

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

April 7, 2015

FROM: JEFFREY O. RIGNEY, Director
Special Districts Department

SUBJECT: PUBLIC HEARING TO CONSIDER ANNEXATION NO. 8 TO COMMUNITY
FACILITIES DISTRICT 2010-1 – EAST VALLEY FOR STREETLIGHTING
SERVICES

RECOMMENDATION(S)

Conduct a public hearing to:

1. Adopt **Resolution No. 2015-29** declaring the Board of Supervisors intention to annex Assessor Parcel Numbers 0292-072-04, 0292-072-07, 0292-072-10, 0292-072-11 and 0292-072-12 into Community Facilities District 2010-1 - East Valley for the purpose of streetlighting services.
2. Adopt **Resolution No. 2015-30** calling for a special mailed ballot election of the property owner in accordance with CA Government Code section 53339.7.
3. Adopt **Resolution No. 2015-31** declaring the results of the special mailed ballot election, ordering the 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 2010-1) beginning in 2015-16. All costs of the annexation are paid by the developer KTR Empire V LLC (Developer).

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

Page 1 of 2

cc: w/resolutions
SDD-Rigney
SDD-Joe w/ Map for recordation
SDD-Reception
LAFCO
CAO-Brown
File – SDD/CFD 2010-1 (East Valley)
w/attach

jr 4/16/15

ITEM 73

Record of Action of the Board of Supervisors
COUNTY OF SAN BERNARDINO
Board of Supervisors

APPROVED REC. NOS. 1 & 2

MOTION	ABSENT	AYE	AYE	SECOND	MOVE
	1	2	3	4	5

APPROVED REC. NO. 3

MOTION	ABSENT	AYE	AYE	SECOND	MOVE
	1	2	3	4	5

LAURA H. WELCH, CLERK OF THE BOARD

BY

DATED: April 07, 2015

**PUBLIC HEARING TO CONSIDER ANNEXATION NO. 8 TO COMMUNITY
FACILITIES DISTRICT 2010-1 – EAST VALLEY FOR STREETLIGHTING
SERVICES
APRIL 7, 2015
PAGE 2 OF 2**

Assessor Parcel Number	Acreage	Special Tax
0292-072-04	7.81	\$291.72
0292-072-07	7.69	\$287.24
0292-072-10	0.93	\$34.74
0292-072-11	15.50	\$578.96
0292-072-12	5.57	\$208.05
Total	37.50	\$1400.71

BACKGROUND INFORMATION

The Special Districts Department (Department), through CFD 2010-1, provides streetlighting services for 69 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 Assessor Parcel Numbers 0292-052-04, 0292-052-07, 0292-052-10, 0292-052-11 and 0292-052-12 into CFD 2010-1 and will provide an ongoing funding mechanism for the streetlight energy charges associated with the development of the parcels. The parcels are to be developed with the construction of a 777,620 square foot "High-Cube" warehouse distribution facility on 37.50 acres. The special taxes will fund the annual energy costs of 8 streetlights.

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 on a long-term basis with the annexation of the parcel into CFD 2010-1. This development will help meet the needs of the residents, promote economic growth to the community, and ensure a well-planned, balanced and sustainable County by providing financing of streetlighting services for the new development. This development will provide employment opportunities to the residents of the County of San Bernardino.

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 March 9, 2015; Finance (Jessica Brown, Administrative Analyst, 387-4919) on March 18, 2015; and County Finance and Administration (Mary Jane Olhasso, Assistant Executive Officer, 387-4599) on March 18, 2015.

RESOLUTION NO. 2015-29

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

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

On Tuesday April 7, 2015, on motion of Supervisor Gonzales, duly seconded by Supervisor Hagman and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

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

**Community Facilities District No. 2010-1 (East Valley)
Annexation No. 8**

WHEREAS, in response to a petition (the "Petition") submitted by KTR Empire V LLC (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 (Assessor Parcel Numbers 0292-072-04, 0292-072-07, 0292-072-10, 0292-072-11 and 0292-072-12) 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, and in the boundary Map of Annexation No. 7 to CFD 2010-1, recorded March 9, 2015 in Book 86 of Maps of Assessment and Community Facilities Districts, at page 47 as Instrument No. 2015-0089790 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. 8, 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: Rutherford, Ramos, Hagman, Gonzales
NOES: SUPERVISORS: None
ABSENT: SUPERVISORS: Lovingood

* * * * *

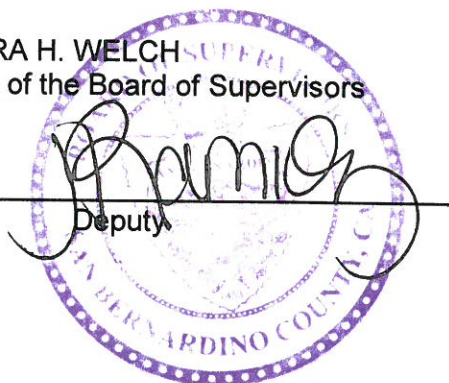
STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

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 April 7, 2015. #73 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 KTR EMPIRE V LLC (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) 0292-072-07, 0292-072-12, 0292-072-04 which real property is situated within the unincorporated area of San Bernardino County. 0292-072-11, 0292-072-10
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

A. Donald Chase, Jr.
Senior Vice President

Printed Name and Title

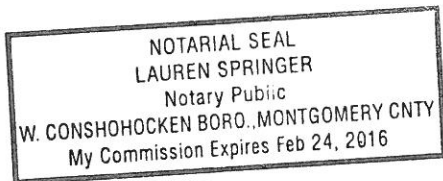
12/4/14

Date

Standard California Notary Acknowledgment Form Attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of Pennsylvania }
County of Montgomery }
On December 4, 2014 before me, Lauren Springer, Notary Public,
Date Name and Title of the Officer
personally appeared A. Donald Chase, Jr.
Name(s) of Signer(s)



Place Notary Seal Above

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: Lauren Springer
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Petition Document Date: 12/4/14

Number of Pages: 1 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: A. Donald Chase, Jr.

