

## CONSENT AND WAIVER

### COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT

Board of Trustees  
San Jacinto Unified School District  
2045 South San Jacinto Avenue  
San Jacinto, California

Members of the Board of Trustees:

Pursuant to a petition of D.R. Horton Los Angeles Holding Company, Inc., a California corporation (the "Landowner"), the Board of Trustees (the "Board of Trustees") of the San Jacinto Unified School District (the "School District") has commenced proceedings under the Mello-Roos Community Facilities Act of 1982 (the "Act") to establish a community facilities district proposed to be named Community Facilities District No. 2020-1 of the San Jacinto Unified School District (the "Community Facilities District") and to authorize the levy of special taxes (the "Special Taxes") therein and to authorize special tax bonds for the Community Facilities District. This is a consent and waiver with respect to certain procedural matters under the Act, and the undersigned hereby states as follows:

**1. Landowner; Property.** This Consent and Waiver is submitted by the Landowner as the legal owner of the real property described in Exhibit A attached hereto and made a part hereof (the "Property"). All of the Property is proposed to be included within the boundaries of the Community Facilities District. The Property consists of approximately 13.23 acres and comprises 100% of the land within the Community Facilities District not exempt from the Special Tax.

The boundaries of the territory that is proposed for inclusion in the Community Facilities District are described in Exhibit B attached hereto and made a part hereof.

**2. Proceedings.** The Landowner hereby acknowledges and agrees that the Board of Trustees has, pursuant to a petition of the Landowner, commenced proceedings pursuant to the Act to establish the Community Facilities District, to authorize the levy of the Special Taxes in the Community Facilities District to finance certain public facilities, and to authorize special tax bonds for the Community Facilities District in an amount not to exceed \$2,500,000. The public facilities proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Facilities" on Exhibit C attached hereto. The Board of Trustees has fixed October 13, 2020 at 6:00 p.m. or as soon thereafter as the Board of Trustees may reach the matter, at 2045 S. San Jacinto Avenue, San Jacinto, California, as the time and place where the Board of Trustees will conduct public hearings on the establishment of the Community Facilities District and the proposed debt issue of the Community Facilities District; provided, that, in the event the October 13, 2020 Board of Trustees meeting is held via teleconference and/or videoconference only, the means by which the public may observe such public hearing and offer

public comment would be as prescribed in the notice and agenda for such Board of Trustees meeting. The Landowner hereby acknowledges and agrees that notices of the hearings were published by the Clerk of the Board of Trustees on September 21, 2020 in *The Press-Enterprise*, a newspaper of general circulation published in the area of the Community Facilities District. The Landowner hereby acknowledges and agrees that it had actual notice of the public hearings, that notice of such hearings has been given in accordance with the Act, that it waives any and all defects (if any) in such notice, and that it waives any rights it may have to make any protest or complaint or to undertake any legal action challenging the adequacy of such notice.

**3. Ownership of Property; No Registered Voters; Landowner Election.** The Landowner represents and warrants to the School District that it is the legal owner of the fee interest in all of the Property and that no other person or entity is the legal owner of all or any portion of the fee interest in any of the Property. To the best of the Landowner's knowledge, there are no registered voters residing within the boundaries of the Property as of the date hereof, and there have been fewer than 12 registered voters residing therein during each of the 90 days preceding the date of this Consent and Waiver.

The Landowner hereby acknowledges and agrees that, pursuant to Section 53326(b) of the Act, if fewer than 12 persons have been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings on the establishment of the Community Facilities District and the proposed debt issue of the Community Facilities District, the vote on the proposition to incur bonded indebtedness of the Community Facilities District, levy the Special Tax in the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be by the landowners of the Community Facilities District and each person who is the owner of land at the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of land that he or she owns within the Community Facilities District not exempt from the Special Tax. The Landowner hereby acknowledges and agrees that if, as anticipated, said public hearings are closed on the date hereof, said vote shall, pursuant to Section 53326(b) of the Act, be by the landowners of the Community Facilities District.

**4. Request.** The Landowner hereby requests that the special election to be held under the Act on the proposition to incur bonded indebtedness of the Community Facilities District, to levy the Special Tax in the Community Facilities District and to establish an appropriations limit for the Community Facilities District be conducted using mailed or hand-delivered ballots, that such ballots be opened and canvassed at such election, and that the results of such election be certified at the same meeting of the Board of Trustees as the public hearings on the establishment of the Community Facilities District and the proposed issuance of bonded indebtedness of the Community Facilities District, or as soon thereafter as possible.

