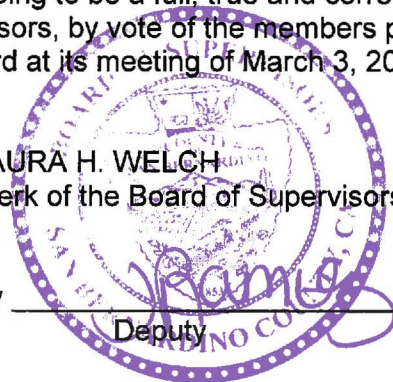
* * * * *

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

I, **LAURA H. WELCH**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of March 3, 2015. #79 jr

LAURA H. WELCH
Clerk of the Board of Supervisors

By _____
Deputy



**ANNEXATION NO. 7
COUNTY OF SAN BERNARDINO
COMMUNITY FACILITIES DISTRICT NO. 2010-1
(EAST VALLEY)**

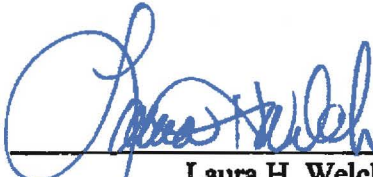
**CERTIFICATE OF THE CLERK OF THE BOARD OF
SUPERVISORS IN DATE OF SPECIAL ELECTION**

I, Laura H. Welch, Clerk of the Board of Supervisors of the County of San Bernardino (the "County"), hereby certify as follows:

(a) I am the election official responsible for conducting the special election referred to herein; and

(b) pursuant to California Government Code Section 53326(a), I do hereby certify to the holding of the special election on Tuesday, March 3, 2015, for the purpose of submitting to the qualified electors of Annexation No. 7 of County of San Bernardino Community Facilities District No. 2010-1 (East Valley) the proposition to levy a special tax within the Annexation No. 7 area to finance street light maintenance to be paid for by the Annexation No. 7 area, as provided in Resolution No. 2015-17 calling the special election, proposed to be adopted by the Board of Supervisors of the County, on March 3, 2015.

Dated: March 3, 2015



Laura H. Welch,
Clerk of the Board of Supervisors of the
County of San Bernardino

Gail Joe

RECORDING REQUESTED BY AND
WHEN RECORDED, PLEASE RETURN TO:

Laura H. Welch
Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415-0130

Recorded in Official Records, County of San Bernardino



BOB DUTTON
ASSESSOR - RECORDER - CLERK

P Counter

3/11/2015
8:29 AM
ALS
SAN

Doc#: 2015-0093246



Titles: 1 Pages: 5

Fees	0.00
Taxes	0.00
Other	0.00
PAID	\$0.00

Exempt recording requested per CA Gov Code
6103

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

COMMUNITY FACILITIES DISTRICT NO. 2010-1
(EAST VALLEY)
COUNTY OF SAN BERNARDINO

Annexation No. 7

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code and Section 53339.8 of the Government Code, the undersigned, as the Clerk of the Board of Supervisors of the County of San Bernardino (the "County"), hereby gives notice that a lien is hereby imposed upon the parcel or parcels listed in Exhibit A attached hereto to secure payment of a special tax which the Board of Supervisors of the County is authorized to levy. The special tax secured by this lien is authorized to be levied for the purpose of financing streetlight energy charges and the administrative expenses to be incurred by the County in the course of administering Community Facilities District No. 2010-1 (East Valley) ("CFD No. 2010-1").

The original Notice of Special Tax Lien respecting CFD No. 2010-1 was recorded in the office of the County Recorder of the County of San Bernardino on November 3, 2010, as Document No. 2010-0457542, and reference is hereby made to the provisions of and the exhibits to the original Notice of Special Tax Lien, all of which are applicable to the parcels listed in Exhibit A and all of which are incorporated herein by this reference. The purpose of this Amendment is to simply extend the lien of the original Notice of Special Tax Lien to the parcel listed in Exhibit A hereto, which is owned by Prologis, L.P..

