

# **EXHIBIT C**

## **PETITION AND WRITTEN CONSENT (INCLUDING WAIVERS)**

**REQUESTING COMMENCEMENT OF PROCEEDINGS UNDER GOVERNMENT  
CODE SECTIONS 53311 ET SEQ.  
AND ANY OTHER PROVISION OF LAW  
DEEMED NECESSARY BY THE COUNTY OF FRESNO, INTER ALIA,  
TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT  
TO SERVE CERTAIN TERRITORY DESCRIBED HEREIN,  
AND TO CONDUCT A LANDOWNER ELECTION,  
TO RECORD AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND TO  
IMPOSE A SPECIAL TAX FOR LAW ENFORCEMENT SERVICES THEREIN AND  
AGREEMENT TO COVENANT, INCLUDING TO COVENANT  
RESTRICTING SALE OR TRANSFER OF REAL PROPERTY UNTIL  
SATISFACTION OF CONDITION PRECEDENT, TO FACILITATE SAME**

To the Board of Supervisors  
County of Fresno  
c/o County Administrative Officer  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

Re: Tract No. 6189

Members of the Board of Supervisors:

3B Development, Inc., a California Corporation ("3B DEVELOPMENT") is the sole owner of all the territory of real property located in Tract Map No. 6189, Fresno County, California, shown and described in Exhibit "A", which exhibit is attached to and made a part of this petition ("Land").

3B DEVELOPMENT is aware that the County, under the Mello-Roos Community Facilities Act of 1982 (the "Act") has established Community Facilities District No. 2006-01 (Police Protection Services) County of Fresno (the "District") to provide the ongoing financing for the continual provision of the necessary law enforcement services (the "Law Enforcement Services") in the unincorporated areas of Fresno County where such District has been established, and where territory has been annexed to such District.

3B DEVELOPMENT hereby petitions that the County institute proceedings (and acknowledges that the County has instituted proceedings) to annex the territory of the Land to the District, to provide Law enforcement Services therein, and in other lands owned by other landowners now making similar petitions (collectively, "Proposed Annexation Territory"), and 3B DEVELOPMENT hereby represents, covenants, warrants, and agrees that 3B DEVELOPMENT, if consent is granted by the County and the transfer is allowed and occurs, will remain the sole owner of the entire fee interest of the Land, including all rights, title and interest therein and all land and improvements thereon and therein (collectively, "3B DEVELOPMENT's Real Property"), and that there always have been, always are, and always will be less than twelve (12) registered voters residing in or the Land since ninety

(90) days before 3B DEVELOPMENT's execution of this petition and written consent (including waivers), and continuing thereafter without interruption through and until the conclusion of the proceedings for the annexation of the Land to the District, in order to permit the County to proceed with and successfully complete the annexation of such territory to the District, the landowner voter election for the proposed special tax levy for the Land proposed for annexation to the District, the imposition of the special tax lien upon all nonexempt real property located in the Land, the recordation of the amendment to the notice of special tax lien against 3B DEVELOPMENT's Real Property, and the provision of the Law Enforcement Services in the Land, as authorized under the Act. 3B DEVELOPMENT acknowledges and agrees that the County will be proceeding with the proposed annexation of the Land to the District under such landowner voter election procedures, based upon such representations, covenants, warranties and agreements of 3B DEVELOPMENT.

3B DEVELOPMENT hereby petitions and requests that the Board of Supervisors commences proceedings necessary under the Act, and any other applicable provisions of law deemed necessary by the County of Fresno, to annex the Land to the District under the Act, to impose a special tax lien for an annual special tax for Law Enforcement Services levied by the District to finance, in part, the cost of providing Law Enforcement Services in a staffing ratio of 2.0 sworn officers per 1,000 residents, in the Land.

3B DEVELOPMENT further petitions and requests that the Board of Supervisors proceeds immediately with all proceedings necessary to accomplish annexation of the Land to the District, the establishment of the Initial Appropriations Limit (defined herein below) for the Proposed Annexation Territory, and the imposition of the special tax lien upon 3B DEVELOPMENT's Real Property, and the recordation of the amendment to the notice of special tax lien against 3B DEVELOPMENT's Property. In that regard, to the greatest extent allowed by law, 3B DEVELOPMENT hereby expressly waives any and all notices, minimum noticing periods, procedures and requirements otherwise required under (i) the Act, including, by way of example and without limitation, Article 3.5 (commencing with section 53339) of the Act regarding the proceedings to annex the Proposed Annexation Territory to the District, (ii) sections 54950 through and including 54962 of the Government Code regarding notices of and holding of public meetings of the County's Board of Supervisors, (iii) section 53739 of the Government Code regarding the setting of the rate for taxes, including an inflationary adjustment, (iv) Article 3.5 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (sections 50075 through and including 50077) regarding special taxes, (v) the applicable provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (sections 53720 through and including 53730, as applicable) regarding special taxes; and (vi) the applicable provisions of the Constitution of the United States and the State of California and any other laws or governing legal authorities, whether in law or equity, with regard to and including by way of example and without limitation, adoption of any ordinances or resolutions, filing of any engineer's report, filing of any reports, plans or studies concerning the Law Enforcement Services and their related estimated costs under Government Code section 53321.5, filing of any other reports, plans (including by way of example and without limitation a plan for sharing services to be provided in common between the District and the Proposed Annexation Territory under Government Code section 53339.3), or studies, giving of any notices, holding any meetings or hearings, right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity of sufficiency of the proceedings for the annexation of the Proposed Annexation Territory to the District, recordation of the amendment to the notice of special tax lien, or the imposition of the special tax lien or annual levy of the special tax upon nonexempt properties located in the Proposed

Annexation Territory), the right to vote, election requirements, and time limits for election, and expressly supports the County's annexation of the Proposed Annexation Territory to the District, the levy of the special tax and the establishment and/or confirmation of the Initial Appropriations Limit (defined below), the recordation of the amendment to the notice of the special tax lien against the properties described in Exhibit "A", and the imposition of the special tax lien and the special tax levy on all nonexempt properties located in the Proposed Annexation Territory, all for the continual provision of the Law Enforcement Services in the Proposed Annexation Territory, and the benefit of the Proposed Annexation Territory, without completion of or compliance with any such notices, minimum noticing periods, time limits, procedures or substantive requirements. Without limiting the generality of any of the foregoing, and to the greatest extent allowed by law, 3B DEVELOPMENT hereby further expressly waives (i) any and all time limits and requirements in connection with the conduct of the election of the special tax levy referred to in Government Code section 53326(a), (ii) the impartial analysis and arguments and rebuttals, if any, in connection with the election by the qualified landowner voters for the vote of the special tax levy referred to Government Code section 53327, (iii) any and all objections for other procedures and substantive requirements in connection with the regularity and sufficiency of an election and time limits for the calling for an election of the special tax levy in the Proposed Annexation Territory, and for performance by any County election official for the vote of such special tax levy, (iv) any and all rights under Article XIIC of the California Constitution regarding special taxes and the right to the Initiative power to reduce or repeal local taxes, and (v) any and all rights under Article 3 (commencing with section 53330 of the Act to reduce or repeal the special tax to terminate the special tax levy, and to eliminate or reduce the Law Enforcement Services, and (vi) any and all objections to the County's establishment and/or confirmation of the initial appropriation limit for the Proposed Annexation Territory (the "Initial Appropriations Limit"), pursuant to Article XIIB of the California Constitution, and section 53325.7 of the Government Code.

Additionally, to the extent that the County may institute proceedings for the establishment of any Community Facilities Districts in the remainder of the unincorporated area of Fresno County, or annex any contiguous or noncontiguous territories anywhere in Fresno County to the District, or include (whether at the time that the District is created or at any time thereafter) any contiguous or noncontiguous territories in Fresno County within the District that are, in either case, owned by persons or entities other than 3B DEVELOPMENT in either case levy a special tax, for Law Enforcement Services in such territories, all of the provisions hereinabove concerning 3B DEVELOPMENT's consent and waiver shall also apply to other entities vis-à-vis such other Community Facilities Districts or annexations to, or inclusions in, the District, in order that the County may be fully assured that 3B DEVELOPMENT shall fully cooperate with the County's, and will not defeat, cause to delay, or otherwise interfere with the County's establishment and implementation of such Community Facilities Districts for, or annexations to the District of, or inclusions within the District of, any of such other territories. **To that end, to the greatest extent allowed by law, 3B DEVELOPMENT hereby additionally expressly waives any and all right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings) to the proposed annexations or inclusions or inclusions of all of such other areas to or within the District, which are provided for in Government Code sections 53324 and 53339.6 as applicable.**

In consideration for the County's Board of Supervisors conducting the proceedings for the annexation of the Land to the District, the imposition of the special tax lien,

establishment and/or confirmation of the Initial Appropriations limit, and conducting proceedings for the special tax levy for the benefit of the Land as requested, 3B DEVELOPMENT agrees to and shall remain the sole owner of the Land and further agrees not to close escrow, or to sell, or to transfer title to, or any right or interest in, the Land, or any other lot or portion thereof (collectively, or individually, the "Sale or Transfer"), to any other person or entity until the earliest of: (i) completion of the County' proceedings for the annexation of the Proposed Annexation Territory to the District and the establishment of the Initial Appropriations Limit, and imposing the special tax lien on all nonexempt property located in the Proposed Annexation Territory, including by way of example and without limitation, the County's determination, by and through its Board of Supervisors, that the requisite 2/3 votes cast by 3B DEVELOPMENT, who shall be a qualified landowner voter, in the election in favor of the special tax levy and establishment of the Initial Appropriations Limit, and the recording, by the County's Clerk of the Board of Supervisors (or such other designated County Officer), of the amendment to the notice of special tax lien for the Proposed Annexation Territory in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5; or (ii) County's prior express written consent to such Sale or Transfer of the Land, or any lot or other portion thereof, provided however, 3B DEVELOPMENT shall not Sell or Transfer, or request consent to the Sale or Transfer of, any individual lot or lots to persons seeking to establish, or who may allow other persons seeking to establish, their residences in the area covered by the proposed District.

In further consideration for the County conducting the annexation of the Land to the District and other proceedings required to impose the special tax lien requested herein, 3B DEVELOPMENT shall not submit an application to the California Department of Real Estate for a Public Report, whether a Conditional Public Report, Preliminary Public Report, Overall Preliminary Public Report, Interim Public report, or Final Public Report for the subdivision of the Land, or for the subdivision of any portion thereof, unless and until the County has commenced, instituted and pursued to completion all proceedings necessary under California Government Code Sections 53311 et seq., and any other applicable provision of law deemed necessary by the County, to annex the Proposed Annexation Territory to the District pursuant to Government Code Sections 53311 et seq., to obtain approval of the special tax levy, and the County has recorded an amendment to the notice of special tax lien for the Proposed Annexation Territory against 3B DEVELOPMENT's Real Property, in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5, in order that County, through the Proposed Annexation Territory, may provide the Law Enforcement Services in the Land.

On request by the County, 3B DEVELOPMENT agrees to and promptly shall execute and deliver to County any other agreements, instrument, documents, and information that the County deems necessary to accomplish the annexation of the territory of the Land to the District, the special election for the special tax levy and establishment of the Initial Appropriations Limit, the imposition of the special tax lien, the recordation of the amendment to the notice of the special tax lien, and the initial special tax levy in the Proposed Annexation Territory and to evidence 3B DEVELOPMENT's petition, request, consent and waiver herein, including by way of example and without limitation, petition, waiver and consent forms, ballots regarding the special tax levy and Initial Appropriations Limit, and receipts for notices, and authorizations by 3B DEVELOPMENT to take any actions, to give any approvals, to execute any agreements, instruments and documents, to authenticate any information provided by 3B DEVELOPMENT, and to vote for the special tax levy and Initial Appropriations Limit, as provided herein. Without limiting the foregoing, 3B



DEVELOPMENT agrees to and immediately upon County's request shall execute and deliver to County a Covenant running with the land (or give written approval to an existing Covenant running with the land that is recorded or to be recorded in the Office of the Fresno County Recorder) memorializing all of these matters, and any additional matters as may be required by County, including a covenant restricting the sale or transfer of land until satisfaction of condition precedent in order to facilitate the annexation of the Land to the District and the recording of a notice of special tax lien on the real property described on Exhibit "A" hereto, in a form acceptable to County in County's sole discretion, and which Covenant 3B DEVELOPMENT agrees may be recorded immediately by County, in the Office of the Fresno County Recorder, against the real property described on Exhibit "A" hereto, binding 3B DEVELOPMENT, partners, heirs, executors, administrators, successors, transferees, assigns and subsequent owners, transferees and assigns regarding the representations and agreements stated herein.


Notwithstanding anything stated to the contrary in this petition, 3B DEVELOPMENT acknowledges and agrees that the County, in its sole discretion, may abandon the proposed annexation of the Land to the District, pursuant to Government Code, section 53339.7, and not proceed further with the conduct of the special election for the special tax levy and Initial Appropriations Limit, provided however, nothing contained in this paragraph shall obligate or be deemed to obligate the County to take such action.

If any provision of this petition, or the application thereof to any person, entity, real property, or circumstance, is found to violate any law or is found to be otherwise legally defective or unenforceable, then to any extent that is so found to be violative, invalid or unenforceable, the remainder of this petition, or the application thereof to persons, entities, real property, or circumstances other than those as to which it is violative, invalid or unenforceable, shall not be affected thereby, and each such provision of this petition shall remain in full force and effect and shall be enforceable to the full extent permitted by law.

3B DEVELOPMENT represents, covenants, and warrants that the person(s) executing this petition for 3B DEVELOPMENT is the duly authorized representative of 3B DEVELOPMENT, and is fully authorized by 3B DEVELOPMENT to legally bind 3B DEVELOPMENT to this petition according to its terms and conditions, to make all of the representations, covenants, warranties, and agreements provided herein, to encumber the Land as provided herein, and to make the petition and requests of the County provided herein.

Respectfully submitted by 3B DEVELOPMENT: 3B Development, Inc.

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

  
Darius Assemi, President  
3B Development, Inc.