**5. Consent and Waiver.** The Landowner hereby acknowledges and agrees that if the special election to be held under the Act on the proposition to incur bonded indebtedness of the Community Facilities District, to levy the Special Tax in the Community Facilities District and to establish an appropriations limit for the Community Facilities District is held on October 13, 2020, said election would be held less than 90 days after the anticipated close of the October 13, 2020 public hearings on the establishment of the Community Facilities District and the proposed issuance of bonded indebtedness of the Community Facilities District. The Landowner hereby

acknowledges and agrees that, pursuant to Section 53326 of the Act, any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of such special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), may be waived with the unanimous consent of the qualified electors of the Community Facilities District and the concurrence of the election official conducting the election. The Landowner hereby consents to the waiver of, and hereby waives, any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), including, but not limited to, all notices with respect thereto (published, mailed or otherwise to be given), any voter qualification requirements, any time limitations, any requirements as to form or content of election materials, all publication requirements, all pre-election, election or voting procedures (other than the right to vote) and all canvass, recount and tie vote procedures. The Landowner hereby consents to the holding of said special election on October 13, 2020.

The Landowner hereby acknowledges and agrees that (a) as the vote is to be by the landowners of the Community Facilities District, pursuant to Section 53327(b) of the Act, any impartial analysis, arguments or rebuttals, if any, with respect to the special election on the proposition to incur bonded indebtedness of the Community Facilities District, to levy the Special Tax in the Community Facilities District and to establish an appropriations limit for the Community Facilities District may be waived with the unanimous consent of all the landowners of the Community Facilities District, and (b) pursuant to Section 53326 of the Act, with the concurrence of the election official for said special election, any requirement pertaining to the conduct of said special election may be waived with the unanimous consent of all the qualified electors of the Community Facilities District. The Landowner hereby acknowledges and agrees that said special election is to be held without the preparation of an impartial analysis and arguments and rebuttals, if any, as permitted by Section 53327(b) of the Act. The Landowner hereby consents to the waiver of, and hereby waives, the requirement in Section 53327(a) that there be prepared and included in the ballot material provided to each voter an impartial analysis pursuant to Section 9160, 9280 or 9500 of the California Elections Code, and arguments and rebuttals, if any, pursuant to Sections 9162 to 9167, inclusive, and Section 9190 of the California Elections Code or pursuant to Sections 9281 to 9287, inclusive, and Section 9295 of the California Elections Code, or pursuant to Sections 9501 to 9507, inclusive, of the California Elections Code, or pursuant to other provisions of law applicable to other special districts as appropriate.

The Landowner hereby represents that it has obtained such information with respect to the consents and waivers contained herein as it has deemed necessary or appropriate. The Landowner hereby confirms and represents that it is fully informed with respect to such consents and waivers and fully understands the consequences thereof.

The Landowner hereby waives any and all defects in notice or procedure in any proceedings to establish the Community Facilities District, to levy special taxes in the Community Facilities District and to authorize special tax bonds for the Community Facilities District, or in the conduct of the election, whether known or unknown (other than, in the case of the election, the right to have ballots accurately counted), and the Landowner hereby represents that the election is being expedited pursuant to this Consent and Waiver, at the particular request

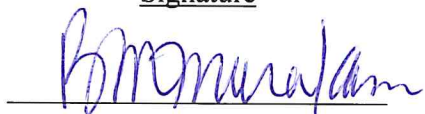
of the Landowner. The Landowner further waives its right to make any protest or complaint or to undertake any legal action challenging the validity of the election.

**6. Authorized Representative.** The undersigned, Barbara M. Murakami, has been duly authorized by the Landowner and possesses all authority necessary to execute this Consent and Waiver on behalf of the Landowner in connection with the election to be held under the Act on the proposition to incur bonded indebtedness of the Community Facilities District, to levy the Special Tax in the Community Facilities District and to establish an appropriations limit for the Community Facilities District. The undersigned is an authorized representative of the Landowner authorized to execute ballots on behalf of the Landowner and to vote in the election referred to herein. The signature set forth opposite the name of such authorized representative is the genuine signature of such person:

Name

Barbara M. Murakami

Signature

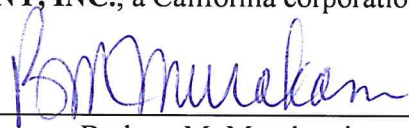


**7. Mailing Address.** The address of the Landowner for receiving notices and ballots is: D.R. Horton Los Angeles Holding Company, Inc., 2280 Wardlow Circle, Suite 100, Corona, California 92880, Attention: Barbara M. Murakami, Vice President.