The territory of CFD No. 2010-1, as originally established at the time of formation of CFD No. 2010-1 in 2010, is set forth in the boundary map of CFD No. 2010-1 recorded on June 14, 2010, in Book No. 84 of Maps of Assessment and Community Facilities District at Pages 78-89, in the Boundary Map of Annexation No. 1 to CFD No. 2010-1, recorded on March 29, 2012, in Book 85 of Maps of Assessment and Community Facilities Districts, at page 29 as Instrument No. 2012-0121778 and in the Boundary Map of Annexation No. 2 to CFD No. 2010-1, recorded on April 1, 2013, in Book 85 of Maps of Assessment and Community Facilities Districts, at page 62 as Instrument No. 2013-0131597, and in the Boundary Map of

Annexation No. 3 to CFD 2010-1, recorded April 5, 2013, in Book 85 of Maps of Assessment and Community Facilities Districts, at page 64 as Instrument No. 2013-0141654, and in the Boundary Map of Annexation No. 4 to CFD 2010-1, recorded April 17, 2014, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 15 as Instrument No. 2014-0136204, and in the Boundary Map of Annexation No. 5 to CFD 2010-1, recorded June 6, 2014, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 24 as Instrument No. 2014-0205185 and in the Boundary Map of Annexation No. 6 to CFD 2010-1, recorded September 16, 2014, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 29 as Instrument No. 2014-0340531 in the official records of the San Bernardino County Recorder . The territory which is added to CFD No. 2010-1 by this Annexation No. 7 is set forth in "Proposed Boundary Map of Annexation No. 7 to Community Facilities District No. 2010-1 (East Valley), County of San Bernardino, State of California," which has been recorded in the office of the San Bernardino County Recorder on March 9, 2015, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 46 as Instrument No. 2015-0089790 (the "Annexation Map No. 7").

The special tax is authorized to be levied on the taxable parcels within CFD No. 2010-1, which taxable parcels now include the parcels listed in Exhibit A. The lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax for CFD No. 2010-1 (the "Rate and Method of Apportionment") is shown on Exhibit B attached to the original Notice of Special Tax Lien.

For further information concerning the current and estimated future special tax liability of owners or purchasers of real property within CFD No. 2010-1 and subject to this special tax lien, interested persons should contact the Special Districts Department, 157 West Fifth Street, Second Floor, San Bernardino, CA 92415, telephone (909) 387-5940.

DATED: **MAR 09 2015**

LAURA H. WELCH
Clerk of the Board of Supervisors

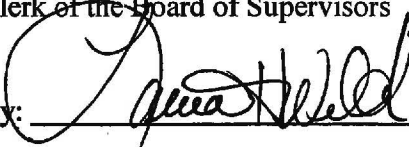
By:  _____

EXHIBIT A

Additional Parcel Subject to the Special Tax

The following are additional parcels, which, as a result of the legal proceedings for Annexation No. 7, has been added to the list of parcels which are subject to the special tax obligation of CFD No. 2010-1. The original list of parcels which are subject to the special tax obligation of CFD No. 2010-1 is set forth as Exhibit A to the original Notice of Special Tax Lien.

This list is subject to modification without recordation of any further instrument, in accordance with the terms and conditions of the Rate and Method of Apportionment, attached to the original Notice of Special Tax Lien as Exhibit B. Without limiting the generality of the foregoing sentence, the parcels listed below may be divided or subdivided, resulting in one or more new parcels with different APN descriptions and acreages, and ownership thereof is similarly subject to change without recordation of any further instrument.

The general location and exterior boundary of the additional parcels of CFD No. 2010-1 described below is shown on the Annexation Map No. 7 referred to above on page 2 of this Amendment to Notice of Special Tax Lien.

<u>Parcel Description</u>	<u>Owner</u>	<u>Acres</u>
Portion of 0292-072-01-0000	Prologis L.P.	28.77
Portion of 0292-072-02-0000		

Legal Description:

That portion of the Southwest one-quarter of Section 16, Township 1 South, Range 3 West, San Bernardino Meridian, in the Unincorporated Territory of San Bernardino County, State of California, according to the official plat thereof, lying within The land described as Parcel 1 and Parcel 2 in that certain Grant Deed recorded December 26, 2013 as Document No. 2013-0550157 of Official Records, in the office of the County Recorder of said County, described in parcels as follows:

Parcel 1 :

All that portion of the Southwest one-quarter of Section 16, Township 1 South, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to official plat thereof described as follows:

Beginning 541 feet East of the Southwest corner of Section 16, thence North 1°0' East 1469.37 feet; thence South 89°54' East 390 feet; thence South 1°5' West 1468.71 feet; thence West 388 feet to the Point of Beginning.