Date: \_\_\_\_\_



# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #7

I HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

ANNEXATION NO. 9A  
CFD 2006-01

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_

PAUL BORTS, CHA  
COUNTY ASSessor-RECORDER  
OF THE COUNTY OF FRESNO

DEPUTY RECORDER

BY: \_\_\_\_\_ FRESNO COUNTY RECORDER

DEPUTY RECORDER

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

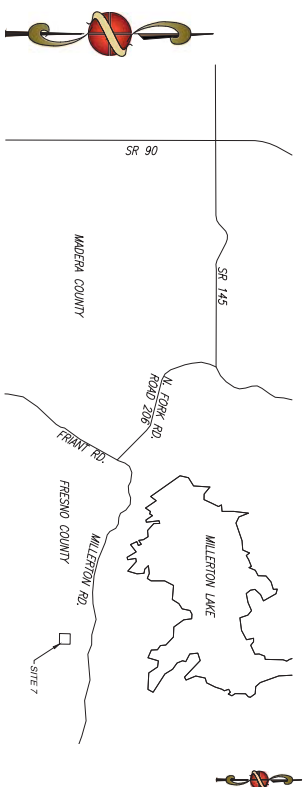
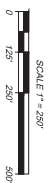
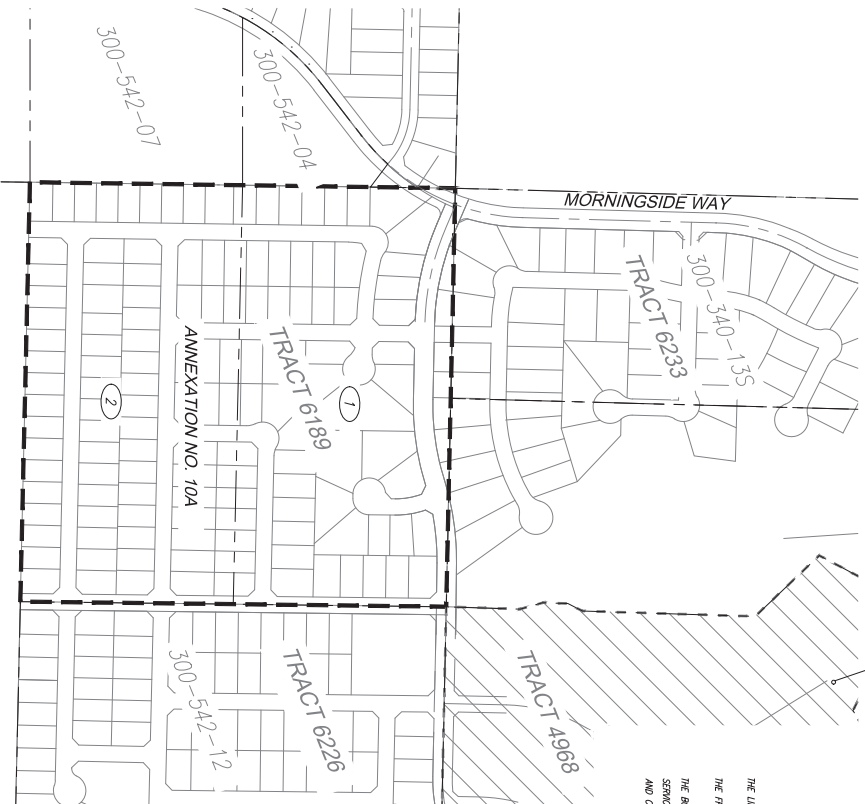
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL RETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 200608943.

### LEGEND

OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
	LOT LINES
	CENTER LINE
	4TH LINES
	PROPOSED ANNEXATION TO CFD NO. 2006-01
	EXISTING CFD NO. 2006-01

ASST.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-105	7	6189
2	300-542-115	7	6189



### VICINITY MAP

NOT TO SCALE

**PRECISION**  
CIVIL ENGINEERING, INC.  
PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

PROJECT TITLE: MILLERTON SPECIFIC PLAN  
SHEET DESCRIPTION: ANNEXATION MAP NO. 10A SITE 7  
CITY OF: COUNTY OF: FRESNO

PREPARED FOR:  
ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS  
DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER: 7 OF 15  
JOB NUMBER: 19-046

## **EXHIBIT A (SITE 7)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract III:

Parcels 3 and 4 of Parcel Map No. 5988, recorded in Book 41 of Parcel Maps, at Page 22, Fresno County Records.

EXCEPTING THEREFROM all oil, gas, minerals, hydrocarbons and kindred substances lying below a depth of 500 feet, but without the right of surface entry, as granted to Carlsberg Resources Corporation, a California corporation, by Deed recorded October 30, 1970, in Book 5832, Page 371 of Official Records, Instrument No. 76311.

APN: 300-542-10S  
300-542-11S

# **EXHIBIT C**

## **PETITION AND WRITTEN CONSENT (INCLUDING WAIVERS)**

**REQUESTING COMMENCEMENT OF PROCEEDINGS UNDER GOVERNMENT  
CODE SECTIONS 53311 ET SEQ.  
AND ANY OTHER PROVISION OF LAW  
DEEMED NECESSARY BY THE COUNTY OF FRESNO, INTER ALIA,  
TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT  
TO SERVE CERTAIN TERRITORY DESCRIBED HEREIN,  
AND TO CONDUCT A LANDOWNER ELECTION,  
TO RECORD AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND TO  
IMPOSE A SPECIAL TAX FOR LAW ENFORCEMENT SERVICES THEREIN AND  
AGREEMENT TO COVENANT, INCLUDING TO COVENANT  
RESTRICTING SALE OR TRANSFER OF REAL PROPERTY UNTIL  
SATISFACTION OF CONDITION PRECEDENT, TO FACILITATE SAME**

To the Board of Supervisors  
County of Fresno  
c/o County Administrative Officer  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

Re: Assessor's Parcel Numbers 300-542-16S, 300-542-17S, 300-542-18S, 300-542-39,  
300-542-40, 300-542-41, and 300-542-48

Members of the Board of Supervisors:

Ashlan & Hayes Investments, LLC, a Limited Liability Company ("ASHLAN & HAYES") is the sole owner of all the territory of real property shown and described in Exhibit "A", which exhibit is attached to and made a part of this petition ("Land").

ASHLAN & HAYES is aware that the County, under the Mello-Roos Community Facilities Act of 1982 (the "Act") has established Community Facilities District No. 2006-01 (Police Protection Services) County of Fresno (the "District") to provide the ongoing financing for the continual provision of the necessary law enforcement services (the "Law Enforcement Services") in the unincorporated areas of Fresno County where such District has been established, and where territory has been annexed to such District.

ASHLAN & HAYES hereby petitions that the County institute proceedings (and acknowledges that the County has instituted proceedings) to annex the territory of the Land to the District, to provide Law enforcement Services therein, and in other lands owned by other landowners now making similar petitions (collectively, "Proposed Annexation Territory"), and ASHLAN & HAYES hereby represents, covenants, warrants, and agrees that ASHLAN & HAYES, if consent is granted by the County and the transfer is allowed and occurs, will remain the sole owner of the entire fee interest of the Land, including all rights, title and interest therein and all land and improvements thereon and therein (collectively, "ASHLAN & HAYES's Real Property"), and that there always have been, always are, and always will be less than twelve (12) registered voters residing in or the Land since ninety

(90) days before ASHLAN & HAYES 's execution of this petition and written consent (including waivers), and continuing thereafter without interruption through and until the conclusion of the proceedings for the annexation of the Land to the District, in order to permit the County to proceed with and successfully complete the annexation of such territory to the District, the landowner voter election for the proposed special tax levy for the Land proposed for annexation to the District, the imposition of the special tax lien upon all nonexempt real property located in the Land, the recordation of the amendment to the notice of special tax lien against ASHLAN & HAYES 's Real Property, and the provision of the Law Enforcement Services in the Land, as authorized under the Act. ASHLAN & HAYES acknowledges and agrees that the County will be proceeding with the proposed annexation of the Land to the District under such landowner voter election procedures, based upon such representations, covenants, warranties and agreements of ASHLAN & HAYES .

ASHLAN & HAYES herby petitions and requests that the Board of Supervisors commences proceedings necessary under the Act, and any other applicable provisions of law deemed necessary by the County of Fresno, to annex the Land to the District under the Act, to impose a special tax lien for an annual special tax for Law Enforcement Services levied by the District to finance, in part, the cost of providing Law Enforcement Services in a staffing ratio of 2.0 sworn officers per 1,000 residents, in the Land.

ASHLAN & HAYES further petitions and requests that the Board of Supervisors proceeds immediately with all proceedings necessary to accomplish annexation of the Land to the District, the establishment of the Initial Appropriations Limit (defined herein below) for the Proposed Annexation Territory, and the imposition of the special tax lien upon ASHLAN & HAYES's Real Property, and the recordation of the amendment to the notice of special tax lien against ASHLAN & HAYES's Property. In that regard, to the greatest extent allowed by law, ASHLAN & HAYES hereby expressly waives any and all notices, minimum noticing periods, procedures and requirements otherwise required under (i) the Act, including, by way of example and without limitation, Article 3.5 (commencing with section 53339) of the Act regarding the proceedings to annex the Proposed Annexation Territory to the District, (ii) sections 54950 through and including 54962 of the Government Code regarding notices of and holding of public meetings of the County's Board of Supervisors, (iii) section 53739 of the Government Code regarding the setting of the rate for taxes, including an inflationary adjustment, (iv) Article 3.5 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (sections 50075 through and including 50077) regarding special taxes, (v) the applicable provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (sections 53720 through and including 53730, as applicable) regarding special taxes; and (vi) the applicable provisions of the Constitution of the United States and the State of California and any other laws or governing legal authorities, whether in law or equity, with regard to and including by way of example and without limitation, adoption of any ordinances or resolutions, filing of any engineer's report, filing of any reports, plans or studies concerning the Law Enforcement Services and their related estimated costs under Government Code section 53321.5, filing of any other reports, plans (including by way of example and without limitation a plan for sharing services to be provided in common between the District and the Proposed Annexation Territory under Government Code section 53339.3), or studies, giving of any notices, holding any meetings or hearings, right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity of sufficiency of the proceedings for the annexation of the Proposed Annexation Territory to the District, recordation of the amendment to the notice of special tax lien, or the imposition of the special tax lien or annual levy of the special tax upon nonexempt properties located in the Proposed Annexation Territory), the right to

vote, election requirements, and time limits for election, and expressly supports the County's annexation of the Proposed Annexation Territory to the District, the levy of the special tax and the establishment and/or confirmation of the Initial Appropriations Limit (defined below), the recordation of the amendment to the notice of the special tax lien against the properties described in Exhibit "A", and the imposition of the special tax lien and the special tax levy on all nonexempt properties located in the Proposed Annexation Territory, all for the continual provision of the Law Enforcement Services in the Proposed Annexation Territory, and the benefit of the Proposed Annexation Territory, without completion of or compliance with any such notices, minimum noticing periods, time limits, procedures or substantive requirements. Without limiting the generality of any of the foregoing, and to the greatest extent allowed by law, ASHLAN & HAYES hereby further expressly waives (i) any and all time limits and requirements in connection with the conduct of the election of the special tax levy referred to in Government Code section 53326(a), (ii) the impartial analysis and arguments and rebuttals, if any, in connection with the election by the qualified landowner voters for the vote of the special tax levy referred to Government Code section 53327, (iii) any and all objections for other procedures and substantive requirements in connection with the regularity and sufficiency of an election and time limits for the calling for an election of the special tax levy in the Proposed Annexation Territory, and for performance by any County election official for the vote of such special tax levy, (iv) any and all rights under Article XIII C of the California Constitution regarding special taxes and the right to the Initiative power to reduce or repeal local taxes, and (v) any and all rights under Article 3 (commencing with section 53330 of the Act to reduce or repeal the special tax to terminate the special tax levy, and to eliminate or reduce the Law Enforcement Services, and (vi) any and all objections to the County's establishment and/or confirmation of the initial appropriation limit for the Proposed Annexation Territory (the "Initial Appropriations Limit"), pursuant to Article XIII B of the California Constitution, and section 53325.7 of the Government Code.

Additionally, to the extent that the County may institute proceedings for the establishment of any Community Facilities Districts in the remainder of the unincorporated area of Fresno County, or annex any contiguous or noncontiguous territories anywhere in Fresno County to the District, or include (whether at the time that the District is created or at any time thereafter) any contiguous or noncontiguous territories in Fresno County within the District that are, in either case, owned by persons or entities other than ASHLAN & HAYES in either case levy a special tax, for Law Enforcement Services in such territories, all of the provisions hereinabove concerning ASHLAN & HAYES's consent and waiver shall also apply to other entities vis-à-vis such other Community Facilities Districts or annexations to, or inclusions in, the District, in order that the County may be fully assured that ASHLAN & HAYES shall fully cooperate with the County's, and will not defeat, cause to delay, or otherwise interfere with the County's establishment and implementation of such Community Facilities Districts for, or annexations to the District of, or inclusions within the District of, any of such other territories. **To that end, to the greatest extent allowed by law, ASHLAN & HAYES hereby additionally expressly waives any and all right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings) to the proposed annexations or inclusions or inclusions of all of such other areas to or within the District, which are provided for in Government Code sections 53324 and 53339.6 as applicable.**

In consideration for the County's Board of Supervisors conducting the proceedings for the annexation of the Land to the District, the imposition of the special tax lien, establishment and/or confirmation of the Initial Appropriations limit, and conducting

proceedings for the special tax levy for the benefit of the Land as requested, ASHLAN & HAYES agrees to and shall remain the sole owner of the Land and further agrees not to close escrow, or to sell, or to transfer title to, or any right or interest in, the Land, or any other lot or portion thereof (collectively, or individually, the "Sale or Transfer"), to any other person or entity until the earliest of: (i) completion of the County' proceedings for the annexation of the Proposed Annexation Territory to the District and the establishment of the Initial Appropriations Limit, and imposing the special tax lien on all nonexempt property located in the Proposed Annexation Territory, including by way of example and without limitation, the County's determination, by and through its Board of Supervisors, that the requisite 2/3 votes cast by ASHLAN & HAYES , who shall be a qualified landowner voter, in the election in favor of the special tax levy and establishment of the Initial Appropriations Limit, and the recording, by the County's Clerk of the Board of Supervisors (or such other designated County Officer), of the amendment to the notice of special tax lien for the Proposed Annexation Territory in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5; or (ii) County's prior express written consent to such Sale or Transfer of the Land, or any lot or other portion thereof, provided however, ASHLAN & HAYES shall not Sell or Transfer, or request consent to the Sale or Transfer of, any individual lot or lots to persons seeking to establish, or who may allow other persons seeking to establish, their residences in the area covered by the proposed District.

In further consideration for the County conducting the annexation of the Land to the District and other proceedings required to impose the special tax lien requested herein, ASHLAN & HAYES shall not submit an application to the California Department of Real Estate for a Public Report, whether a Conditional Public Report, Preliminary Public Report, Overall Preliminary Public Report, Interim Public report, or Final Public Report for the subdivision of the Land, or for the subdivision of any portion thereof, unless and until the County has commenced, instituted and pursued to completion all proceedings necessary under California Government Code Sections 53311 et seq., and any other applicable provision of law deemed necessary by the County, to annex the Proposed Annexation Territory to the District pursuant to Government Code Sections 53311 et seq., to obtain approval of the special tax levy, and the County has recorded an amendment to the notice of special tax lien for the Proposed Annexation Territory against ASHLAN & HAYES 's Real Property, in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5, in order that County, through the Proposed Annexation Territory, may provide the Law Enforcement Services in the Land.

On request by the County, ASHLAN & HAYES agrees to and promptly shall execute and deliver to County any other agreements, instrument, documents, and information that the County deems necessary to accomplish the annexation of the territory of the Land to the District, the special election for the special tax levy and establishment of the Initial Appropriations Limit, the imposition of the special tax lien, the recordation of the amendment to the notice of the special tax lien, and the initial special tax levy in the Proposed Annexation Territory and to evidence ASHLAN & HAYES 's petition, request, consent and waiver herein, including by way of example and without limitation, petition, waiver and consent forms, ballots regarding the special tax levy and Initial Appropriations Limit, and receipts for notices, and authorizations by ASHLAN & HAYES to take any actions, to give any approvals, to execute any agreements, instruments and documents, to authenticate any information provided by ASHLAN & HAYES , and to vote for the special tax levy and Initial Appropriations Limit, as provided herein. Without limiting the foregoing, ASHLAN & HAYES agrees to and immediately upon County's request shall execute and deliver to County a


Covenant running with the land (or give written approval to an existing Covenant running with the land that is recorded or to be recorded in the Office of the Fresno County Recorder) memorializing all of these matters, and any additional matters as may be required by County, including a covenant restricting the sale or transfer of land until satisfaction of condition precedent in order to facilitate the annexation of the Land to the District and the recording of a notice of special tax lien on the real property described on Exhibit "A" hereto, in a form acceptable to County in County's sole discretion, and which Covenant ASHLAN & HAYES agrees may be recorded immediately by County, in the Office of the Fresno County Recorder, against the real property described on Exhibit "A" hereto, binding ASHLAN & HAYES, partners, heirs, executors, administrators, successors, transferees, assigns and subsequent owners, transferees and assigns regarding the representations and agreements stated herein.