This Consent and Waiver is dated as of October 13, 2020.

**D.R. HORTON LOS ANGELES HOLDING  
COMPANY, INC.,** a California corporation

By: \_\_\_\_\_



Barbara M. Murakami,  
Vice President

## **EXHIBIT A**

### **DESCRIPTION OF PROPERTY**

The Property consists of the following Riverside County Assessor Parcel Numbers:

433-510-005 through 433-510-025, inclusive  
433-511-001 through 433-511-007, inclusive  
433-512-001 through 433-512-008, inclusive  
433-520-001 through 433-520-006, inclusive  
433-521-001 through 433-521-010, inclusive  
433-522-001 through 433-522-005, inclusive  
433-523-001  
433-523-002  
433-524-001  
433-524-002  
433-525-001  
433-525-002  
433-526-001  
433-526-004 through 433-526-006, inclusive

## **EXHIBIT B**

### **BOUNDARIES OF COMMUNITY FACILITIES DISTRICT**

The boundaries of the territory which is proposed for inclusion in the Community Facilities District are depicted in the attached map. Such territory consists of the following Riverside County Assessor Parcel Numbers:

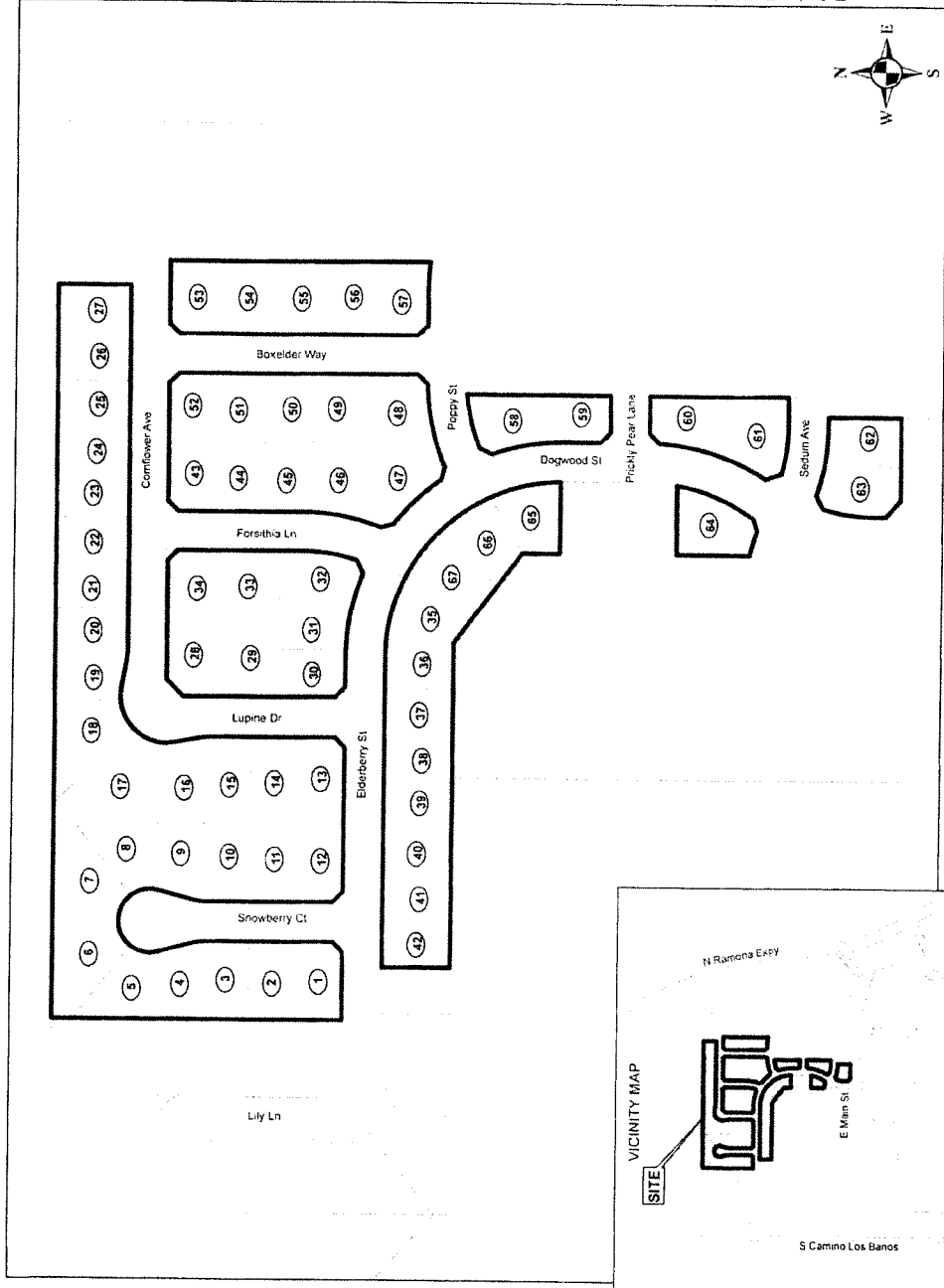
433-510-005 through 433-510-025, inclusive  
433-511-001 through 433-511-007, inclusive  
433-512-001 through 433-512-008, inclusive  
433-520-001 through 433-520-006, inclusive  
433-521-001 through 433-521-010, inclusive  
433-522-001 through 433-522-005, inclusive  
433-523-001  
433-523-002  
433-524-001  
433-524-002  
433-525-001  
433-525-002  
433-526-001  
433-526-004 through 433-526-006, inclusive