☒ Corporate Officer — Title(s): Sr. Vice President

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: KTR Property Trust III

Signer Is Representing: _____

EXHIBIT "A"
LEGAL DESCRIPTION FOR
BOUNDARIES OF ANNEXATION NO. 8
COUNTY OF SAN BERNARDINO

PARCEL 1:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, BEGINNING AT A POINT 1419 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' EAST 720.55 FEET; THENCE EAST 475.38 FEET; THENCE SOUTH 0° 01' WEST 720.34 FEET; THENCE WEST 492.16 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JULY 31, 1980 AS INSTRUMENT NO. 80-170199 OF OFFICIAL RECORDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

PARCEL 2:

THAT PORTION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF DATED SEPTEMBER 4, 1858, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JUNE 15, 1979 AS INSTRUMENT NO. 375, IN BOOK 9708, PAGE 672 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE WEST LINE OF SAID PARCEL, SOUTH 0° 06' 23" EAST 522.61 FEET TO A POINT 49.67 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89° 59' 13" EAST 74.74 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE COURSE "A", EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 103° 22' 59" A DISTANCE OF 54.13 FEET; THENCE COURSE "B", NORTH 13° 23' 46" WEST, 258.24 FEET TO THE BEGINNING OF A TANGENT CURVE EASTERLY AND HAVING A RADIUS OF 400.00 FEET; THENCE COURSE "C", NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 41° 07' 12", A DISTANCE OF 287.07 FEET; THENCE COURSE "D", NORTH 27° 43' 26" EAST 412.24 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 905.00 FEET; THENCE COURSE "E", NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20° 25' 14" A DISTANCE OF 322.55 FEET; THENCE COURSE "F", NORTH 07° 18' 12" EAST, 143.68 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1070.00 FEET; THENCE WESTERLY ALONG SAID CURVE FROM A TANGENT BEARING NORTH 77° 17' 30" WEST THROUGH AN ANGLE OF 12° 38' 34" A DISTANCE OF 236.10 FEET; THENCE NORTH 89° 56' 04" WEST 100.00 FEET; THENCE NORTH 00° 03' 56" EAST 10.00 FEET TO THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 13, 1979, AS INSTRUMENT NO. 269, IN BOOK 9748, PAGE 440 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTH LINE NORTH 89° 56' 04" WEST, 54.19 FEET TO THE NORTHWEST CORNER OF LAST SAID PARCEL; THENCE ALONG THE WEST LINE OF LAST SAID PARCEL, SOUTH 00° 06' 23" EAST 894.13 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

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

COMMENCING AT A POINT 1419 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' EAST, 720.55 FEET FOR TRUE POINT OF BEGINNING; THENCE NORTH 1° 20' EAST, 747.32 FEET; THENCE EAST 458.3 FEET; THENCE SOUTH 0° 1' WEST, 746.63 FEET TO A POINT 720.34 FEET NORTH OF THE SOUTH LINE OF SECTION 16; THENCE WEST 475.38 FEET TO THE POINT OF BEGINNING.

EXCEPT THE COUNTY ROAD.

PARCEL 4:

THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT 929 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTH 1° 5' EAST 1468.71 FEET; THENCE SOUTH 89° 54' EAST 496 FEET; THENCE SOUTH 1° 20' WEST 1467.86 FEET; THENCE WEST 490 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PROPERTY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST, 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 1° 20' 00" EAST 336.0 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST 336.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89° 38' 14" WEST 130.00 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

AN EASEMENT APPURTENANT TO PARCEL 1 AND OVER AND UPON THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF MAINTAINING THE EXISTING WATER LINES AND IRRIGATION SYSTEM, INCLUDING PIPES AND VALVES, AND INCLUDING THE RIGHT TO ENTER ONTO THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF USE, MAINTENANCE AND REPAIR OF SAID WATER LINES AND IRRIGATION SYSTEM; PROVIDED, HOWEVER, THIS EASEMENT IS NOT EXCLUSIVE, AND SHALL NOT PRECLUDE THE USE OF SAID PROPERTY IN SUCH A MANNER AS THE OWNER THEREOF SHALL CHOOSE TO MAKE, FROM TIME TO TIME, SO LONG AS SUCH USE DOES NOT PRECLUDE THE USE OF SAID EASEMENT, IN THE MANNER AFORESAID. THE PROPERTY SUBJECT TO THIS EASEMENT IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' 00" EAST, 336.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST 93.00 FEET; THENCE NORTH 89° 38' 14" WEST, 100.00 FEET; THENCE SOUTH 1° 20' 00" WEST, 243.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST 30.00 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST, 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' 00" EAST 336.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00"

WEST, 93.00 FEET; THENCE NORTH 89° 38' 14" WEST, 100.00 FEET; THENCE SOUTH 1° 20' 00" WEST, 243.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.