Notwithstanding anything stated to the contrary in this petition, ASHLAN & HAYES acknowledges and agrees that the County, in its sole discretion, may abandon the proposed annexation of the Land to the District, pursuant to Government Code, section 53339.7, and not proceed further with the conduct of the special election for the special tax levy and Initial Appropriations Limit, provided however, nothing contained in this paragraph shall obligate or be deemed to obligate the County to take such action.

If any provision of this petition, or the application thereof to any person, entity, real property, or circumstance, is found to violate any law or is found to be otherwise legally defective or unenforceable, then to any extent that is so found to be violative, invalid or unenforceable, the remainder of this petition, or the application thereof to persons, entities, real property, or circumstances other than those as to which it is violative, invalid or unenforceable, shall not be affected thereby, and each such provision of this petition shall remain in full force and effect and shall be enforceable to the full extent permitted by law.

ASHLAN & HAYES represents, covenants, and warrants that the person(s) executing this petition for ASHLAN & HAYES is the duly authorized representative of ASHLAN & HAYES, and is fully authorized by ASHLAN & HAYES to legally bind ASHLAN & HAYES to this petition according to its terms and conditions, to make all of the representations, covenants, warranties, and agreements provided herein, to encumber the Land as provided herein, and to make the petition and requests of the County provided herein.

Respectfully submitted by ASHLAN & HAYES: Ashlan & Hayes Investments, LLC.

By:   
Kevin Assemi, Manager  
Ashlan & Hayes Investments, LLC.

Date: 4/12/19



# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

### SITE #13

I HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK, \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_.

MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

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

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

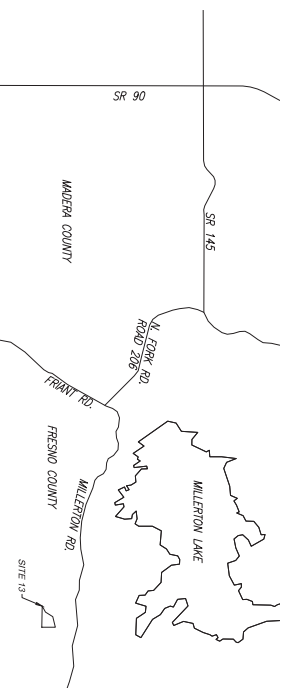
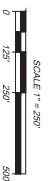
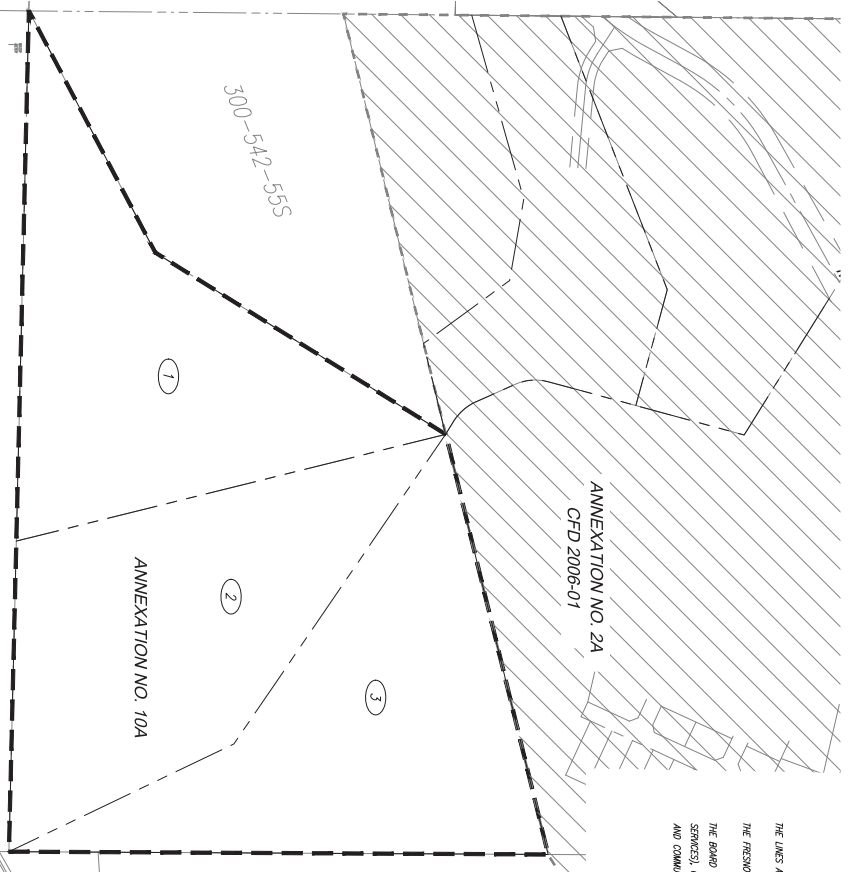
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA", WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.

ANNEXATION NO. 2A  
CFD 2006-01

LEGEND	
OBJECT	DESCRIPTION
①	ASSESSMENT NUMBER
	LOT LINES
	CENTER LINE
	APN LIMITS
	PROPOSED ANNEXATION TO CFD NO. 2006-01
	EXISTING ANNEXATION TO CFD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-185	13	-
2	300-542-175	13	-
3	300-542-185	13	-



### VICINITY MAP

NOT TO SCALE

**PRECISION**  
CIVIL ENGINEERING, INC.

PLANNING ■ SURVEYING ■ CIVIL ENGINEERING

1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

PROJECT TITLE:  
MILLERTON SPECIFIC PLAN

SHEET DESCRIPTION:  
ANNEXATION MAP NO. 10A SITE 13

CITY OF: \_\_\_\_\_

COUNTY OF:  
FRESNO

PREPARED FOR:

ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

DESIGN BY: RA

CHECKED BY: DY

DATE: 3/29/19

SHEET NUMBER:  
13 OF 15

JOB NUMBER:  
19-046

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #14

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

BY: \_\_\_\_\_  
DEPUTY RECORDER  
FRESNO COUNTY RECORDER

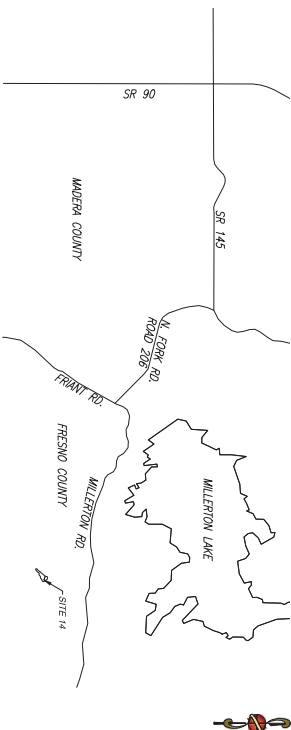
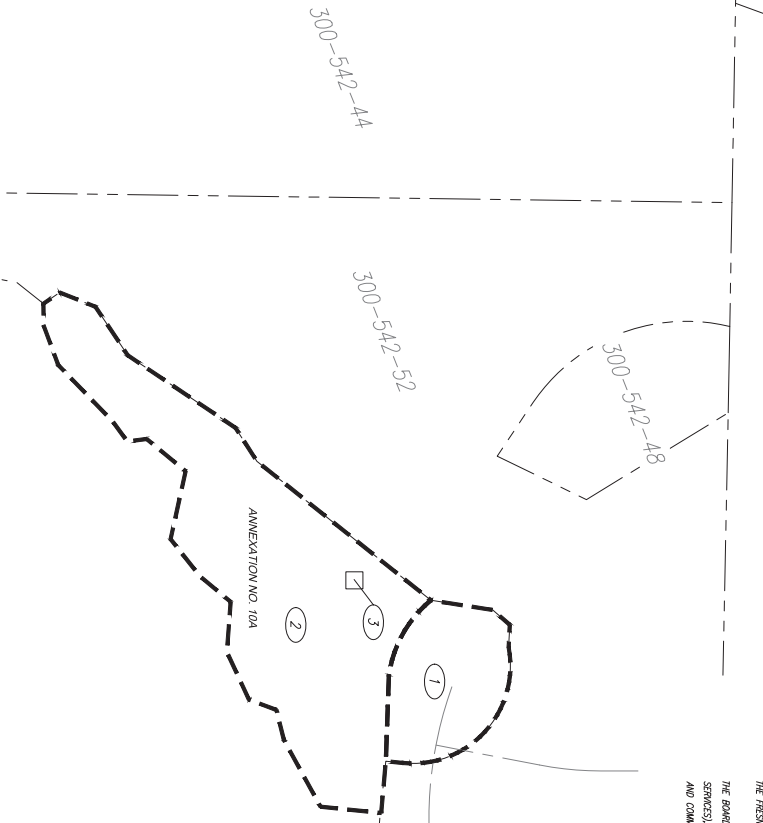
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR THOSE PARCELS LISTED.

THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.

LEGEND	
OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
---	LOT LINES
---	CENTER LINE
---	APN LIMITS
	PROPOSED ANNEXATION TO CTD NO. 2006-01
	EXISTING ANNEXATION CTD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-41	14	-
2	300-542-39	14	-
3	300-542-40	14	-



VICINITY MAP  
NOT TO SCALE

PREPARED FOR:

ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS

DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER  
14 OF 15  
JOB NUMBER  
19-046

PROJECT TITLE:

MILLERTON SPECIFIC PLAN

SHEET DESCRIPTION:

ANNEXATION MAP NO. 10A SITE 14

CITY OF:

COUNTY OF:

FRESNO

**PRECISION**  
CIVIL ENGINEERING, INC.  
PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

SITE #15

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ A.M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

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

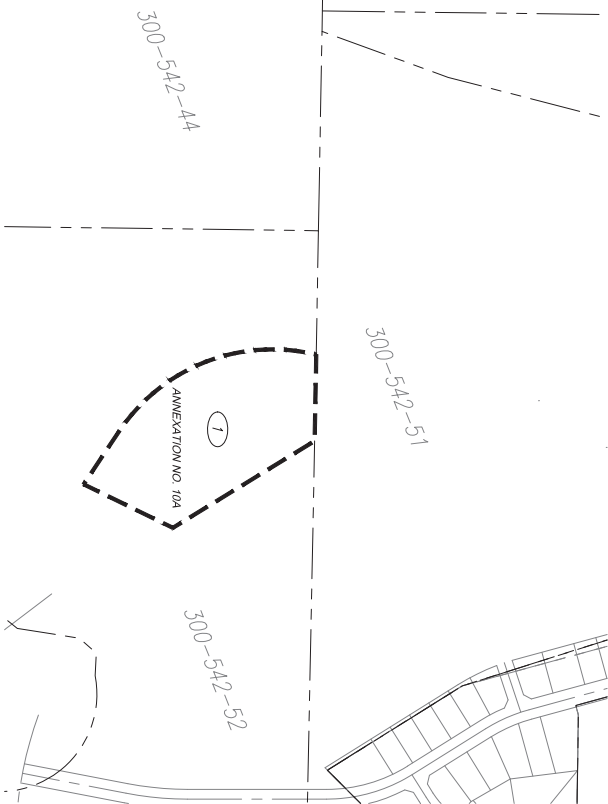
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR THOSE PARCELS LISTED.

THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

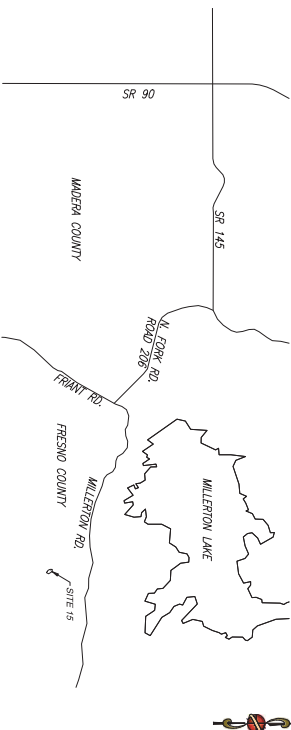
THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.

LEGEND	
COLLECT	DESCRIPTION
①	ASSESSMENT NUMBER
---	LOT LINES
---	CENTER LINE
---	APN LIMITS
-----	PROPOSED ANNEXATION TO CTD NO. 2006-01
	EXISTING ANNEXATION CTD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-48	15	-



SCALE 1" = 250'



VICINITY MAP

NOT TO SCALE

PREPARED FOR:

ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS

DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER  
15 OF 15  
JOB NUMBER  
19-046

PROJECT TITLE:  
MILLERTON SPECIFIC PLAN

SHEET DESCRIPTION:  
ANNEXATION MAP NO. 10A SITE 15

CITY OF:

COUNTY OF:  
FRESNO

**PRECISION**  
CIVIL ENGINEERING, INC.

PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

## **EXHIBIT A (SITE 13)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract II:

Parcels 3, 4, and 5 of Parcel Map No. 5768, according to the Map thereof recorded in Book 42 Page 11 of Parcel Maps, Fresno County Records.

EXCEPTING THEREFROM all oil, gas, minerals, hydrocarbons and kindred substances lying below a depth of 500 feet but without the right of surface entry, as granted to Carlsberg Resources Corporation, a California corporation, by Deed recorded October 30, 1970, in Book 5832, Page 371 of Official Records, Document No. 76311.

APN: 300-542-16S  
300-542-17S  
300-542-18S

## **EXHIBIT A (SITE 14)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract I:

PARCEL 1:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT PLAT, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF SAID SOUTHEAST QUARTER OF SECTION 16; THENCE NORTH 00° 45' 27" EAST, ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SOUTHEAST QUARTER OF SECTION 16, A DISTANCE OF 561.69 FEET; THENCE SOUTH 89° 14' 33" EAST A DISTANCE OF 304.27 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 21° 51' 10" EAST A DISTANCE OF 118.88 FEET; THENCE NORTH 56° 24' 02" EAST A DISTANCE OF 179.21 FEET; THENCE NORTH 33° 56' 18" EAST A DISTANCE OF 399.53 FEET; THENCE NORTH 57° 18' 52" EAST A DISTANCE OF 122.18 FEET; THENCE NORTH 38° 37' 13" EAST A DISTANCE OF 684.84 FEET; THENCE NORTH 08° 57' 22" EAST A DISTANCE OF 31.86 FEET; THENCE SOUTH 61° 22' 23" EAST A DISTANCE OF 126.23 FEET TO THE POINT OF A CURVE, CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 900.00 FEET, THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22° 42' 58", AN ARC DISTANCE OF 356.82 FEET; THENCE SOUTH 84° 05' 21" EAST A DISTANCE OF 237.09 FEET; THENCE SOUTH 05° 54' 39" WEST A DISTANCE OF 175.72 FEET; THENCE SOUTH 61° 58' 27" WEST A DISTANCE OF 250.16 FEET; THENCE SOUTH 76° 17' 09" WEST A DISTANCE OF 95.71 FEET; THENCE SOUTH 18° 26' 44" WEST A DISTANCE OF 88.84 FEET; THENCE SOUTH 65° 36' 00" WEST A DISTANCE OF 167.40 FEET; THENCE NORTH 85° 38' 04" WEST A DISTANCE OF 156.14 FEET; THENCE SOUTH 40° 46' 52" WEST DISTANCE OF 124.15 FEET; THENCE SOUTH 51° 22' 50" WEST A DISTANCE OF 146.37 FEET; THENCE NORTH 77° 07' 28" WEST A DISTANCE OF 219.61 FEET; THENCE SOUTH 39° 42' 59" WEST A DISTANCE OF 156.83 FEET; THENCE SOUTH 06° 13' 47" EAST A DISTANCE OF 62.96 FEET; THENCE SOUTH 53° 59' 22" WEST A DISTANCE OF 77.43 FEET; THENCE SOUTH 47° 32' 43" WEST A DISTANCE OF 258.78 FEET; THENCE SOUTH 71° 13' 52" WEST A DISTANCE OF 121.62 FEET, THENCE NORTH 88° 09' 34" WEST A DISTANCE OF 62.73 FEET, THENCE NORTH 34° 29' 44" WEST A DISTANCE OF 60.87 FEET TO THE TRUE POINT OF BEGINNING.