Parcel 2:

All that portion of the Southwest one-quarter of Section 16, Township 1 South, Range

3 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to the official plat thereof, described as follows:

Beginning at the Southwest corner of said Section; thence North along the West line of said Section 16, 1470.31 feet, thence South $89^{\circ}54'$ East 567 feet, more or less, to the Northwest corner of land acquired by M.M. Phinney by deed recorded April 15, 1908 in Book 408, Page 340, of Deeds; thence South $1^{\circ}0'$ West 1469.37 feet to the South line of said Section; thence West along the South line of said Section 541 feet to the place of beginning.

Excepting therefrom the West 15 feet as conveyed to the County of San Bernardino by deed recorded December 1, 1952, in Book 3063, Page 285 of Official Records.

Excepting therefrom that portion thereof conveyed to the County of San Bernardino, by grant deed recorded September 2, 1988, recording number 88-295427, more particularly described as follows:

That portion of the Southwest quarter of Section 16, Township 1 South, Range 3 West, San Bernardino Meridian, in the County of San Bernardino, State of California, according to the official plat thereof, said portion being more particularly described as follows:

Beginning at the Southwest corner of said Section 16, as said corner is shown on Record of Survey map recorded in Book 65, Page 37, of Records of Survey, records of said County; thence South $89^{\circ}42'11''$ East, (record North $89^{\circ}58'16''$ East per said record of survey), along the South line of said Section 16, a distance of 929.00 feet to the Southeast corner of that parcel of land described as Parcel No. 1 of deed recorded October 3, 1967, in Book 6899, Page 836, Official Records of said County; thence North $00^{\circ}44'31''$ East, (record North $01^{\circ}03'16''$ East, per said Record of Survey), along the East line of said Parcel No. 1 a distance of 52.00 feet; thence North $89^{\circ}42'11''$ West, along a line parallel with and 52.00 feet North, measured at right angles from the South line of said Section, a distance of 395.45 feet to the beginning of a tangent curve, concave northerly and having a radius of 2948.00 feet; thence Westerly, along said curve through a central angle of $04^{\circ}1'12''$ an arc distance of 206.84 feet; thence tangent to said curve North $85^{\circ}40'59''$ West, a distance of 269.17 feet to the beginning of a tangent curve concave to the Northeast and having a radius of 35.00 feet; thence Northwesterly and Northerly along last said curve through a central angle of $85^{\circ}45'31''$ an arc distance of 52.39 feet to a point of tangency with a line that is parallel with and distant 26.50 feet East measured at right angles from the West line of said Section 16; thence North $00^{\circ}34'32''$ West, along last said parallel line, a distance of 1356.76 feet to the South line of Pioneer Avenue, as shown on said Record of Survey map; thence North $89^{\circ}37'12''$ West, along said South line of Pioneer Avenue and its Westerly prolongation, a distance of 26.50 feet, more or less, to the West line of said Section 16; thence South $00^{\circ}04'32''$ East, along said West line, a distance of 1489.68 feet, more or less, to the Point of beginning.

EXCEPTING therefrom those portions of Parcels 1 and 2 as described hereinabove lying Northerly of the following described line:

Commencing at the intersection of the centerline of Pioneer Avenue and the survey centerline of Alabama Street as shown on Record of Survey filed in Book 149, Pages 81 through 84, inclusive, of Records of Survey, in the office of the County Recorder of said County: thence along said centerline of Alabama Street South $00^{\circ}23'17''$ East 120.31 feet to a line parallel with and 120.31 feet Southerly of said centerline of Pioneer Avenue, said point also being the TRUE POINT OF BEGINNING; thence leaving said centerline South $89^{\circ}56'02''$ East 225.61 feet to the beginning of a curve concave Northwesterly having a radius of 820.00 feet; thence Easterly and Northeasterly 218.50 feet along said curve through a central angle of $15^{\circ}16'02''$ thence North $74^{\circ}47'56''$ East 237.08 feet to the beginning of a curve concave Southeasterly having a radius of 820.00 feet, the Easterly terminus of said curve being tangent to said centerline of Pioneer Avenue; thence Northeasterly and Easterly 218.50 feet along said curve through a central angle of $15^{\circ}16'02''$ to said centerline of Pioneer Avenue; thence along said centerline of Pioneer Avenue South $89^{\circ}56'02''$ East 104.85 feet to the Northerly prolongation of the Westerly line of the land described as Parcel 1 of that certain Grant Deed recorded July 11, 1985 as Document No. 85-166379 of Official Records, in the office of said County Recorder.

Containing an area of 28.773 acres (gross), 28.114 acres (net), more or less.

Subject to covenants, conditions, reservations, restrictions, rights-of-way and easements, if any, of record.