PARCEL 7:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

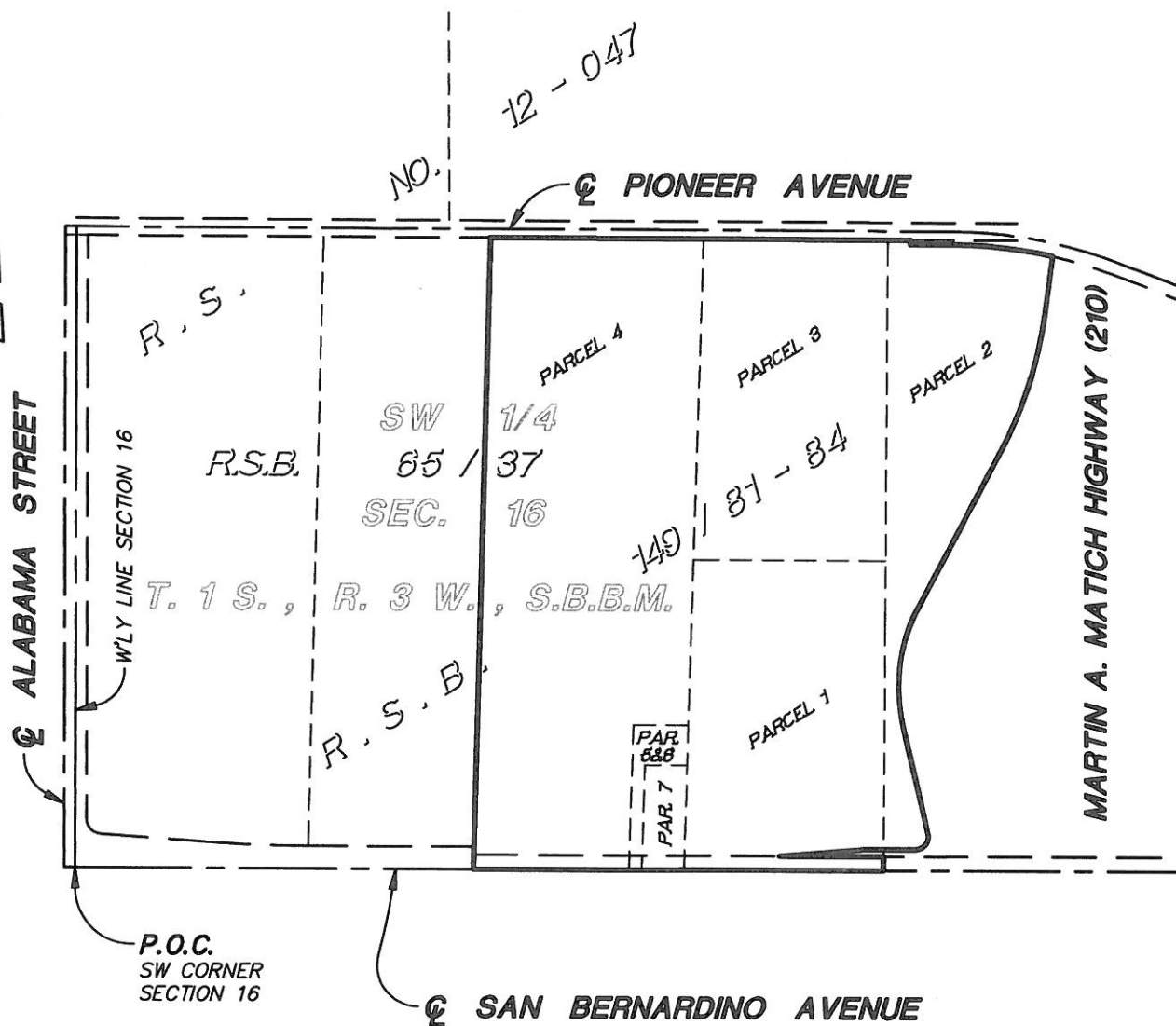
BEGINNING AT A POINT 1319.00 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTH 1° 05' 00" EAST, 243.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 100.00 FEET; THENCE SOUTH 01° 20' 00" WEST, 243.00 FEET; THENCE WEST 100.00 FEET TO THE POINT OF BEGINNING.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.

Prepared under the supervision of:


Maurice H. Murad, P.E.
RCE 33366





HUITT-ZOLLARS

Huitt-Zollars, Inc. Ontario
3990 Concourse, Suite 330, Ontario, CA 91764
Phone (909) 941-7799 Fax (909) 941-7789

SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

EXHIBIT 'B'
ANNEXATION NO. 7

SCALE	1"=400'
DRAWN BY	DLW
CHECKED BY	MHM
DATE	12/30/2014
JOB NO.	R110360.03

PROPOSED BOUNDARIES OF ANNEXATION NO. 8
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 3/12/2015
Maurice H. Murad, PE 33366 Date

I hereby certify that the within map showing the proposed
boundaries of Annexation No. 8 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

LEGAL DESCRIPTION:

PARCEL 1:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, BEGINNING AT A POINT 1419 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' EAST 720.55 FEET; THENCE EAST 475.38 FEET; THENCE SOUTH 0° 01' WEST 720.34 FEET; THENCE WEST 492.16 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JULY 31, 1980 AS INSTRUMENT NO. 80-170199 OF OFFICIAL RECORDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

PARCEL 2:

THAT PORTION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, BEGINNING AT THE POINT OF BEGINNING OF THE OFFICIAL PLAT THEREOF DATED SEPTEMBER 4, 1958, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JUNE 15, 1979 AS INSTRUMENT NO. 375, IN BOOK 9708, PAGE 672 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE WEST LINE OF SAID PARCEL, SOUTH 0° 06' 23" EAST 522.61 FEET TO A POINT 49.67 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89° 59' 13" EAST 74.74 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE COURSE "A", EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 103° 22' 59" A DISTANCE OF 54.13 FEET; THENCE COURSE "B", NORTHERLY 13° 23' 48" WEST, 258.24 FEET TO THE BEGINNING OF A TANGENT CURVE EASTERLY AND HAVING A RADIUS OF 400.00 FEET; THENCE COURSE "C", NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 41° 07' 12", A DISTANCE OF 287.07 FEET; THENCE COURSE "D", NORTH 27° 43' 28" EAST 412.24 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 905.00 FEET; THENCE COURSE "E", NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20° 25' 14" A DISTANCE OF 322.55 FEET; THENCE COURSE "F", NORTH 07° 18' 12" EAST, 143.68 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1070.00 FEET; THENCE WESTERLY ALONG SAID CURVE FROM A TANGENT BEARING NORTH 77° 17' 30" WEST THROUGH AN ANGLE OF 12° 38' 34" A DISTANCE OF 236.10 FEET; THENCE NORTH 89° 56' 04" WEST 100.00 FEET; THENCE NORTH 00° 03' 56" EAST 10.00 FEET TO THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 13, 1979, AS INSTRUMENT NO. 269, IN BOOK 9748, PAGE 440 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTH LINE NORTH 89° 56' 04" WEST, 54.19 FEET TO THE NORTHWEST CORNER OF LAST SAID PARCEL; THENCE ALONG THE WEST LINE OF LAST SAID PARCEL, SOUTH 00° 06' 23" EAST 894.13 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

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

COMMENCING AT A POINT 1419 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' EAST, 720.55 FEET FOR TRUE POINT OF BEGINNING; THENCE NORTH 1° 20' EAST, 747.32 FEET; THENCE EAST 458.3 FEET; THENCE SOUTH 0° 1' WEST, 746.63 FEET TO A POINT 720.34 FEET NORTH OF THE SOUTH LINE OF SECTION 16; THENCE WEST 475.38 FEET TO THE POINT OF BEGINNING.

EXCEPT THE COUNTY ROAD.