APN: 300-542-39  
300-542-40

PARCEL 2:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST,

MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT PLAT, DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF SAID SOUTHEAST QUARTER OF SECTION 16; THENCE NORTH  $00^{\circ} 45' 27''$  EAST, ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SOUTHEAST QUARTER OF SECTION 16, A DISTANCE OF 561.69 FEET; THENCE SOUTH  $89^{\circ} 14' 33''$  EAST A DISTANCE OF 304.27 FEET, THENCE NORTH  $21^{\circ} 51' 10''$  EAST A DISTANCE OF 118.88 FEET; THENCE NORTH  $56^{\circ} 24' 02''$  EAST A DISTANCE OF 179.21 FEET; THENCE NORTH  $33^{\circ} 56' 18''$  EAST A DISTANCE OF 399.53 FEET; THENCE NORTH  $57^{\circ} 18' 52''$  EAST A DISTANCE OF 122.18 FEET; THENCE NORTH  $38^{\circ} 37' 13''$  EAST A DISTANCE OF 684.84 FEET; THENCE NORTH  $08^{\circ} 57' 22''$  EAST A DISTANCE OF 31.86 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH  $08^{\circ} 57' 22''$  EAST A DISTANCE OF 161.08 FEET; THENCE NORTH  $40^{\circ} 57' 32''$  EAST A DISTANCE OF 69.43 FEET; THENCE SOUTH  $87^{\circ} 07' 00''$  EAST A DISTANCE OF 69.89 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 300.00 FEET (THE RADIAL TO SAID POINT BEARS NORTH  $10^{\circ} 56' 13''$  WEST), THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF  $106^{\circ} 50' 52''$ , AN ARC DISTANCE OF 559.45 FEET; THENCE SOUTH  $05^{\circ} 54' 39''$  WEST A DISTANCE OF 52.82 FEET, THENCE NORTH  $84^{\circ} 05' 21''$  WEST A DISTANCE OF 41.19 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 900.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF  $22^{\circ} 42' 58''$ , AN ARC DISTANCE OF 356.82 FEET; THENCE NORTH  $61^{\circ} 22' 23''$  WEST A DISTANCE OF 126.23 FEET TO THE TRUE POINT OF BEGINNING.

APN: 300-542-41

## **EXHIBIT A (SITE 15)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

PARCEL 3:

THAT PORTION OF THE EAST HALF OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT PLAT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE NORTH 69° 57' 24" EAST A DISTANCE OF 446.22 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 64° 45' 59" EAST, A DISTANCE OF 249.90 FEET; THENCE SOUTH 36° 37' 58" EAST A DISTANCE OF 511.79 FEET; THENCE SOUTH 20° 52' 54" WEST, A DISTANCE OF 305.34 FEET; THENCE NORTH 61° 22' 23" WEST, A DISTANCE OF 198.44 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 560.00 FEET; THENCE NORTHWESTERLY AND NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE 84° 03' 01", AN ARC DISTANCE OF 821.49 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING NORTH OF SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING  
A LOT LINE ADJUSTMENT, CERTIFICATE NO. 12-18, RECORDED MAY 24, 2013, AS INSTRUMENT NO. 2013-0075084 OF OFFICIAL RECORDS.

APN: 300-542-48

# **EXHIBIT C**

## **PETITION AND WRITTEN CONSENT (INCLUDING WAIVERS)**

**REQUESTING COMMENCEMENT OF PROCEEDINGS UNDER GOVERNMENT  
CODE SECTIONS 53311 ET SEQ.  
AND ANY OTHER PROVISION OF LAW  
DEEMED NECESSARY BY THE COUNTY OF FRESNO, INTER ALIA,  
TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT  
TO SERVE CERTAIN TERRITORY DESCRIBED HEREIN,  
AND TO CONDUCT A LANDOWNER ELECTION,  
TO RECORD AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND TO  
IMPOSE A SPECIAL TAX FOR LAW ENFORCEMENT SERVICES THEREIN AND  
AGREEMENT TO COVENANT, INCLUDING TO COVENANT  
RESTRICTING SALE OR TRANSFER OF REAL PROPERTY UNTIL  
SATISFACTION OF CONDITION PRECEDENT, TO FACILITATE SAME**

To the Board of Supervisors  
County of Fresno  
c/o County Administrative Officer  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

Re: Tract No. 6226

Members of the Board of Supervisors:

Assemi Group, Inc., a California Corporation ("ASSEMI GROUP") is the sole owner of all the territory of real property located in Tract Map No. 6226, Fresno County, California, shown and described in Exhibit "A", which exhibit is attached to and made a part of this petition ("Land").

ASSEMI GROUP is aware that the County, under the Mello-Roos Community Facilities Act of 1982 (the "Act") has established Community Facilities District No. 2006-01 (Police Protection Services) County of Fresno (the "District") to provide the ongoing financing for the continual provision of the necessary law enforcement services (the "Law Enforcement Services") in the unincorporated areas of Fresno County where such District has been established, and where territory has been annexed to such District.

ASSEMI GROUP hereby petitions that the County institute proceedings (and acknowledges that the County has instituted proceedings) to annex the territory of the Land to the District, to provide Law enforcement Services therein, and in other lands owned by other landowners now making similar petitions (collectively, "Proposed Annexation Territory"), and ASSEMI GROUP hereby represents, covenants, warrants, and agrees that ASSEMI GROUP, if consent is granted by the County and the transfer is allowed and occurs, will remain the sole owner of the entire fee interest of the Land, including all rights, title and interest therein and all land and improvements thereon and therein (collectively, "ASSEMI GROUP's Real Property"), and that there always have been, always are, and always will be less than twelve (12) registered voters residing in or the Land since ninety



(90) days before ASSEMI GROUP's execution of this petition and written consent (including waivers), and continuing thereafter without interruption through and until the conclusion of the proceedings for the annexation of the Land to the District, in order to permit the County to proceed with and successfully complete the annexation of such territory to the District, the landowner voter election for the proposed special tax levy for the Land proposed for annexation to the District, the imposition of the special tax lien upon all nonexempt real property located in the Land, the recordation of the amendment to the notice of special tax lien against ASSEMI GROUP's Real Property, and the provision of the Law Enforcement Services in the Land, as authorized under the Act. ASSEMI GROUP acknowledges and agrees that the County will be proceeding with the proposed annexation of the Land to the District under such landowner voter election procedures, based upon such representations, covenants, warranties and agreements of ASSEMI GROUP.

ASSEMI GROUP hereby petitions and requests that the Board of Supervisors commences proceedings necessary under the Act, and any other applicable provisions of law deemed necessary by the County of Fresno, to annex the Land to the District under the Act, to impose a special tax lien for an annual special tax for Law Enforcement Services levied by the District to finance, in part, the cost of providing Law Enforcement Services in a staffing ratio of 2.0 sworn officers per 1,000 residents, in the Land.

ASSEMI GROUP further petitions and requests that the Board of Supervisors proceeds immediately with all proceedings necessary to accomplish annexation of the Land to the District, the establishment of the Initial Appropriations Limit (defined herein below) for the Proposed Annexation Territory, and the imposition of the special tax lien upon ASSEMI GROUP's Real Property, and the recordation of the amendment to the notice of special tax lien against ASSEMI GROUP's Property. In that regard, to the greatest extent allowed by law, ASSEMI GROUP hereby expressly waives any and all notices, minimum noticing periods, procedures and requirements otherwise required under (i) the Act, including, by way of example and without limitation, Article 3.5 (commencing with section 53339) of the Act regarding the proceedings to annex the Proposed Annexation Territory to the District, (ii) sections 54950 through and including 54962 of the Government Code regarding notices of and holding of public meetings of the County's Board of Supervisors, (iii) section 53739 of the Government Code regarding the setting of the rate for taxes, including an inflationary adjustment, (iv) Article 3.5 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (sections 50075 through and including 50077) regarding special taxes, (v) the applicable provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (sections 53720 through and including 53730, as applicable) regarding special taxes; and (vi) the applicable provisions of the Constitution of the United States and the State of California and any other laws or governing legal authorities, whether in law or equity, with regard to and including by way of example and without limitation, adoption of any ordinances or resolutions, filing of any engineer's report, filing of any reports, plans or studies concerning the Law Enforcement Services and their related estimated costs under Government Code section 53321.5, filing of any other reports, plans (including by way of example and without limitation a plan for sharing services to be provided in common between the District and the Proposed Annexation Territory under Government Code section 53339.3), or studies, giving of any notices, holding any meetings or hearings, right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity of sufficiency of the proceedings for the annexation of the Proposed Annexation Territory to the District, recordation of the amendment to the notice of special tax lien, or the imposition of the special tax lien or annual levy of the special tax upon nonexempt properties located in the Proposed Annexation Territory), the right to

vote, election requirements, and time limits for election, and expressly supports the County's annexation of the Proposed Annexation Territory to the District, the levy of the special tax and the establishment and/or confirmation of the Initial Appropriations Limit (defined below), the recordation of the amendment to the notice of the special tax lien against the properties described in Exhibit "A", and the imposition of the special tax lien and the special tax levy on all nonexempt properties located in the Proposed Annexation Territory, all for the continual provision of the Law Enforcement Services in the Proposed Annexation Territory, and the benefit of the Proposed Annexation Territory, without completion of or compliance with any such notices, minimum noticing periods, time limits, procedures or substantive requirements. Without limiting the generality of any of the foregoing, and to the greatest extent allowed by law, ASSEMI GROUP hereby further expressly waives (i) any and all time limits and requirements in connection with the conduct of the election of the special tax levy referred to in Government Code section 53326(a), (ii) the impartial analysis and arguments and rebuttals, if any, in connection with the election by the qualified landowner voters for the vote of the special tax levy referred to Government Code section 53327, (iii) any and all objections for other procedures and substantive requirements in connection with the regularity and sufficiency of an election and time limits for the calling for an election of the special tax levy in the Proposed Annexation Territory, and for performance by any County election official for the vote of such special tax levy, (iv) any and all rights under Article XIII C of the California Constitution regarding special taxes and the right to the Initiative power to reduce or repeal local taxes, and (v) any and all rights under Article 3 (commencing with section 53330 of the Act to reduce or repeal the special tax to terminate the special tax levy, and to eliminate or reduce the Law Enforcement Services, and (vi) any and all objections to the County's establishment and/or confirmation of the initial appropriation limit for the Proposed Annexation Territory (the "Initial Appropriations Limit"), pursuant to Article XIII B of the California Constitution, and section 53325.7 of the Government Code.

Additionally, to the extent that the County may institute proceedings for the establishment of any Community Facilities Districts in the remainder of the unincorporated area of Fresno County, or annex any contiguous or noncontiguous territories anywhere in Fresno County to the District, or include (whether at the time that the District is created or at any time thereafter) any contiguous or noncontiguous territories in Fresno County within the District that are, in either case, owned by persons or entities other than ASSEMI GROUP in either case levy a special tax, for Law Enforcement Services in such territories, all of the provisions hereinabove concerning ASSEMI GROUP's consent and waiver shall also apply to other entities vis-à-vis such other Community Facilities Districts or annexations to, or inclusions in, the District, in order that the County may be fully assured that ASSEMI GROUP shall fully cooperate with the County's, and will not defeat, cause to delay, or otherwise interfere with the County's establishment and implementation of such Community Facilities Districts for, or annexations to the District of, or inclusions within the District of, any of such other territories. **To that end, to the greatest extent allowed by law, ASSEMI GROUP hereby additionally expressly waives any and all right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings) to the proposed annexations or inclusions or inclusions of all of such other areas to or within the District, which are provided for in Government Code sections 53324 and 53339.6 as applicable.**

In consideration for the County's Board of Supervisors conducting the proceedings for the annexation of the Land to the District, the imposition of the special tax lien, establishment and/or confirmation of the Initial Appropriations limit, and conducting

proceedings for the special tax levy for the benefit of the Land as requested, ASSEMI GROUP agrees to and shall remain the sole owner of the Land and further agrees not to close escrow, or to sell, or to transfer title to, or any right or interest in, the Land, or any other lot or portion thereof (collectively, or individually, the "Sale or Transfer"), to any other person or entity until the earliest of: (i) completion of the County's proceedings for the annexation of the Proposed Annexation Territory to the District and the establishment of the Initial Appropriations Limit, and imposing the special tax lien on all nonexempt property located in the Proposed Annexation Territory, including by way of example and without limitation, the County's determination, by and through its Board of Supervisors, that the requisite 2/3 votes cast by ASSEMI GROUP, who shall be a qualified landowner voter, in the election in favor of the special tax levy and establishment of the Initial Appropriations Limit, and the recording, by the County's Clerk of the Board of Supervisors (or such other designated County Officer), of the amendment to the notice of special tax lien for the Proposed Annexation Territory in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5; or (ii) County's prior express written consent to such Sale or Transfer of the Land, or any lot or other portion thereof, provided however, ASSEMI GROUP shall not Sell or Transfer, or request consent to the Sale or Transfer of, any individual lot or lots to persons seeking to establish, or who may allow other persons seeking to establish, their residences in the area covered by the proposed District.

In further consideration for the County conducting the annexation of the Land to the District and other proceedings required to impose the special tax lien requested herein, ASSEMI GROUP shall not submit an application to the California Department of Real Estate for a Public Report, whether a Conditional Public Report, Preliminary Public Report, Overall Preliminary Public Report, Interim Public report, or Final Public Report for the subdivision of the Land, or for the subdivision of any portion thereof, unless and until the County has commenced, instituted and pursued to completion all proceedings necessary under California Government Code Sections 53311 et seq., and any other applicable provision of law deemed necessary by the County, to annex the Proposed Annexation Territory to the District pursuant to Government Code Sections 53311 et seq., to obtain approval of the special tax levy, and the County has recorded an amendment to the notice of special tax lien for the Proposed Annexation Territory against ASSEMI GROUP's Real Property, in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5, in order that County, through the Proposed Annexation Territory, may provide the Law Enforcement Services in the Land.

On request by the County, ASSEMI GROUP agrees to and promptly shall execute and deliver to County any other agreements, instrument, documents, and information that the County deems necessary to accomplish the annexation of the territory of the Land to the District, the special election for the special tax levy and establishment of the Initial Appropriations Limit, the imposition of the special tax lien, the recordation of the amendment to the notice of the special tax lien, and the initial special tax levy in the Proposed Annexation Territory and to evidence ASSEMI GROUP's petition, request, consent and waiver herein, including by way of example and without limitation, petition, waiver and consent forms, ballots regarding the special tax levy and Initial Appropriations Limit, and receipts for notices, and authorizations by ASSEMI GROUP to take any actions, to give any approvals, to execute any agreements, instruments and documents, to authenticate any information provided by ASSEMI GROUP, and to vote for the special tax levy and Initial Appropriations Limit, as provided herein. Without limiting the foregoing, ASSEMI GROUP agrees to and immediately upon County's request shall execute and deliver to County a

Covenant running with the land (or give written approval to an existing Covenant running with the land that is recorded or to be recorded in the Office of the Fresno County Recorder) memorializing all of these matters, and any additional matters as may be required by County, including a covenant restricting the sale or transfer of land until satisfaction of condition precedent in order to facilitate the annexation of the Land to the District and the recording of a notice of special tax lien on the real property described on Exhibit "A" hereto, in a form acceptable to County in County's sole discretion, and which Covenant ASSEMI GROUP agrees may be recorded immediately by County, in the Office of the Fresno County Recorder, against the real property described on Exhibit "A" hereto, binding ASSEMI GROUP, partners, heirs, executors, administrators, successors, transferees, assigns and subsequent owners, transferees and assigns regarding the representations and agreements stated herein.