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SHEET 1 OF 2

# PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT COUNTY OF RIVERSIDE STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CLERK OF THE BOARD OF TRUSTEES OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT, THIS 9 DAY OF September, 2020.

Walter Rex  
CLERK OF THE BOARD OF TRUSTEES OF THE  
SAN JACINTO UNIFIED SCHOOL DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE BOARD OF TRUSTEES OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT AT A REGULAR MEETING THEREOF, HELD ON THE 8th DAY OF September, 2020, BY ITS RESOLUTION NO. 20-21-08

Walter Rex  
CLERK OF THE BOARD OF TRUSTEES OF THE  
SAN JACINTO UNIFIED SCHOOL DISTRICT

COUNTY RECORDER'S CERTIFICATE:

FILED THIS 12th DAY OF SEPTEMBER, 2020, AT THE HOUR OF 12:10 O'CLOCK P.M. IN BOOK 85 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGES 57-60 AS INSTRUMENT NO. 2020-045726 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AT THE REQUEST OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT. FEE \$11.00

Marie Theresa J. O'Brien  
PETER ALDANA, ASSESSOR - COUNTY CLERK - RECORDER  
COUNTY OF RIVERSIDE  
BY DEPUTY

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

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

WILLDAN

Legend  
[ ] BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT  
[ ] ASSESSOR PARCEL LINES

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**PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2020-1  
OF THE SAN JACINTO UNIFIED SCHOOL DISTRICT**  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER	MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER	MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER	MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	433-510-005	21	433-510-025	41	433-512-007	61	433-524-002
2	433-510-006	22	433-520-001	42	433-512-008	62	433-525-001
3	433-510-007	23	433-520-002	43	433-521-001	63	433-525-002
4	433-510-008	24	433-520-003	44	433-521-002	64	433-526-001
5	433-510-009	25	433-520-004	45	433-521-003	65	433-526-004
6	433-510-010	26	433-520-005	46	433-521-004	66	433-526-005
7	433-510-011	27	433-520-006	47	433-521-005	67	433-526-006
8	433-510-012	28	433-511-001	48	433-521-006		
9	433-510-013	29	433-511-002	49	433-521-007		
10	433-510-014	30	433-511-003	50	433-521-008		
11	433-510-015	31	433-511-004	51	433-521-009		
12	433-510-016	32	433-511-005	52	433-521-010		
13	433-510-017	33	433-511-006	53	433-522-001		
14	433-510-018	34	433-511-007	54	433-522-002		
15	433-510-019	35	433-512-001	55	433-522-003		
16	433-510-020	36	433-512-002	56	433-522-004		
17	433-510-021	37	433-512-003	57	433-522-005		
18	433-510-022	38	433-512-004	58	433-523-001		
19	433-510-023	39	433-512-005	59	433-523-002		
20	433-510-024	40	433-512-006	60	433-524-001		





## **EXHIBIT C**

### **FACILITIES TO BE FINANCED**

The types of facilities to be financed by the Community Facilities District are school facilities, water distribution, treatment and reservoir facilities and sewer collection, conveyance, treatment and disposal facilities, and land, rights-of-way and easements necessary for any of such facilities.