PARCEL 4:

THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT 929 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTH 1° 5' EAST 1468.71 FEET; THENCE SOUTH 89° 54' EAST 496 FEET; THENCE SOUTH 1° 20' WEST 1467.86 FEET; THENCE WEST 490 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PROPERTY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST, 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' 00" EAST 336.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST 336.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89° 38' 14" WEST 130.00 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

AN EASEMENT APPURTENANT TO PARCEL 1 AND OVER AND UPON THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF MAINTAINING THE EXISTING WATER LINES AND IRRIGATION SYSTEM, INCLUDING PIPES AND VALVES, AND INCLUDING THE RIGHT TO ENTER ONTO THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF USE, MAINTENANCE AND REPAIR OF SAID WATER LINES AND IRRIGATION SYSTEM; PROVIDED, HOWEVER, THIS EASEMENT IS NOT EXCLUSIVE, AND SHALL NOT PRECLUDE THE USE OF SAID PROPERTY IN SUCH A MANNER AS THE OWNER THEREOF SHALL CHOOSE TO MAKE, FROM TIME TO TIME, SO LONG AS SUCH USE DOES NOT PRECLUDE THE USE OF SAID EASEMENT, IN THE MANNER AFORESAID. THE PROPERTY SUBJECT TO THIS EASEMENT IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' 00" EAST, 336.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST 336.00 FEET; THENCE NORTH 89° 38' 14" WEST, 100.00 FEET; THENCE SOUTH 1° 20' 00" WEST, 243.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST, 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' 00" EAST 336.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST 336.00 FEET; THENCE NORTH 89° 38' 14" WEST, 100.00 FEET; THENCE SOUTH 1° 20' 00" WEST, 243.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

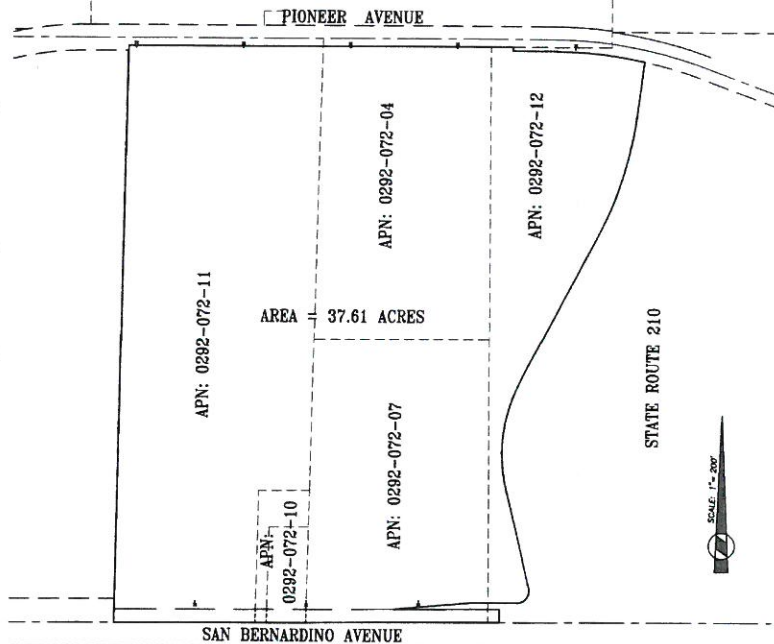
NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.

PARCEL 7:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1319.00 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTH 1° 05' 00" EAST, 243.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 100.00 FEET; THENCE SOUTH 01° 20' 00" WEST, 243.00 FEET; THENCE WEST 100.00 FEET TO THE POINT OF BEGINNING.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.



Total number of street lights = 8

Assessors' Parcel Numbers within the Boundaries
of Annexation No. 8 CFD 2010-1:

0292-072-04, 0292-072-07, 0292-072-10,
0292-072-11, and 0292-072-12

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 62 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 and on September 16, 2014, in Book 86 of
Maps of Assessment and Community Facilities
Districts, at page 29 and on March 9, 2015, in Book
86 of Maps of Assessment and Community Facilities
Districts, at page 47 in the official records of the
San Bernardino County Recorder, State of California.

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
Districts 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 of San Bernardino

By: _____
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 KTR EMPIRE V LLC (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) 0292-072-04, 0292-072-07, 0292-072-10, 0292-072-11 AND 0292-072-12, 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 April 7, 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).

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.

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

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

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 2/2, 2015.

By: _____

Signature

**A. Donald Chase, Jr.
Senior Vice President**

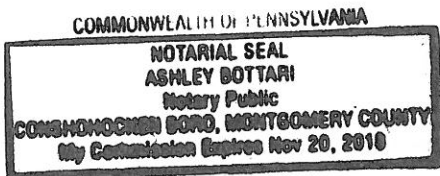
Print Name and Title

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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189**

Pennsylvania
State of ~~California~~ }
County of Montgomery
On 2/2/15 before me, Ashley Bottari, Notary Public
Date Name and Title of the Officer
personally appeared A. Donald Chase, Jr
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Place Notary Seal Above

Signature: Ashley Bottari
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

**ACTION BY UNANIMOUS WRITTEN CONSENT OF
THE SOLE MEMBER OF KTR EMPIRE V LLC**

The undersigned, being the sole member (the “**Member**”) of **KTR EMPIRE V LLC**, a Delaware limited liability company (the “**Company**”), acting pursuant to Delaware Limited Liability Company Act, 6 Del. C. 18 and the Operating Agreement of the Company, effective as of April 4, 2014, consents to the adoption of, and does hereby adopt, the following resolutions as the sole Member of the Company:

WHEREAS, the Company desires to add each of A. Donald Chase and J. Peter Lloyd as authorized signatories of the Company to execute agreements and documents on behalf of the Company.

RESOLVED, that each of A. Donald Chase and J. Peter Lloyd are hereby authorized and directed to execute agreements and other documents as an “Authorized Signatory” of the Company, and to take all other actions, which each may deem from time to time necessary or desirable in order to carry out the business of the Company.

[signature page follows]

**LIMITED LIABILITY COMPANY OPERATING AGREEMENT
OF
KTR EMPIRE V LLC
(Effective as of April 4, 2014)**

This Limited Liability Company Operating Agreement (this "Agreement") of KTR EMPIRE V LLC (the "Company") is entered into with KTR Property Trust III as the initial member (the "Member").