Notwithstanding anything stated to the contrary in this petition, ASSEMI GROUP acknowledges and agrees that the County, in its sole discretion, may abandon the proposed annexation of the Land to the District, pursuant to Government Code, section 53339.7, and not proceed further with the conduct of the special election for the special tax levy and Initial Appropriations Limit, provided however, nothing contained in this paragraph shall obligate or be deemed to obligate the County to take such action.

If any provision of this petition, or the application thereof to any person, entity, real property, or circumstance, is found to violate any law or is found to be otherwise legally defective or unenforceable, then to any extent that is so found to be violative, invalid or unenforceable, the remainder of this petition, or the application thereof to persons, entities, real property, or circumstances other than those as to which it is violative, invalid or unenforceable, shall not be affected thereby, and each such provision of this petition shall remain in full force and effect and shall be enforceable to the full extent permitted by law.

ASSEMI GROUP represents, covenants, and warrants that the person(s) executing this petition for ASSEMI GROUP is the duly authorized representative of ASSEMI GROUP, and is fully authorized by ASSEMI GROUP to legally bind ASSEMI GROUP to this petition according to its terms and conditions, to make all of the representations, covenants, warranties, and agreements provided herein, to encumber the Land as provided herein, and to make the petition and requests of the County provided herein.

Respectfully submitted by ASSEMI GROUP: Assemi Group, Inc.

By:   
Kevin Assemi, President  
Assemi Group, Inc.

Date: 4/12/19

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #49

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_

MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

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

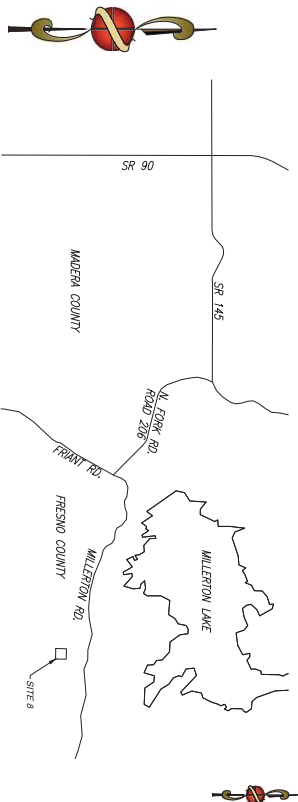
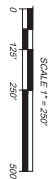
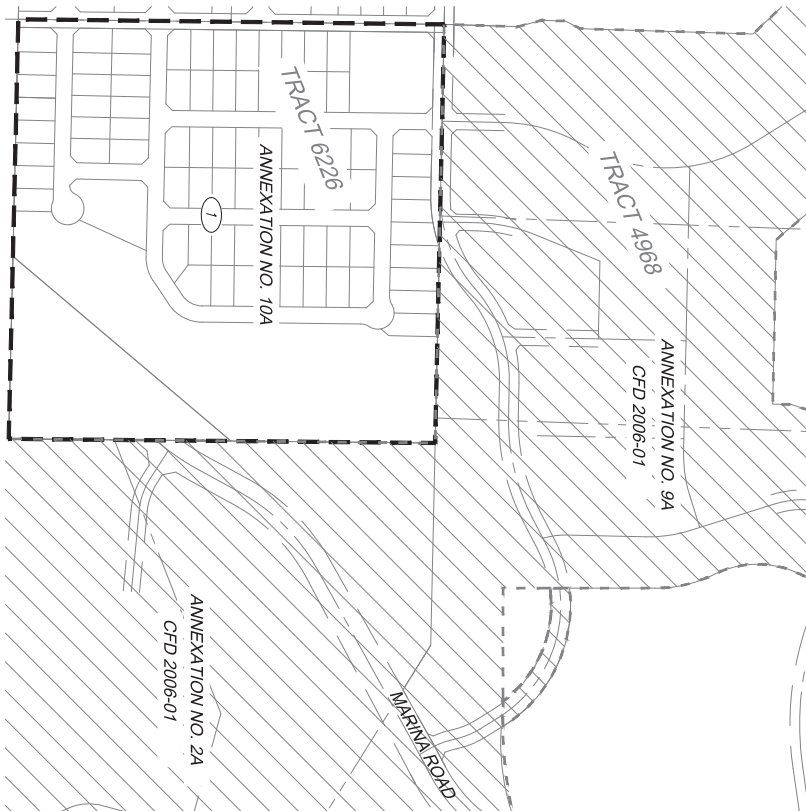
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR PARCELS LISTED.

THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 200608943.

LEGEND			
OBJECT	DESCRIPTION	ASSIGN.	ASSESSOR'S PARCEL NO.
	ASSESSMENT NUMBER	1	300-546-12
	LOT LINES		
	EDGE OF RIGHT-OF-WAY		
	CENTER LINE		
	A/R LIMITS		
	PROPOSED ANNEXATION TO CTD NO. 2006-01		
	EXISTING CTD NO. 2006-01		

ASSIGN.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-546-12	8	6226



### VICINITY MAP NOT TO SCALE

**PRECISION**  
CIVIL ENGINEERING, INC.

PLANNING ■ SURVEYING ■ CIVIL ENGINEERING

1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

PROJECT TITLE: MILLERTON SPECIFIC PLAN

SHEET DESCRIPTION: ANNEXATION MAP NO. 10A SITE 8

CITY OF: COUNTY OF: FRESNO

PREPARED FOR:

ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

DESIGN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER: 8 OF 15  
JOB NUMBER: 19-046

## **EXHIBIT A (SITE 8)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract I:

The Northeast quarter of the Northwest quarter of Section 15, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof.

APN: 300-542-12

# **EXHIBIT C**

## **PETITION AND WRITTEN CONSENT (INCLUDING WAIVERS)**

**REQUESTING COMMENCEMENT OF PROCEEDINGS UNDER GOVERNMENT  
CODE SECTIONS 53311 ET SEQ.  
AND ANY OTHER PROVISION OF LAW  
DEEMED NECESSARY BY THE COUNTY OF FRESNO, INTER ALIA,  
TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT  
TO SERVE CERTAIN TERRITORY DESCRIBED HEREIN,  
AND TO CONDUCT A LANDOWNER ELECTION,  
TO RECORD AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND TO  
IMPOSE A SPECIAL TAX FOR LAW ENFORCEMENT SERVICES THEREIN AND  
AGREEMENT TO COVENANT, INCLUDING TO COVENANT  
RESTRICTING SALE OR TRANSFER OF REAL PROPERTY UNTIL  
SATISFACTION OF CONDITION PRECEDENT, TO FACILITATE SAME**

To the Board of Supervisors  
County of Fresno  
c/o County Administrative Officer  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

Re: Assessor's Parcel Numbers 300-340-13S, 300-542-03, and Tract No. 4976

Members of the Board of Supervisors:

Grantor Real Estate Investments, LLC, a Limited Liability Company ("GRANTOR ") is the sole owner of all the territory of real property shown and described in Exhibit "A", which exhibit is attached to and made a part of this petition ("Land").

GRANTOR is aware that the County, under the Mello-Roos Community Facilities Act of 1982 (the "Act") has established Community Facilities District No. 2006-01 (Police Protection Services) County of Fresno (the "District") to provide the ongoing financing for the continual provision of the necessary law enforcement services (the "Law Enforcement Services") in the unincorporated areas of Fresno County where such District has been established, and where territory has been annexed to such District.

GRANTOR hereby petitions that the County institute proceedings (and acknowledges that the County has instituted proceedings) to annex the territory of the Land to the District, to provide Law enforcement Services therein, and in other lands owned by other landowners now making similar petitions (collectively, "Proposed Annexation Territory"), and GRANTOR hereby represents, covenants, warrants, and agrees that GRANTOR , if consent is granted by the County and the transfer is allowed and occurs, will remain the sole owner of the entire fee interest of the Land, including all rights, title and interest therein and all land and improvements thereon and therein (collectively, "GRANTOR 's Real Property"), and that there always have been, always are, and always will be less than twelve (12) registered voters residing in or the Land since ninety (90) days before GRANTOR 's execution of this petition and written consent (including waivers), and

continuing thereafter without interruption through and until the conclusion of the proceedings for the annexation of the Land to the District, in order to permit the County to proceed with and successfully complete the annexation of such territory to the District, the landowner voter election for the proposed special tax levy for the Land proposed for annexation to the District, the imposition of the special tax lien upon all nonexempt real property located in the Land, the recordation of the amendment to the notice of special tax lien against GRANTOR's Real Property, and the provision of the Law Enforcement Services in the Land, as authorized under the Act. GRANTOR acknowledges and agrees that the County will be proceeding with the proposed annexation of the Land to the District under such landowner voter election procedures, based upon such representations, covenants, warranties and agreements of GRANTOR .

GRANTOR hereby petitions and requests that the Board of Supervisors commences proceedings necessary under the Act, and any other applicable provisions of law deemed necessary by the County of Fresno, to annex the Land to the District under the Act, to impose a special tax lien for an annual special tax for Law Enforcement Services levied by the District to finance, in part, the cost of providing Law Enforcement Services in a staffing ratio of 2.0 sworn officers per 1,000 residents, in the Land.

GRANTOR further petitions and requests that the Board of Supervisors proceeds immediately with all proceedings necessary to accomplish annexation of the Land to the District, the establishment of the Initial Appropriations Limit (defined herein below) for the Proposed Annexation Territory, and the imposition of the special tax lien upon GRANTOR's Real Property, and the recordation of the amendment to the notice of special tax lien against GRANTOR's Property. In that regard, to the greatest extent allowed by law, GRANTOR hereby expressly waives any and all notices, minimum noticing periods, procedures and requirements otherwise required under (i) the Act, including, by way of example and without limitation, Article 3.5 (commencing with section 53339) of the Act regarding the proceedings to annex the Proposed Annexation Territory to the District, (ii) sections 54950 through and including 54962 of the Government Code regarding notices of and holding of public meetings of the County's Board of Supervisors, (iii) section 53739 of the Government Code regarding the setting of the rate for taxes, including an inflationary adjustment, (iv) Article 3.5 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (sections 50075 through and including 50077) regarding special taxes, (v) the applicable provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (sections 53720 through and including 53730, as applicable) regarding special taxes; and (vi) the applicable provisions of the Constitution of the United States and the State of California and any other laws or governing legal authorities, whether in law or equity, with regard to and including by way of example and without limitation, adoption of any ordinances or resolutions, filing of any engineer's report, filing of any reports, plans or studies concerning the Law Enforcement Services and their related estimated costs under Government Code section 53321.5, filing of any other reports, plans (including by way of example and without limitation a plan for sharing services to be provided in common between the District and the Proposed Annexation Territory under Government Code section 53339.3), or studies, giving of any notices, holding any meetings or hearings, right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity of sufficiency of the proceedings for the annexation of the Proposed Annexation Territory to the District, recordation of the amendment to the notice of special tax lien, or the imposition of the special tax lien or annual levy of the special tax upon nonexempt properties located in the Proposed Annexation Territory), the right to vote, election requirements, and time limits for election, and expressly supports the County's annexation of the Proposed Annexation



Territory to the District, the levy of the special tax and the establishment and/or confirmation of the Initial Appropriations Limit (defined below), the recordation of the amendment to the notice of the special tax lien against the properties described in Exhibit "A", and the imposition of the special tax lien and the special tax levy on all nonexempt properties located in the Proposed Annexation Territory, all for the continual provision of the Law Enforcement Services in the Proposed Annexation Territory, and the benefit of the Proposed Annexation Territory, without completion of or compliance with any such notices, minimum noticing periods, time limits, procedures or substantive requirements. Without limiting the generality of any of the foregoing, and to the greatest extent allowed by law, GRANTOR hereby further expressly waives (i) any and all time limits and requirements in connection with the conduct of the election of the special tax levy referred to in Government Code section 53326(a), (ii) the impartial analysis and arguments and rebuttals, if any, in connection with the election by the qualified landowner voters for the vote of the special tax levy referred to Government Code section 53327, (iii) any and all objections for other procedures and substantive requirements in connection with the regularity and sufficiency of an election and time limits for the calling for an election of the special tax levy in the Proposed Annexation Territory, and for performance by any County election official for the vote of such special tax levy, (iv) any and all rights under Article XIIC of the California Constitution regarding special taxes and the right to the Initiative power to reduce or repeal local taxes, and (v) any and all rights under Article 3 (commencing with section 53330 of the Act to reduce or repeal the special tax to terminate the special tax levy, and to eliminate or reduce the Law Enforcement Services, and (vi) any and all objections to the County's establishment and/or confirmation of the initial appropriation limit for the Proposed Annexation Territory (the "Initial Appropriations Limit"), pursuant to Article XIIB of the California Constitution, and section 53325.7 of the Government Code.

Additionally, to the extent that the County may institute proceedings for the establishment of any Community Facilities Districts in the remainder of the unincorporated area of Fresno County, or annex any contiguous or noncontiguous territories anywhere in Fresno County to the District, or include (whether at the time that the District is created or at any time thereafter) any contiguous or noncontiguous territories in Fresno County within the District that are, in either case, owned by persons or entities other than GRANTOR in either case levy a special tax, for Law Enforcement Services in such territories, all of the provisions hereinabove concerning GRANTOR's consent and waiver shall also apply to other entities vis-à-vis such other Community Facilities Districts or annexations to, or inclusions in, the District, in order that the County may be fully assured that GRANTOR shall fully cooperate with the County's, and will not defeat, cause to delay, or otherwise interfere with the County's establishment and implementation of such Community Facilities Districts for, or annexations to the District of, or inclusions within the District of, any of such other territories. **To that end, to the greatest extent allowed by law, GRANTOR hereby additionally expressly waives any and all right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings) to the proposed annexations or inclusions or inclusions of all of such other areas to or within the District, which are provided for in Government Code sections 53324 and 53339.6 as applicable.**

In consideration for the County's Board of Supervisors conducting the proceedings for the annexation of the Land to the District, the imposition of the special tax lien, establishment and/or confirmation of the Initial Appropriations limit, and conducting proceedings for the special tax levy for the benefit of the Land as requested, GRANTOR agrees to and shall remain the sole owner of the Land and further agrees not to close

escrow, or to sell, or to transfer title to, or any right or interest in, the Land, or any other lot or portion thereof (collectively, or individually, the "Sale or Transfer"), to any other person or entity until the earliest of: (i) completion of the County' proceedings for the annexation of the Proposed Annexation Territory to the District and the establishment of the Initial Appropriations Limit, and imposing the special tax lien on all nonexempt property located in the Proposed Annexation Territory, including by way of example and without limitation, the County's determination, by and through its Board of Supervisors, that the requisite 2/3 votes cast by GRANTOR , who shall be a qualified landowner voter, in the election in favor of the special tax levy and establishment of the Initial Appropriations Limit, and the recording, by the County's Clerk of the Board of Supervisors (or such other designated County Officer), of the amendment to the notice of special tax lien for the Proposed Annexation Territory in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5; or (ii) County's prior express written consent to such Sale or Transfer of the Land, or any lot or other portion thereof, provided however, GRANTOR shall not Sell or Transfer, or request consent to the Sale or Transfer of, any individual lot or lots to persons seeking to establish, or who may allow other persons seeking to establish, their residences in the area covered by the proposed District.

In further consideration for the County conducting the annexation of the Land to the District and other proceedings required to impose the special tax lien requested herein, GRANTOR shall not submit an application to the California Department of Real Estate for a Public Report, whether a Conditional Public Report, Preliminary Public Report, Overall Preliminary Public Report, Interim Public report, or Final Public Report for the subdivision of the Land, or for the subdivision of any portion thereof, unless and until the County has commenced, instituted and pursued to completion all proceedings necessary under California Government Code Sections 53311 et seq., and any other applicable provision of law deemed necessary by the County, to annex the Proposed Annexation Territory to the District pursuant to Government Code Sections 53311 et seq., to obtain approval of the special tax levy, and the County has recorded an amendment to the notice of special tax lien for the Proposed Annexation Territory against GRANTOR 's Real Property, in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5, in order that County, through the Proposed Annexation Territory, may provide the Law Enforcement Services in the Land.

On request by the County, GRANTOR agrees to and promptly shall execute and deliver to County any other agreements, instrument, documents, and information that the County deems necessary to accomplish the annexation of the territory of the Land to the District, the special election for the special tax levy and establishment of the Initial Appropriations Limit, the imposition of the special tax lien, the recordation of the amendment to the notice of the special tax lien, and the initial special tax levy in the Proposed Annexation Territory and to evidence GRANTOR 's petition, request, consent and waiver herein, including by way of example and without limitation, petition, waiver and consent forms, ballots regarding the special tax levy and Initial Appropriations Limit, and receipts for notices, and authorizations by GRANTOR to take any actions, to give any approvals, to execute any agreements, instruments and documents, to authenticate any information provided by GRANTOR , and to vote for the special tax levy and Initial Appropriations Limit, as provided herein. Without limiting the foregoing, GRANTOR agrees to and immediately upon County's request shall execute and deliver to County a Covenant running with the land (or give written approval to an existing Covenant running with the land that is recorded or to be recorded in the Office of the Fresno County Recorder) memorializing all of these matters, and any additional matters as may be required by County, including a covenant restricting

the sale or transfer of land until satisfaction of condition precedent in order to facilitate the annexation of the Land to the District and the recording of a notice of special tax lien on the real property described on Exhibit "A" hereto, in a form acceptable to County in County's sole discretion, and which Covenant GRANTOR agrees may be recorded immediately by County, in the Office of the Fresno County Recorder, against the real property described on Exhibit "A" hereto, binding GRANTOR , partners, heirs, executors, administrators, successors, transferees, assigns and subsequent owners, transferees and assigns regarding the representations and agreements stated herein.

Notwithstanding anything stated to the contrary in this petition, GRANTOR acknowledges and agrees that the County, in its sole discretion, may abandon the proposed annexation of the Land to the District, pursuant to Government Code, section 53339.7, and not proceed further with the conduct of the special election for the special tax levy and Initial Appropriations Limit, provided however, nothing contained in this paragraph shall obligate or be deemed to obligate the County to take such action.

If any provision of this petition, or the application thereof to any person, entity, real property, or circumstance, is found to violate any law or is found to be otherwise legally defective or unenforceable, then to any extent that is so found to be violative, invalid or unenforceable, the remainder of this petition, or the application thereof to persons, entities, real property, or circumstances other than those as to which it is violative, invalid or unenforceable, shall not be affected thereby, and each such provision of this petition shall remain in full force and effect and shall be enforceable to the full extent permitted by law.

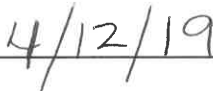
GRANTOR represents, covenants, and warrants that the person(s) executing this petition for GRANTOR is the duly authorized representative of GRANTOR, and is fully authorized by GRANTOR to legally bind GRANTOR to this petition according to its terms and conditions, to make all of the representations, covenants, warranties, and agreements provided herein, to encumber the Land as provided herein, and to make the petition and requests of the County provided herein.

Respectfully submitted by GRANTOR: Grantor Real Estate Investments, LLC.

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

  
Kevin Assemi, Manager  
Grantor Real Estate Investments, LLC.

Date: \_\_\_\_\_



# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA

### IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

#### SITE #45

I, HEREBY CERTIFY THAT THE MINOR MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ A.M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

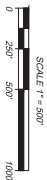
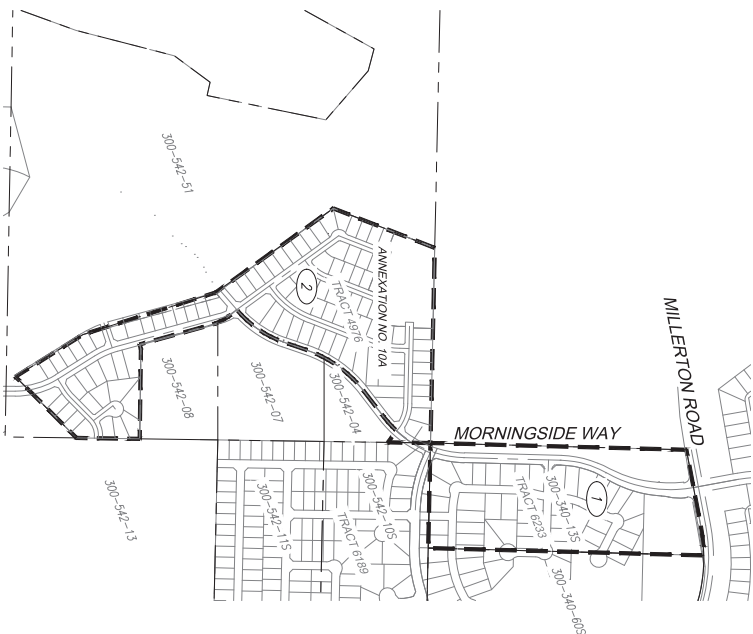
PAUL DORTCH, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

BY: \_\_\_\_\_  
DEPUTY RECORDER FRESNO COUNTY RECORDER

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

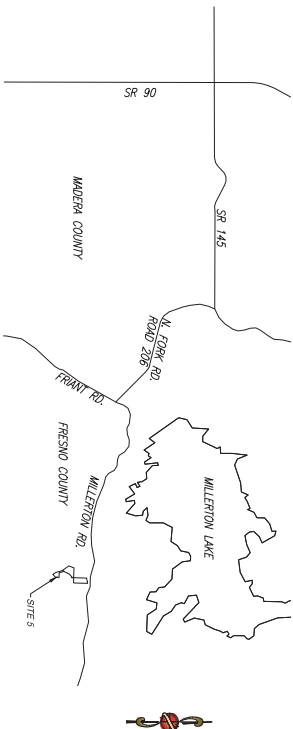
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.



LEGEND	
OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
	LOT LINES
	CENTER LINE
	APN LINES
	PROPOSED ANNEXATION TO CTD NO. 2006-01
	EXISTING CTD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-540-135	5	6233
2	300-542-05	5	4978



### VICINITY MAP

NOT TO SCALE

**PRECISION**  
CIVIL ENGINEERING, INC.  
PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

PROJECT TITLE:  
MILLERTON SPECIFIC PLAN  
SHEET DESCRIPTION:  
ANNEXATION MAP NO. 10A SITE 5  
CITY OF: \_\_\_\_\_ COUNTY OF: FRESNO

PREPARED FOR:  
ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

DESIGN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER:  
5 OF 15  
JOB NUMBER:  
19-046

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA

### IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

#### SITE #46

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_.

MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

BY: \_\_\_\_\_  
DEPUTY RECORDER  
FRESNO COUNTY RECORDER

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

THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.







THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 200608943.

ANNEXATION NO. 10A

1

300-542-07

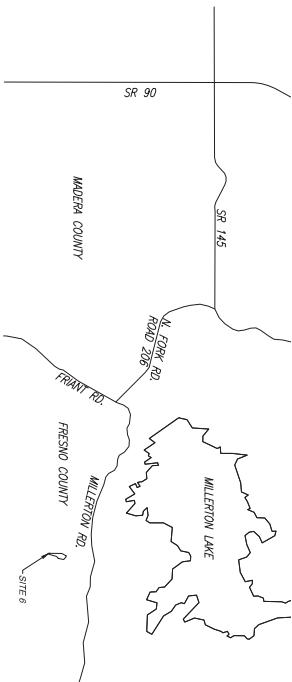
300-542-05  
300-542-11  
TRACT 4976

LEGEND	
OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
	LOT LINES
	CENTER LINE
	APN LIMITS
	PROPOSED ANNEXATION TO CTD NO. 2006-01
	EXISTING CTD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-03	6	-

SCALE 1" = 250'

0 125' 250' 500'



### VICINITY MAP

NOT TO SCALE

PREPARED FOR:

ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS

DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER:  
6 OF 15

JOB NUMBER:  
19-046

PROJECT TITLE:  
MILLERTON SPECIFIC PLAN

SHEET DESCRIPTION:  
ANNEXATION MAP NO. 10A SITE 6

CITY OF:

COUNTY OF:  
FRESNO



PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

## **EXHIBIT A (SITE 5)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract III:

Parcels 1 of Parcel Map No. 5988, recorded in Book 41 of Parcel Maps, at Page 22, Fresno County Records.

EXCEPTING THEREFROM all oil, gas, minerals, hydrocarbons and kindred substances lying below a depth of 500 feet, but without the right of surface entry, as granted to Carlsberg Resources Corporation, a California corporation, by Deed recorded October 30, 1970, in Book 5832, Page 371 of Official Records, Instrument No. 76311.

APN: 300-340-13S

PARCEL ONE:

That portion of the Northeast quarter of Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, described as follows:

Beginning at the Northeast corner of said Northeast quarter of Section 16; thence South 00° 48' 55" West, along the East line of said Northeast quarter of Section 16, a distance of 117.01 feet to a point on a non-tangent curve, concave to the Northwest, with a radius of 720.00 feet (the radial of said point bears South 56° 21' 13" East); thence Southwesterly along said curve, through a central angle of 18° 39' 09", an arc distance of 234.40 feet; thence South 52° 17' 56" West, a distance of 203.01 feet to the point of curvature of a curve, concave to the Southeast, with a radius of 750.00 feet; thence Southwesterly along said curve, through a central angle of 33° 20' 47", an arc distance of 436.50 feet; thence South 18° 57' 09" West, a distance of 149.51 feet to the point of curvature of a curve, concave to the Northwest, with a radius of 650.00 feet; thence Southwesterly along said curve, through a central angle of 30° 22' 08", an arc distance of 344.52 feet; thence South 49° 14' 01" West, a distance of 11.58 feet; thence South 40° 45' 59" East, a distance of 35.89 feet to the point of curvature of a curve, concave to the Southwest, with a radius of 345.00 feet; thence Southeasterly along said curve, through a central angle of 25° 31' 42", an arc distance of 153.72 feet; thence South 15° 14' 17" East, a distance of 451.32 feet; thence North 74° 45' 43" East, a distance of 30.00 feet; thence South 89° 11' 05" East, a distance of 552.47 feet to a point on the East line of said Northeast quarter of Section 16; thence South 00° 48' 55" West, along said East line of the Northeast quarter of Section 16, a distance of 389.12 feet; thence South 45° 07' 27" West, a distance of 531.57 feet; thence North 32° 00' 44" West, a distance of 489.62 feet; thence North 15° 14' 17" West, a distance of 871.78 feet; thence South 49° 14' 01" West, a distance of 27.92 feet; thence North 40° 45' 59" West, a distance of 60.00 feet; thence North 35° 55' 47" West, a distance of 830.19 feet; thence North 21° 17' 01" East, a distance of 670.13 feet to a point on the North line of said Northeast quarter of Section 16; thence South 88° 44' 42" East, along said North line of the Northeast quarter of Section 16, a distance of 12,200.88 feet to the point of beginning.

This legal description is made pursuant to that certain Certificate approving a Lot Line Adjustment, Certificate No. Placer 01-15(A), recorded September 30, 2002, as Instrument No.

02-170737 of Official Records.

APN: 300-542-05

## **EXHIBIT A (SITE 6)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

### **PARCEL TWO:**

That portion of the Northeast quarter of Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the United States Government Plat, described as follows:

Beginning at the Southwest corner of said Northeast quarter of Section 16; thence North 00° 44' 07" East, along the West line of said Northeast quarter of Section 16, a distance of 1,688.31 feet; thence North 29° 04' 10" East, a distance of 611.16 feet; thence South 75° 05' 32" East, a distance of 139.69 feet; thence South 49° 07' 14" East, a distance of 398.99 feet; thence South 11° 34' 19" West, a distance of 745.82 feet; thence North 77° 08' 07" West, a distance of 83.61 feet; thence South 36° 34' 19" West, a distance of 273.76 feet; thence South 14° 27' 00" West, a distance of 626.05 feet; thence South 20° 00' 56" West, a distance of 413.22 feet to a point on the South line of said Northeast quarter of Section 16; thence North 88° 58' 45" West, along said South line of the Northeast quarter of Section 16, a distance of 63.38 feet to the point of beginning.

APN: 300-542-03



# **EXHIBIT C**

## **PETITION AND WRITTEN CONSENT (INCLUDING WAIVERS)**

**REQUESTING COMMENCEMENT OF PROCEEDINGS UNDER GOVERNMENT  
CODE SECTIONS 53311 ET SEQ.  
AND ANY OTHER PROVISION OF LAW  
DEEMED NECESSARY BY THE COUNTY OF FRESNO, INTER ALIA,  
TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT  
TO SERVE CERTAIN TERRITORY DESCRIBED HEREIN,  
AND TO CONDUCT A LANDOWNER ELECTION,  
TO RECORD AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND TO  
IMPOSE A SPECIAL TAX FOR LAW ENFORCEMENT SERVICES THEREIN AND  
AGREEMENT TO COVENANT, INCLUDING TO COVENANT  
RESTRICTING SALE OR TRANSFER OF REAL PROPERTY UNTIL  
SATISFACTION OF CONDITION PRECEDENT, TO FACILITATE SAME**

To the Board of Supervisors  
County of Fresno  
c/o County Administrative Officer  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

Re: Assessor's Parcel Numbers 300-350-28S, 300-542-15S, 300-542-32, 300-542-33,  
and 300-542-52

Members of the Board of Supervisors:

Locans Investments, LLC, a Limited Liability Company ("LOCANS ") is the sole owner of all the territory of real property shown and described in Exhibit "A", which exhibit is attached to and made a part of this petition ("Land").

LOCANS is aware that the County, under the Mello-Roos Community Facilities Act of 1982 (the "Act") has established Community Facilities District No. 2006-01 (Police Protection Services) County of Fresno (the "District") to provide the ongoing financing for the continual provision of the necessary law enforcement services (the "Law Enforcement Services") in the unincorporated areas of Fresno County where such District has been established, and where territory has been annexed to such District.

LOCANS hereby petitions that the County institute proceedings (and acknowledges that the County has instituted proceedings) to annex the territory of the Land to the District, to provide Law enforcement Services therein, and in other lands owned by other landowners now making similar petitions (collectively, "Proposed Annexation Territory"), and LOCANS hereby represents, covenants, warrants, and agrees that LOCANS , if consent is granted by the County and the transfer is allowed and occurs, will remain the sole owner of the entire fee interest of the Land, including all rights, title and interest therein and all land and improvements thereon and therein (collectively, "LOCANS 's Real Property"), and that there always have been, always are, and always will be less than twelve (12) registered voters residing in or the Land since ninety (90) days before LOCANS 's execution of this petition

and written consent (including waivers), and continuing thereafter without interruption through and until the conclusion of the proceedings for the annexation of the Land to the District, in order to permit the County to proceed with and successfully complete the annexation of such territory to the District, the landowner voter election for the proposed special tax levy for the Land proposed for annexation to the District, the imposition of the special tax lien upon all nonexempt real property located in the Land, the recordation of the amendment to the notice of special tax lien against LOCANS 's Real Property, and the provision of the Law Enforcement Services in the Land, as authorized under the Act. LOCANS acknowledges and agrees that the County will be proceeding with the proposed annexation of the Land to the District under such landowner voter election procedures, based upon such representations, covenants, warranties and agreements of LOCANS .