The Company has been formed pursuant to and in accordance with the Limited Liability Company Act of the State of Delaware, as amended from time to time (the "LLCA"), and the terms of the Agreement are as follows:

1. Name. The name of the limited liability company is KTR EMPIRE V LLC.
2. Term. The term of the Company shall continue until dissolved in accordance with the LLCA.
3. Purpose. The Company was formed for the purpose of engaging in any lawful act or activity for which limited liability companies may be formed under the LLCA and engaging in any and all activities incidental to the foregoing.
4. Member. The name and the business, residence, or mailing address of the Member is as follows:

<u>Name</u>	<u>Address</u>
KTR Property Trust III	Five Tower Bridge 300 Barr Harbor Dr, Suite 150 Conshohocken, PA 19428

loss realized in connection with the sale of all or substantially all of the Company's business or assets.

(c) Gain or Loss on Sale of Business or Assets. Gain or loss realized in connection with the sale of all or substantially all of the Company's business or assets shall be allocated solely to the Member.

9. Distributions. Distributions shall be made to the Member at the times and in the aggregate amounts determined by the Managing Member.

10. Assignments. The Member may assign in whole or in part its limited liability company interest.

11. Admission of Additional Members. Additional members may be admitted to the Company at any time with the consent of the Member.

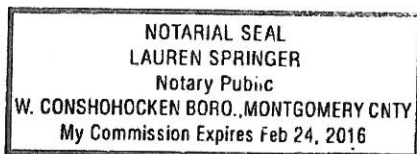
12. Liability of Member. The Member shall not have any liability for the obligations or liabilities of the Company except to the extent provided in the LLCA.

13. Amendments to the Agreement. This Agreement may be amended in writing at any time in the discretion of the Member.

14. Governing Law. This Agreement shall be governed by, and construed under, the laws of the State of Delaware, all rights and remedies being governed by said laws.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of Pennsylvania
County of Montgomery }
On December 4, 2014 before me, Lauren Springer, Notary Public
Date Name and Title of the Officer
personally appeared J. Peter Lloyd
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Place Notary Seal Above

Signature: Lauren Springer

Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

the Board of Trustees following the first annual meeting of shareholders and until their successors are duly elected and qualified:

Chief Executive Officer – Jeffrey E. Kelter

President – Robert F. Savage, Jr.

Senior Vice President, Treasurer and Assistant Secretary – J. Peter Lloyd

Senior Vice President and Secretary – Stephen J. Butte

Senior Vice President – A. Donald Chase

Senior Vice President – John P. DiCola

Election to be Taxed as a REIT

RESOLVED: That the Trust elects to be taxed and shall operate as a real estate investment trust pursuant to the Internal Revenue Code of 1986, as amended (the "Code"), for its fiscal year ending December 31, 2012 and for each fiscal year thereafter, and in connection therewith, the officers of the Trust are hereby authorized to prepare, execute and deliver any and all elections, applications, reports, undertakings, resolutions, consents and other documents, and to provide such information, as may be requested by the Internal Revenue Service (the "IRS") or which may otherwise be necessary or advisable in order for the Trust to be treated for tax purposes, and to operate, as a real estate investment trust.

Business Combination Act Opt Out

RESOLVED: That, pursuant to Section 3-603 of the Maryland General Corporation Law (the "MGCL"), any Business Combination between the Trust and any Interested Stockholder or any Affiliate of any Interested Stockholder (all as defined in Section 3-601 of the MGCL), or any other person or entity is hereby exempted from the provisions of Section 3-602 of the MGCL; provided, however, that this resolution may be altered or repealed, in whole or in part, at any time by the Board of Trustees.

Accounting Year

RESOLVED: That the accounting year of the Trust shall end on December 31.

Banking Resolutions

RESOLVED: That the proper officers of the Trust are authorized and directed to open a corporate bank account with such

Share Issuance; Acceptance of Subscriptions

RESOLVED: That the Trust be, and hereby is, authorized to sell and issue up to 100 Common Shares to KTR Industrial Fund III LP, a Delaware limited partnership (the "Fund"), in exchange for the Fund entering into a management agreement with the Trust in substantially the form attached hereto as Exhibit C (the "Management Agreement"); that, when the consideration for the Common Shares is received by the Trust, with such consideration to consist entirely of the execution and delivery of the Management Agreement by the Fund, and the Common Shares are issued and delivered by the Trust to the Fund, such Common Shares will be duly authorized, validly issued and fully paid and nonassessable Common Shares of the Trust; and it is

FURTHER RESOLVED: That pursuant to Section 6.8 of Article VI of the Declaration of Trust of the Trust, the Board of Trustees hereby determines that the execution and delivery of the Management Agreement by the Fund constitutes valid consideration for the issuance of up to 100 Common Shares to the Fund; and it is

FURTHER RESOLVED: That some or all of the Common Shares to be issued pursuant to the foregoing resolutions may be issued in uncertificated form as determined by the Board of Trustees, and the appropriate officers of the Trust be, and each of them hereby is, authorized and directed to deliver to the purchasers of any such Common Shares issued in certificated form such notices and written statements as may be required by law or deemed necessary or desirable by such officers.

Management Agreement

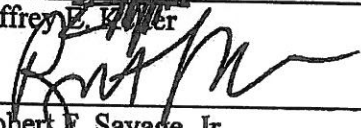
RESOLVED: That the Trust be, and hereby is, authorized and empowered to negotiate, enter into and perform each and every of its obligations under the Management Agreement, and the officers of the Trust be, and each of them hereby is, authorized, empowered and directed, in the name and on behalf of the Trust, to execute and deliver the Management Agreement, in substantially the form attached hereto as Exhibit C together with such changes as may be approved by any officer of the Trust, the execution and delivery of such Management Agreement to be conclusive evidence of such approval, and to cause the Trust to perform each and every of its obligations thereunder.

Executed as of the day and year first above written.

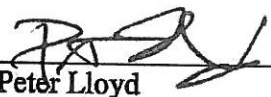
Trustees:



Jeffrey E. Koller



Robert F. Savage, Jr.



J. Peter Lloyd

[Signature page to Informal Action of Board of Trustees
in Lieu of Organization Meeting of KTR Property Trust III]



Elections Office of the Registrar of Voters

Michael J. Scarpello
Registrar of Voters

February 10, 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 January 29, 2015, the San Bernardino County Elections Office received a request to provide a Voter Certification of Voters for the following parcels within CFD 2010-1 and for the parcels requesting to be annexed to CFD 2010-1. Our office has examined the records of voter registrations on file within these district and parcels, and hereby certifies the following information as of February 2, 2015.

Registered voters within the area: 4
Registered voters within the surrounding areas: 0

As shown on the enclosed invoice, the cost for providing the requested information is \$135.16.

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

RM/rm

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. 2015-30

**RESOLUTION CALLING SPECIAL MAILED-BALLOT ELECTION
RESPECTING PROPOSED ANNEXATION NO. 8**

**COMMUNITY FACILITIES DISTRICT NO. 2010-1 (East Valley)
ANNEXATION NO. 8**

On Tuesday April 7, 2015, on motion of Supervisor Gonzales, duly seconded by Supervisor Hagman 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 KTR Empire V LLC (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 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 12 or more 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 less than 12 registered voters 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:	Rutherford, Ramos, Hagman, Gonzales
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	Lovingood

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

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 April 7, 2015. #73 jr

LAURA H. WELCH
Clerk of the Board of Supervisors

By

Deputy

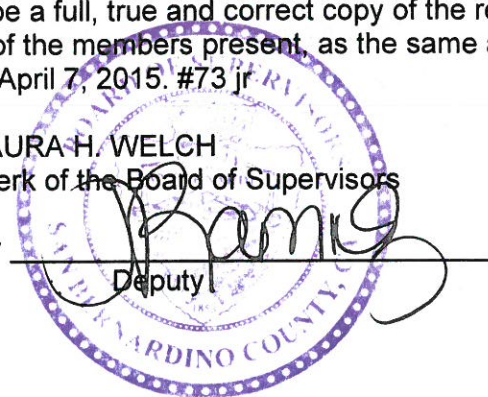


EXHIBIT "A"
COUNTY OF SAN BERNARDINO
COMMUNITY FACILITIES DISTRICT NO. 2010-1 (EAST VALLEY)

Annexation No. 8
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>
KTR Empire V LLC	37.50	38

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, April 7, 2015, or as soon thereafter as the matter of the special election for CFD No. 2010-1 Annexation No. 8 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 April 7, 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. 8
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. 8" 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

KTR Empire V, LLC

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.

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: _____

A. Donald Chase Jr.
Senior Vice President

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. 2015-31

RESOLUTION DECLARING ELECTION RESULTS AND ORDERING ANNEXATION

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

ANNEXATION NO. 8

On Tuesday April 7, 2015, on motion of Supervisor Gonzales, duly seconded by Supervisor Hagman 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. 8, 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:	Rutherford Ramos, Hagman, Gonzales
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	Lovingood

* * * * *

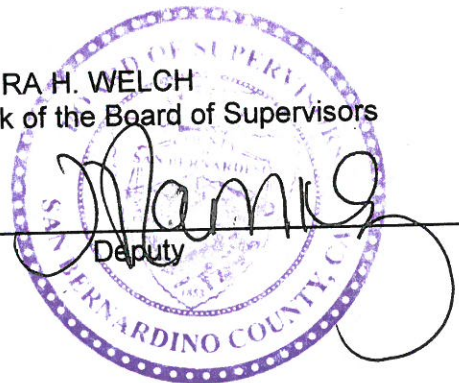
STATE OF CALIFORNIA)	
)	ss.
COUNTY OF SAN BERNARDINO)	

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 April 7, 2015. #73 jr

LAURA H. WELCH
Clerk of the Board of Supervisors

By

Deputy



**ANNEXATION NO. 8
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, April 7, 2015, for the purpose of submitting to the qualified electors of Annexation No. 8 of County of San Bernardino Community Facilities District No. 2010-1 (East Valley) the proposition to levy a special tax within the Annexation No. 8 area to finance street light maintenance to be paid for by the Annexation No. 8 area, as provided in Resolution No. 2015-31 calling the special election, proposed to be adopted by the Board of Supervisors of the County, on April 7, 2015.

Dated April 7, 2015



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

PROPOSED BOUNDARIES OF ANNEXATION NO. 8
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.

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

I hereby certify that the within map showing the proposed
boundaries of Annexation No. 8 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

Maurice H. Murad, PE 33366
Date

3/12/2015

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

LEGAL DESCRIPTION:

PARCEL 1:
ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3
WEST, SAN BERNARDINO BASE AND MERIDIAN, BEGINNING AT A POINT 1419 FEET EAST OF
THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' EAST 720.53 FEET;
THENCE EAST 475.38 FEET; THENCE SOUTH 0° 07' WEST 720.34 FEET; THENCE WEST 482.18
FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED
RECORDED JULY 31, 1980 AS INSTRUMENT NO. 80-170199 OF OFFICIAL RECORDS, IN THE
OFFICE OF THE RECORDER OF SAID COUNTY.

PARCEL 2:
THAT PORTION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1
SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE
OFFICIAL PLAT THEREOF DATED SEPTEMBER 4, 1954, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO
THE STATE OF CALIFORNIA BY DEED RECORDED JUNE 15, 1979 AS INSTRUMENT NO. 375, IN
BOOK 9704, PAGE 672 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE WEST
LINE OF SAID PARCEL, SOUTH 0° 08' 23" EAST 522.84 FEET TO A POINT 48.87 FEET
NORTHERLY OF THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89° 50' 13" EAST 74.74
FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A
RADIUS OF 30.00 FEET; THENCE CURVE "A", EASTERLY, NORTHEASTERLY AND NORTHERLY
ALONG SAID CURVE THROUGH AN ANGLE OF 143° 22' 50" A DISTANCE OF 54.13 FEET;
THENCE CURVE "B", NORTH 13° 23' 46" WEST, 258.24 FEET TO THE BEGINNING OF A
TANGENT CURVE EASTERLY AND HAVING A RADIUS OF 400.00 FEET; THENCE CURVE "C",
NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 41° 07' 12", A DISTANCE OF
287.07 FEET; THENCE CURVE "D", NORTH 87° 43' 28" EAST 412.24 FEET TO THE
BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF
505.00 FEET; THENCE CURVE "E", NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF
20° 25' 14" A DISTANCE OF 122.55 FEET; THENCE CURVE "F", NORTH 07° 18' 12" EAST,
143.88 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY AND
HAVING A RADIUS OF 1070.00 FEET; THENCE WESTERLY ALONG SAID CURVE FROM A
TANGENT BEARING NORTH 77° 17' 30" WEST THROUGH AN ANGLE OF 12° 38' 34" A
DISTANCE OF 236.10 FEET; THENCE NORTH 89° 50' 14" WEST 102.00 FEET; THENCE NORTH
00° 03' 30" EAST 10.00 FEET TO THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND
CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 13, 1979 AS
INSTRUMENT NO. 289, IN BOOK 9746, PAGE 442 OF OFFICIAL RECORDS OF SAID COUNTY;
THENCE ALONG SAID NORTH LINE NORTH 89° 50' 14" WEST, 54.19 FEET TO THE NORTHWEST
CORNER OF LAST SAID PARCEL; THENCE ALONG THE WEST LINE OF LAST SAID PARCEL,
SOUTH 07° 06' 23" EAST 894.13 FEET TO THE POINT OF BEGINNING.

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

COMMENCING AT A POINT 1419 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION
16; THENCE NORTH 1° 20' EAST, 720.53 FEET FOR TRUE POINT OF BEGINNING; THENCE
NORTH 1° 20' EAST, 742.52 FEET; THENCE EAST 484.3 FEET; THENCE SOUTH 0° 1' WEST,
746.83 FEET TO A POINT 720.34 FEET NORTH OF THE SOUTH LINE OF SECTION 16; THENCE
WEST 475.38 FEET TO THE POINT OF BEGINNING.

EXCEPT THE COUNTY ROAD.

PARCEL 4:
THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT 929 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16;
THENCE NORTH 1° 20' EAST, 1288.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET;
THENCE SOUTH 1° 20' WEST 1467.88 FEET; THENCE WEST 480 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PROPERTY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH
89° 38' 14" EAST, 1288.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16;
THENCE NORTH 1° 20' EAST, 1288.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET;
THENCE SOUTH 1° 20' WEST 1467.88 FEET TO A POINT IN THE SOUTH LINE OF SAID
SECTION; THENCE NORTH 89° 38' 14" WEST 130.00 FEET TO THE POINT OF BEGINNING.

PARCEL 5:
AN EASEMENT APPURTENANT TO PARCEL 1 AND OVER AND UPON THE FOLLOWING
DESCRIBED PROPERTY FOR THE PURPOSE OF MAINTAINING THE EXISTING WATER LINES AND
IRRIGATION SYSTEM, INCLUDING PIPES AND VALVES, AND INCLUDING THE RIGHT TO ENTER
ONTO THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF USE, MAINTENANCE AND
REPAIR OF SAID WATER LINES AND IRRIGATION SYSTEM; PROVIDED, HOWEVER, THIS
EASEMENT IS NOT EXCLUSIVE, AND SHALL NOT PRECLUDE THE USE OF SAID PROPERTY IN
SUCH A MANNER AS THE OWNER THEREOF SHALL CHOOSE TO MAKE FROM TIME TO TIME,
SO LONG AS SUCH USE DOES NOT PRECLUDE THE USE OF SAID EASEMENT, IN THE MANNER
AFORESAID, THE PROPERTY SUBJECT TO THIS EASEMENT IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH
89° 38' 14" EAST 1288.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16;
THENCE NORTH 1° 20' EAST, 1288.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00
FEET; THENCE SOUTH 1° 20' WEST 1467.88 FEET; THENCE NORTH 89° 38' 14" WEST,
100.00 FEET; THENCE SOUTH 1° 20' WEST, 243.00 FEET TO A POINT IN THE SOUTH
LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST 30.00 FEET TO THE POINT OF
BEGINNING.

PARCEL 6:
ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3
WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE
OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

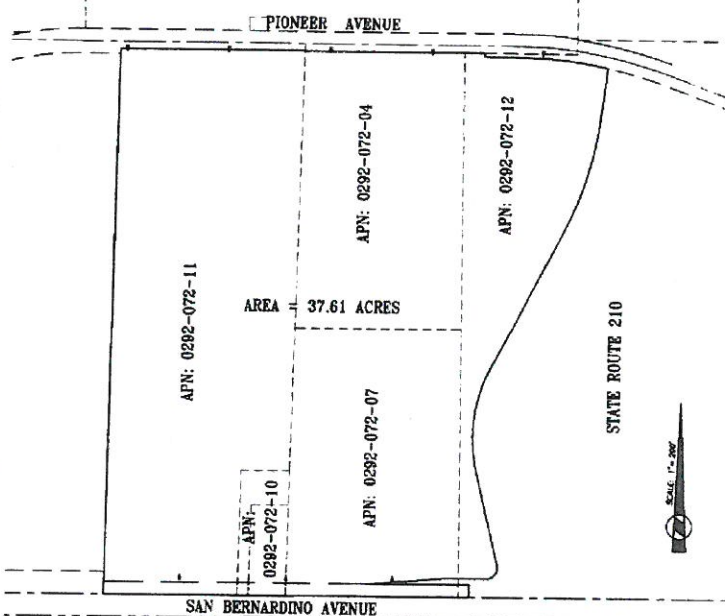
BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH
89° 38' 14" EAST, 1288.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16;
THENCE NORTH 1° 20' EAST, 1288.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00
FEET; THENCE SOUTH 1° 20' WEST, 100.00 FEET; THENCE NORTH 89° 38' 14" WEST,
100.00 FEET; THENCE SOUTH 1° 20' WEST, 243.00 FEET TO A POINT IN THE SOUTH
LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST, 30.00 FEET TO THE POINT OF
BEGINNING.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO
THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.

PARCEL 7:
ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3
WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE
OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1319.00 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16;
THENCE NORTH 1° 20' EAST, 243.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 100.00
FEET; THENCE SOUTH 0° 07' 00" WEST, 243.00 FEET; THENCE WEST 100.00 FEET TO THE
POINT OF BEGINNING.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO
THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.



Total number of street lights = 8

Assessors' Parcel Numbers within the Boundaries
of Annexation No. 8 CFD 2010-1:

0292-072-04, 0292-072-07, 0292-072-10,
0292-072-11, and 0292-072-12

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 62 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 and on September 16, 2014, in Book 86 of
Maps of Assessment and Community Facilities
Districts, at page 29 and on March 9, 2015, in Book
86 of Maps of Assessment and Community Facilities
Districts, at page 47 in the official records of the
San Bernardino County Recorder, State of California.

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
Districts of 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 of San Bernardino

By _____
Deputy Recorder



BOB DUTTON
ASSESSOR - RECORDER - CLERK

P Counter

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

Doc#: 2015-0150628



Titles: 1 Pages: 6

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. 8

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 parcels listed in Exhibit A hereto, which is owned by KTR Empire V, LLC.

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 and in the Boundary Map of Annexation No. 7 to CFD 2010-1, recorded March 9, 2015, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 47 as Instrument No. 2015-0089790 in the official records of the San Bernardino County Recorder . The territory which is added to CFD No. 2010-1 by this Annexation No. 8 is set forth in "Proposed Boundary Map of Annexation No. 8 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 April 15, 2015, in Book 86 of Maps of Assessment and Community Facilities Districts, at page 49 as Instrument No. 2015-0148069 (the "Annexation Map No. 8").

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: APR 15 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. 8, 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. 8 referred to above on page 2 of this Amendment to Notice of Special Tax Lien.

<u>Parcel Description</u>	<u>Owner</u>	<u>Acre</u>
0292-072-04-0000	KTR Empire V, LLC	7.81
0292-072-07-0000	KTR Empire V, LLC	7.69
0292-072-10-0000	KTR Empire V, LLC	0.93
0292-072-11-0000	KTR Empire V, LLC	15.50
0292-072-12-0000	KTR Empire V, LLC	5.57

Total Parcels: 5

Total Acres: 37.50

Legal Description:

PARCEL 1:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, BEGINNING AT A POINT 1419 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' EAST 720.55 FEET; THENCE EAST 475.38 FEET; THENCE SOUTH 0° 01' WEST 720.34 FEET; THENCE WEST 492.16 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JULY 31, 1980 AS INSTRUMENT NO. 80-170199 OF OFFICIAL RECORDS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

PARCEL 2:

THAT PORTION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF DATED SEPTEMBER 4, 1858, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JUNE 15, 1979 AS INSTRUMENT NO. 375, IN BOOK 9708, PAGE 672 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE WEST

LINE OF SAID PARCEL, SOUTH 0° 06' 23" EAST 522.61 FEET TO A POINT 49.67 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89° 59' 13" EAST 74.74 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET; THENCE COURSE "A", EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 103° 22' 59" A DISTANCE OF 54.13 FEET; THENCE COURSE "B", NORTH 13° 23' 46" WEST, 258.24 FEET TO THE BEGINNING OF A TANGENT CURVE EASTERLY AND HAVING A RADIUS OF 400.00 FEET; THENCE COURSE "C", NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 41° 07' 12", A DISTANCE OF 287.07 FEET; THENCE COURSE "D", NORTH 27° 43' 26" EAST 412.24 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 905.00 FEET; THENCE COURSE "E", NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20° 25' 14" A DISTANCE OF 322.55 FEET; THENCE COURSE "F", NORTH 07° 18' 12" EAST, 143.68 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1070.00 FEET; THENCE WESTERLY ALONG SAID CURVE FROM A TANGENT BEARING NORTH 77° 17' 30" WEST THROUGH AN ANGLE OF 12° 38' 34" A DISTANCE OF 236.10 FEET; THENCE NORTH 89° 56' 04" WEST 100.00 FEET; THENCE NORTH 00° 03' 56" EAST 10.00 FEET TO THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 13, 1979, AS INSTRUMENT NO. 269, IN BOOK 9748, PAGE 440 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTH LINE NORTH 89° 56' 04" WEST, 54.19 FEET TO THE NORTHWEST CORNER OF LAST SAID PARCEL; THENCE ALONG THE WEST LINE OF LAST SAID PARCEL, SOUTH 00° 06' 23" EAST 894.13 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

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

COMMENCING AT A POINT 1419 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' EAST, 720.55 FEET FOR TRUE POINT OF BEGINNING; THENCE NORTH 1° 20' EAST, 747.32 FEET; THENCE EAST 458.3 FEET; THENCE SOUTH 0° 1' WEST, 746.63 FEET TO A POINT 720.34 FEET NORTH OF THE SOUTH LINE OF SECTION 16; THENCE WEST 475.38 FEET TO THE POINT OF BEGINNING.

EXCEPT THE COUNTY ROAD.

PARCEL 4:

THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT 929 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTH 1° 5' EAST 1468.71 FEET; THENCE SOUTH 89° 54' EAST 496 FEET; THENCE SOUTH 1° 20' WEST 1467.86 FEET; THENCE WEST 490 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PROPERTY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST, 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 1° 20' 00" EAST 336.0 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST 336.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89° 38' 14" WEST 130.00 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

AN EASEMENT APPURTENANT TO PARCEL 1 AND OVER AND UPON THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF MAINTAINING THE EXISTING WATER LINES AND IRRIGATION SYSTEM, INCLUDING PIPES AND VALVES, AND INCLUDING THE RIGHT TO ENTER

ONTO THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF USE, MAINTENANCE AND REPAIR OF SAID WATER LINES AND IRRIGATION SYSTEM; PROVIDED, HOWEVER, THIS EASEMENT IS NOT EXCLUSIVE, AND SHALL NOT PRECLUDE THE USE OF SAID PROPERTY IN SUCH A MANNER AS THE OWNER THEREOF SHALL CHOOSE TO MAKE, FROM TIME TO TIME, SO LONG AS SUCH USE DOES NOT PRECLUDE THE USE OF SAID EASEMENT, IN THE MANNER AFORESAID. THE PROPERTY SUBJECT TO THIS EASEMENT IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST 1/4 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 A POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' 00" EAST, 336.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST 93.00 FEET; THENCE NORTH 89° 38' 14" WEST, 100.00 FEET; THENCE SOUTH 1° 20' 00" WEST, 243.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST 30.00 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT POINT IN THE SOUTH LINE OF SAID SECTION 16, SAID POINT BEARS SOUTH 89° 38' 14" EAST, 1289.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 1° 20' 00" EAST 336.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 130.00 FEET; THENCE SOUTH 1° 20' 00" WEST, 93.00 FEET; THENCE NORTH 89° 38' 14" WEST, 100.00 FEET; THENCE SOUTH 1° 20' 00" WEST, 243.00 FEET TO A POINT IN THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 89° 38' 14" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.

PARCEL 7:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1319.00 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTH 1° 05' 00" EAST, 243.00 FEET; THENCE SOUTH 89° 38' 14" EAST, 100.00 FEET; THENCE SOUTH 01° 20' 00" WEST, 243.00 FEET; THENCE WEST 100.00 FEET TO THE POINT OF BEGINNING.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAID MAP.