LOCANS hereby petitions and requests that the Board of Supervisors commences proceedings necessary under the Act, and any other applicable provisions of law deemed necessary by the County of Fresno, to annex the Land to the District under the Act, to impose a special tax lien for an annual special tax for Law Enforcement Services levied by the District to finance, in part, the cost of providing Law Enforcement Services in a staffing ratio of 2.0 sworn officers per 1,000 residents, in the Land.

LOCANS further petitions and requests that the Board of Supervisors proceeds immediately with all proceedings necessary to accomplish annexation of the Land to the District, the establishment of the Initial Appropriations Limit (defined herein below) for the Proposed Annexation Territory, and the imposition of the special tax lien upon LOCANS's Real Property, and the recordation of the amendment to the notice of special tax lien against LOCANS's Property. In that regard, to the greatest extent allowed by law, LOCANS hereby expressly waives any and all notices, minimum noticing periods, procedures and requirements otherwise required under (i) the Act, including, by way of example and without limitation, Article 3.5 (commencing with section 53339) of the Act regarding the proceedings to annex the Proposed Annexation Territory to the District, (ii) sections 54950 through and including 54962 of the Government Code regarding notices of and holding of public meetings of the County's Board of Supervisors, (iii) section 53739 of the Government Code regarding the setting of the rate for taxes, including an inflationary adjustment, (iv) Article 3.5 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (sections 50075 through and including 50077) regarding special taxes, (v) the applicable provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (sections 53720 through and including 53730, as applicable) regarding special taxes; and (vi) the applicable provisions of the Constitution of the United States and the State of California and any other laws or governing legal authorities, whether in law or equity, with regard to and including by way of example and without limitation, adoption of any ordinances or resolutions, filing of any engineer's report, filing of any reports, plans or studies concerning the Law Enforcement Services and their related estimated costs under Government Code section 53321.5, filing of any other reports, plans (including by way of example and without limitation a plan for sharing services to be provided in common between the District and the Proposed Annexation Territory under Government Code section 53339.3), or studies, giving of any notices, holding any meetings or hearings, right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity of sufficiency of the proceedings for the annexation of the Proposed Annexation Territory to the District, recordation of the amendment to the notice of special tax lien, or the imposition of the special tax lien or annual levy of the special tax upon nonexempt properties located in the Proposed Annexation Territory), the right to vote, election requirements, and time limits for election, and expressly supports the County's annexation of the Proposed Annexation

Territory to the District, the levy of the special tax and the establishment and/or confirmation of the Initial Appropriations Limit (defined below), the recordation of the amendment to the notice of the special tax lien against the properties described in Exhibit "A", and the imposition of the special tax lien and the special tax levy on all nonexempt properties located in the Proposed Annexation Territory, all for the continual provision of the Law Enforcement Services in the Proposed Annexation Territory, and the benefit of the Proposed Annexation Territory, without completion of or compliance with any such notices, minimum noticing periods, time limits, procedures or substantive requirements. Without limiting the generality of any of the foregoing, and to the greatest extent allowed by law, LOCANS hereby further expressly waives (i) any and all time limits and requirements in connection with the conduct of the election of the special tax levy referred to in Government Code section 53326(a), (ii) the impartial analysis and arguments and rebuttals, if any, in connection with the election by the qualified landowner voters for the vote of the special tax levy referred to Government Code section 53327, (iii) any and all objections for other procedures and substantive requirements in connection with the regularity and sufficiency of an election and time limits for the calling for an election of the special tax levy in the Proposed Annexation Territory, and for performance by any County election official for the vote of such special tax levy, (iv) any and all rights under Article XIIC of the California Constitution regarding special taxes and the right to the Initiative power to reduce or repeal local taxes, and (v) any and all rights under Article 3 (commencing with section 53330 of the Act to reduce or repeal the special tax to terminate the special tax levy, and to eliminate or reduce the Law Enforcement Services, and (vi) any and all objections to the County's establishment and/or confirmation of the initial appropriation limit for the Proposed Annexation Territory (the "Initial Appropriations Limit"), pursuant to Article XIIB of the California Constitution, and section 53325.7 of the Government Code.

Additionally, to the extent that the County may institute proceedings for the establishment of any Community Facilities Districts in the remainder of the unincorporated area of Fresno County, or annex any contiguous or noncontiguous territories anywhere in Fresno County to the District, or include (whether at the time that the District is created or at any time thereafter) any contiguous or noncontiguous territories in Fresno County within the District that are, in either case, owned by persons or entities other than LOCANS in either case levy a special tax, for Law Enforcement Services in such territories, all of the provisions hereinabove concerning LOCANS' consent and waiver shall also apply to other entities vis-à-vis such other Community Facilities Districts or annexations to, or inclusions in, the District, in order that the County may be fully assured that LOCANS shall fully cooperate with the County's, and will not defeat, cause to delay, or otherwise interfere with the County's establishment and implementation of such Community Facilities Districts for, or annexations to the District of, or inclusions within the District of, any of such other territories. **To that end, to the greatest extent allowed by law, LOCANS hereby additionally expressly waives any and all right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings) to the proposed annexations or inclusions or inclusions of all of such other areas to or within the District, which are provided for in Government Code sections 53324 and 53339.6 as applicable.**

In consideration for the County's Board of Supervisors conducting the proceedings for the annexation of the Land to the District, the imposition of the special tax lien, establishment and/or confirmation of the Initial Appropriations limit, and conducting proceedings for the special tax levy for the benefit of the Land as requested, LOCANS agrees to and shall remain the sole owner of the Land and further agrees not to close

escrow, or to sell, or to transfer title to, or any right or interest in, the Land, or any other lot or portion thereof (collectively, or individually, the "Sale or Transfer"), to any other person or entity until the earliest of: (i) completion of the County' proceedings for the annexation of the Proposed Annexation Territory to the District and the establishment of the Initial Appropriations Limit, and imposing the special tax lien on all nonexempt property located in the Proposed Annexation Territory, including by way of example and without limitation, the County's determination, by and through its Board of Supervisors, that the requisite 2/3 votes cast by LOCANS , who shall be a qualified landowner voter, in the election in favor of the special tax levy and establishment of the Initial Appropriations Limit, and the recording, by the County's Clerk of the Board of Supervisors (or such other designated County Officer), of the amendment to the notice of special tax lien for the Proposed Annexation Territory in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5; or (ii) County's prior express written consent to such Sale or Transfer of the Land, or any lot or other portion thereof, provided however, LOCANS shall not Sell or Transfer, or request consent to the Sale or Transfer of, any individual lot or lots to persons seeking to establish, or who may allow other persons seeking to establish, their residences in the area covered by the proposed District.

In further consideration for the County conducting the annexation of the Land to the District and other proceedings required to impose the special tax lien requested herein, LOCANS shall not submit an application to the California Department of Real Estate for a Public Report, whether a Conditional Public Report, Preliminary Public Report, Overall Preliminary Public Report, Interim Public report, or Final Public Report for the subdivision of the Land, or for the subdivision of any portion thereof, unless and until the County has commenced, instituted and pursued to completion all proceedings necessary under California Government Code Sections 53311 et seq., and any other applicable provision of law deemed necessary by the County, to annex the Proposed Annexation Territory to the District pursuant to Government Code Sections 53311 et seq., to obtain approval of the special tax levy, and the County has recorded an amendment to the notice of special tax lien for the Proposed Annexation Territory against LOCANS 's Real Property, in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5, in order that County, through the Proposed Annexation Territory, may provide the Law Enforcement Services in the Land.

On request by the County, LOCANS agrees to and promptly shall execute and deliver to County any other agreements, instrument, documents, and information that the County deems necessary to accomplish the annexation of the territory of the Land to the District, the special election for the special tax levy and establishment of the Initial Appropriations Limit, the imposition of the special tax lien, the recordation of the amendment to the notice of the special tax lien, and the initial special tax levy in the Proposed Annexation Territory and to evidence LOCANS 's petition, request, consent and waiver herein, including by way of example and without limitation, petition, waiver and consent forms, ballots regarding the special tax levy and Initial Appropriations Limit, and receipts for notices, and authorizations by LOCANS to take any actions, to give any approvals, to execute any agreements, instruments and documents, to authenticate any information provided by LOCANS , and to vote for the special tax levy and Initial Appropriations Limit, as provided herein. Without limiting the foregoing, LOCANS agrees to and immediately upon County's request shall execute and deliver to County a Covenant running with the land (or give written approval to an existing Covenant running with the land that is recorded or to be recorded in the Office of the Fresno County Recorder) memorializing all of these matters, and any additional matters as may be required by County, including a covenant restricting

the sale or transfer of land until satisfaction of condition precedent in order to facilitate the annexation of the Land to the District and the recording of a notice of special tax lien on the real property described on Exhibit "A" hereto, in a form acceptable to County in County's sole discretion, and which Covenant LOCANS agrees may be recorded immediately by County, in the Office of the Fresno County Recorder, against the real property described on Exhibit "A" hereto, binding LOCANS , partners, heirs, executors, administrators, successors, transferees, assigns and subsequent owners, transferees and assigns regarding the representations and agreements stated herein.

Notwithstanding anything stated to the contrary in this petition, LOCANS acknowledges and agrees that the County, in its sole discretion, may abandon the proposed annexation of the Land to the District, pursuant to Government Code, section 53339.7, and not proceed further with the conduct of the special election for the special tax levy and Initial Appropriations Limit, provided however, nothing contained in this paragraph shall obligate or be deemed to obligate the County to take such action.

If any provision of this petition, or the application thereof to any person, entity, real property, or circumstance, is found to violate any law or is found to be otherwise legally defective or unenforceable, then to any extent that is so found to be violative, invalid or unenforceable, the remainder of this petition, or the application thereof to persons, entities, real property, or circumstances other than those as to which it is violative, invalid or unenforceable, shall not be affected thereby, and each such provision of this petition shall remain in full force and effect and shall be enforceable to the full extent permitted by law.

LOCANS represents, covenants, and warrants that the person(s) executing this petition for LOCANS is the duly authorized representative of LOCANS, and is fully authorized by LOCANS to legally bind LOCANS to this petition according to its terms and conditions, to make all of the representations, covenants, warranties, and agreements provided herein, to encumber the Land as provided herein, and to make the petition and requests of the County provided herein.

Respectfully submitted by LOCANS: Locans Investments, LLC.

By: 

Farid Assemi, President  
Locans Investments, LLC

Date: 4/12/19

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

### SITE #10

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

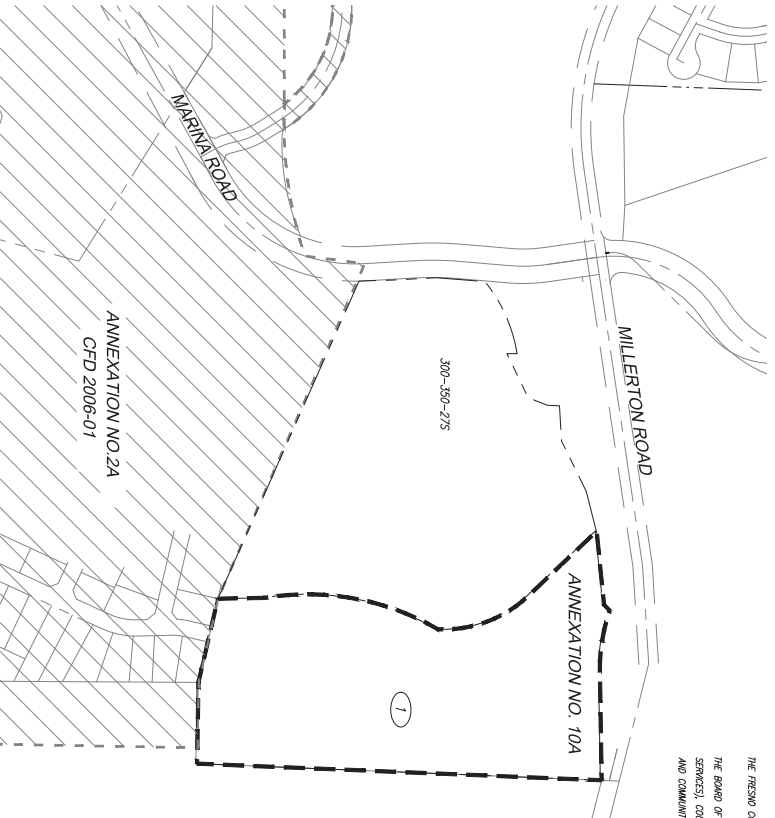
FILE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ A.M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

BY: \_\_\_\_\_  
DEPUTY RECORDER FRESNO COUNTY RECORDER

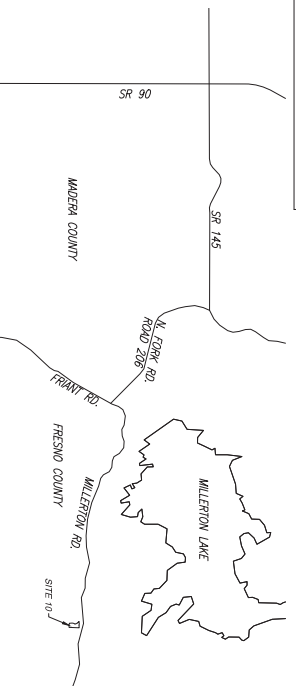
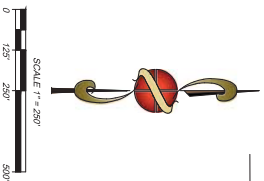
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR THOSE PARCELS LISTED.  
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA", WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.



LEGEND	
OBJECT	DESCRIPTION
①	ASSESSMENT NUMBER
---	LOT LINES
---	EDGE OF RIGHT-OF-WAY
---	CENTER LINE
---	APN LINES
---	PROPOSED ANNEXATION TO CTD NO. 2006-01
---	EXISTING CTD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-350-285	10	-



VICINITY MAP  
NOT TO SCALE

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #11

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ A.M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

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

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

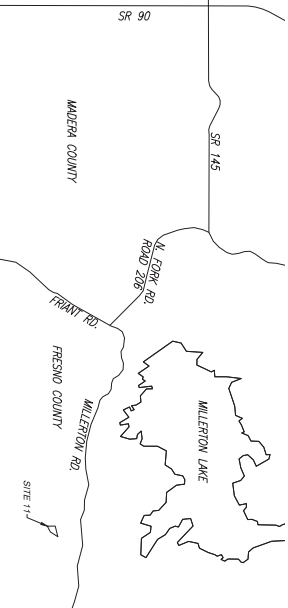
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.

LEGEND	
OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
	LOT LINES
	EDGE OF RIGHT-OF-WAY
	CENTER LINE
	APM LIMITS
	PROPOSED ANNEXATION TO CTD NO. 2006-01
	EXISTING CTD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-546-555 (PARTIAL)	11	-

SCALE 1" = 250'



### VICINITY MAP

NOT TO SCALE

PREPARED FOR:  
**ASSEMI GROUP**  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

PROJECT TITLE:  
**MILLERTON SPECIFIC PLAN**

SHEET DESCRIPTION:  
**ANNEXATION MAP NO. 10A SITE 11**

CITY OF: \_\_\_\_\_ COUNTY OF: **FRESNO**

**PRECISION**  
CIVIL ENGINEERING, INC.

PLANNING ■ SURVEYING ■ CIVIL ENGINEERING

1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

SHEET NUMBER:  
**11 OF 15**

JOB NUMBER:  
**19-046**



# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #12

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ A.M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_

MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

BY: \_\_\_\_\_  
DEPUTY RECORDER  
FRESNO COUNTY RECORDER

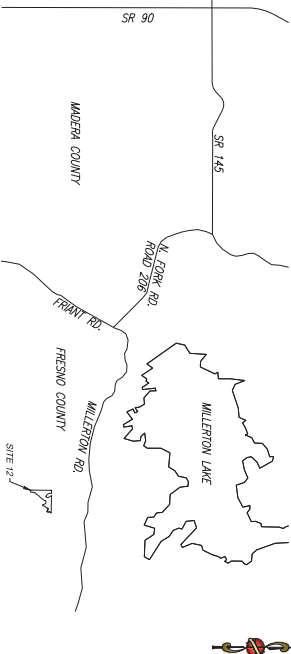
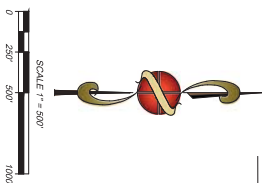
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR THOSE PARCELS LISTED.

THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.

LEGEND	
OBJECT	DESCRIPTION
①	ASSESSMENT NUMBER
---	LOT LINES
---	CENTER LINE
---	APN LINES
---	PROPOSED ANNEXATION TO CDD NO. 2006-01
	EXISTING ANNEXATION CDD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-02	12	-
2	300-542-32	12	-
3	300-542-33	12	-



VICINITY MAP  
NOT TO SCALE

PREPARED FOR:

ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS

DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER  
12 OF 15  
JOB NUMBER  
19-046

PROJECT TITLE:  
MILLERTON SPECIFIC PLAN

SHEET DESCRIPTION:  
ANNEXATION MAP NO. 10A SITE 12

CITY OF:

COUNTY OF:  
FRESNO

**PRECISION**  
CIVIL ENGINEERING, INC.  
PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET



## **EXHIBIT A (SITE 10)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

### **PARCEL B:**

A PORTION OF PARCELS 12 AND 13 OF PARCEL MAP NO. 5349, RECORDED IN BOOK 34 PAGES 19 AND 20 OF PARCEL MAPS, FRESNO COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL 13; THENCE ALONG THE NORTH LINE OF PARCEL 13 THE FOLLOWING COURSES: NORTH  $81^{\circ} 46' 53''$  EAST, 105.43 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4702.75 FEET, A CENTRAL ANGLE OF  $6^{\circ} 07' 30''$  AND AN ARC LENGTH OF 502.73 FEET; THENCE NORTH  $75^{\circ} 39' 23''$  EAST, 189.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH  $41^{\circ} 59' 11''$  EAST, 409.72 FEET AND LEAVING SAID NORTH LINE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF  $69^{\circ} 35' 16''$  AND AN ARC LENGTH OF 364.36 FEET; THENCE ALONG A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 735.00 FEET, A CENTRAL ANGLE OF  $40^{\circ} 46' 43''$  AND AN ARC LENGTH OF 523.11 FEET; THENCE ALONG A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF  $26^{\circ} 10' 58''$  AND AN ARC LENGTH OF 137.09 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 12; THENCE SOUTH  $76^{\circ} 52' 19''$  EAST, 291.28 FEET ALONG THE SOUTH LINE OF PARCEL 12; THENCE SOUTH  $88^{\circ} 04' 56''$  EAST, 250.24 FEET TO THE SOUTHEAST CORNER OF PARCEL 12; THENCE NORTH  $2^{\circ} 22' 34''$  EAST, 1272.83 FEET TO THE NORTHEAST CORNER OF PARCEL 12; THENCE ALONG THE NORTH LINE OF PARCELS 12 AND 13 THE FOLLOWING COURSES: NORTH  $75^{\circ} 52' 38''$  WEST, 378.90 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 955.59 FEET, A CENTRAL ANGLE OF  $19^{\circ} 41' 20''$  AND AN ARC LENGTH OF 328.38 FEET TO THE NORTHWEST CORNER OF PARCEL 12; THENCE CONTINUING WESTERLY ALONG SAID 955.59 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF  $8^{\circ} 46' 39''$  AND AN ARC LENGTH OF 146.39 FEET; THENCE SOUTH  $75^{\circ} 39' 23''$  WEST, 2.12 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS, HYDROCARBONS AND KINDRED SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS GRANTED TO CARLSBERG RESOURCES CORPORATION, A CALIFORNIA CORPORATION, BY DEED RECORDED OCTOBER 30, 1970, IN BOOK 5832, PAGE 371 OF OFFICIAL RECORDS, DOCUMENT NO. 76311.

APN: 300-350-28S

## **EXHIBIT A (SITE 11)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

PARCEL A:

PARCEL B OF LOT LINE ADJUSTMENT PLA NO. 17-15 AS APPROVED BY THE COUNTY OF FRESNO AND AS SET FORTH AS "PARCEL B" IN THAT CERTAIN GRANT DEED RECORDED NOVEMBER 9, 2018 AS DOCUMENT NO. 2018-0136721, FRESNO COUNTY RECORDS, AND AS PER THAT CERTAIN "CERTIFICATE OF COMPLIANCE PLA NO. 17 15(A)" RECORDED NOVEMBER 21, 2018 AS DOCUMENT NO. 2018-0140766, FRESNO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS.

COMMENCING AT: THE NORTH QUARTER CORNER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 21 EAST; SAID POINT ALSO BEING THE NORTHWEST CORNER OF PARCEL 8 OF PARCEL MAP NO. 5768, RECORDED IN BOOK 42, AT PAGE 11, FRESNO COUNTY RECORDS

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15 SOUTH 00°33'18" WEST, A DISTANCE OF 1273.96 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 80°08'35" EAST, A DISTANCE OF 587.98 FEET; THENCE NORTH 88°30'13" EAST, A DISTANCE OF 206.18 FEET; THENCE SOUTH 68°45'04 EAST, A DISTANCE OF 51.98 FEET; THENCE SOUTH 46°00'21"EAST, A DISTANCE OF 91.22 FEET; THENCE SOUTH 34°45'34" EAST, A DISTANCE OF 193.97 FEET; TO A POINT ON THE NORTH LINE OF LOT 6 OF SAID TRACT 5768; THENCE ALONG SAID NORTH LINE NORTH 76°19'09"EAST, A DISTANCE OF 288.47 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 32°03'11" WEST, A DISTANCE OF 1054.47 FEET; THENCE SOUTH 62°22'46" EAST, A DISTANCE OF 839.49 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 00°33'18" EAST, A DISTANCE OF 1350.27 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS, HYDROCARBONS AND KINDRED SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS GRANTED TO CARLSBERG RESOURCES CORPORATION, A CALIFORNIA CORPORATION, BY DEED RECORDED OCTOBER 30, 1970, IN BOOK 5832, PAGE 371 OF OFFICIAL RECORDS, DOCUMENT NO. 76311.

APN: 300-542-55S (new, not yet assessed) Being 300-542-15S and a portion of 300-542-14S

## **EXHIBIT A (SITE 12)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract II:

Portions of Section 15 and Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, being more particularly described as follows:

Beginning at the Northwest corner of the Northeast quarter of said Section 16; thence

- 1) South 88° 20' 25" East, along the North line of said Northeast quarter, a distance of 1,509.93 feet to the Northwest corner of that Parcel of land described in Document No. 2006-0143583, Official Records of Fresno County; thence along the Westerly boundary of said Parcel following subsequent courses and distances
- 2) South 21° 41' 28" West, a distance of 670.08 feet;
- 3) South 35° 31' 20" East, a distance of 830.19 feet; thence
- 4) South 40° 21' 32" East, a distance of 60.00 feet; thence
- 5) North 49° 38' 28" East, a distance of 27.92 feet; thence
- 6) South 14° 49' 50" East, a distance of 871.78 feet; thence
- 7) South 31° 36' 17" East, a distance of 489.62 feet; thence
- 8) North 45° 31' 54" East, a distance of 531.57 feet to the East line of said Northeast quarter of Section 16; thence
- 9) South 01° 13' 22" West, along said East line, a distance of 439.13 feet to the Northwest corner of the Southwest quarter of said Section 15; thence
- 10) South 88° 13' 13" East, along the North line of said Southwest quarter, a distance of 755.75 feet to the centerline of White Fox Creek; thence along said centerline following the subsequent courses and distances
- 11) South 19° 56' 46" West, a distance of 72.49 feet; thence
- 12) North 85° 00' 30" West, a distance of 64.24 feet; thence
- 13) South 31° 16' 41" West, a distance of 173.07 feet; thence
- 14) South 07° 32' 49" West, a distance of 30.34 feet; thence
- 15) South 60° 14' 25" East, a distance of 15.12 feet; thence
- 16) North 51° 58' 21" East, a distance of 50.64 feet; thence
- 17) South 68° 02' 55" East, a distance of 20.01 feet; thence
- 18) South 08° 04' 11" East, a distance of 109.28 feet; thence
- 19) South 42° 12' 02" West, a distance of 12.77 feet; thence
- 20) North 87° 31' 46" West, a distance of 32.39 feet; thence

- 21) South 37° 15' 35" West, a distance of 11.40 feet; thence
- 22) South 17° 57' 04" East, a distance of 71.26 feet; thence
- 23) South 03° 52' 53" West, a distance of 37.55 feet; thence
- 24) South 37° 58' 25" West, a distance of 77.17 feet; thence
- 25) South 58° 06' 28" West, a distance of 52.04 feet; thence
- 26) North 55° 36' 08" West, a distance of 24.13 feet; thence
- 27) North 10° 41' 15" East, a distance of 88.28 feet; thence
- 28) North 35° 44' 47" West, a distance of 13.78 feet; thence
- 29) North 82° 10' 48" West, a distance of 56.38 feet; thence
- 30) South 70° 01' 31" West, a distance of 25.44 feet; thence
- 31) South 02° 10' 27" East, a distance of 47.81 feet; thence
- 32) South 87° 49' 33" West, a distance of 23.35 feet; thence
- 33) North 25° 34' 05" West, a distance of 33.23 feet; thence
- 34) North 45° 05' 04" West, a distance of 87.86 feet; thence
- 35) North 21° 03' 30" West, a distance of 82.48 feet; thence
- 36) South 66° 29' 29" West, a distance of 48.38 feet; thence
- 37) North 27° 08' 46" West, a distance of 61.63 feet; thence
- 38) South 54° 42' 00" West, a distance of 49.76 feet; thence
- 39) North 80° 26' 10" West, a distance of 123.11 feet; thence
- 40) South 62° 09' 18" West, a distance of 30.53 feet; thence
- 41) South 02° 44' 45" West, a distance of 47.97 feet; thence
- 42) South 41° 03' 28" East, a distance of 73.48 feet; thence
- 43) South 24° 09' 27" West, a distance of 53.77 feet; thence
- 44) South 75° 42' 11" West, a distance of 52.74 feet; thence
- 45) South 35° 36' 50" West, a distance of 206.11 feet to a point on the West line of said Southwest quarter of Section 15, said point being a distance of 721.70 feet Southerly of said Northwest corner of the Southwest quarter, thence leaving said West line and continuing along said centerline of White Fox Creek.
- 46) South 35° 36' 50" West, a distance of 172.00 feet; thence leaving said centerline
- 47) South 02° 29' 55" West, a distance of 186.99 feet to the Northeasterly corner of that Parcel of land described in Document No. 2002-0037453, Official Records of Fresno County, thence along the Northwesterly boundary of a said Parcel following the subsequent courses and distances
- 48) North 83° 40' 49" West, a distance of 195.90 feet, thence
- 49) North 06° 19' 11" East, a distance of 52.82 feet to the beginning of a tangent curve, concave to the Southwest, with a radius of 300.00 feet, thence along said curve

- 50) Northwesterly, through a central angle of  $106^{\circ} 50' 52''$ , an arc distance of 559.45 feet, thence
- 51) North  $86^{\circ} 42' 28''$  West, 69.89 feet, thence
- 52) South  $41^{\circ} 22' 04''$  West, 69.43 feet, thence
- 53) South  $09^{\circ} 21' 54''$  West, a distance of 192.94 feet, thence
- 54) South  $39^{\circ} 01' 45''$  West, a distance of 684.84 feet, thence
- 55) South  $57^{\circ} 43' 24''$  West, a distance of 122.18 feet, thence
- 56) South  $34^{\circ} 20' 50''$  West, a distance of 399.53 feet, thence
- 57) South  $56^{\circ} 48' 34''$  West, a distance of 179.21 feet, thence
- 58) South  $22^{\circ} 15' 42''$  West, a distance of 118.88 feet, thence
- 59) South  $34^{\circ} 05' 12''$  East, a distance of 60.87 feet, thence leaving said Northwesterly boundary
- 60) South  $38^{\circ} 49' 04''$  West, a distance of 106.13 feet, returning to said centerline of White Fox Creek, thence along said centerline following the subsequent courses and distances
- 61) South  $10^{\circ} 05' 17''$  West, a distance of 146.41 feet, thence
- 62) South  $12^{\circ} 27' 46''$  East, a distance of 128.54 feet, thence
- 63) South  $20^{\circ} 18' 39''$  West, a distance of 86.52 feet, thence
- 64) South  $71^{\circ} 09' 21''$  West, a distance of 160.16 feet, thence
- 65) South  $57^{\circ} 24' 44''$  West, a distance of 39.40 feet to the South line of the Southeast quarter of said Section 16; thence
- 66) North  $88^{\circ} 48' 08''$  West, along said South line, a distance of 70.53 feet to the Southwest corner of the East half of the West half of said Southeast quarter, thence
- 67) North  $01^{\circ} 09' 59''$  East, along the West line of said East half, a distance of 988.87 feet to the most Southwesterly corner of that Parcel of land described in Document No. 2002-0037456, Official Records of Fresno County, thence along the Easterly boundary of said Parcel following the subsequent courses and distances:
- 68) South  $88^{\circ} 17' 13''$  East, a distance of 172.04 feet, thence
- 69) North  $50^{\circ} 29' 02''$  East, a distance of 229.77 feet, thence
- 70) North  $37^{\circ} 55' 01''$  East, a distance of 582.64 feet, thence
- 71) North  $44^{\circ} 57' 55''$  East, a distance of 366.25 feet, thence
- 72) South  $60^{\circ} 57' 51''$  East, a distance of 178.34 feet, thence
- 73) North  $21^{\circ} 17' 26''$  East, a distance of 578.19 feet, thence
- 74) North  $36^{\circ} 13' 26''$  West, a distance of 681.91 feet, thence
- 75) North  $00^{\circ} 55' 14''$  West, a distance of 634.33 feet, thence
- 76) North  $35^{\circ} 39' 41''$  West, a distance of 126.89 feet, thence
- 77) North  $49^{\circ} 38' 17''$  East, a distance of 67.61 feet, thence

78) North 40° 21' 43" West, a distance of 119.90 feet to the beginning of a tangent curve, concave to the Southwest, with a radius of 360.00 feet, thence along said curve

79) Northwesterly, through a central angle of 16° 11' 26", an arc distance of 101.73 feet, thence

80) North 06° 09' 27" West, a distance of 306.42 feet, thence

81) North 88° 20' 01' West, a distance of 298.19 feet, thence

82) South 45° 06' 32" West, a distance of 167.09 feet, thence

83) North 88° 57' 00' West, a distance of 84.95 feet, thence

84) South 03° 16' 52" West, a distance of 127.97 feet, thence

85) South 06° 39' 54" East, a distance of 61.17 feet, thence

86) South 02° 53' 11" West, a distance of 363.84 feet, thence

87) North 63° 00' 46" East, a distance of 442.99 feet, thence

88) South 35° 42' 32" East, a distance of 146.77 feet, thence

89) South 39° 24' 48" West, a distance of 98.07 feet, thence

90) South 53° 32' 51" West, a distance of 704.59 feet, thence

91) South 01° 09' 59" West, 397.31 feet to the Northwest corner of said East half; thence

92) North 88° 34' 23" West, along the South line of said Northeast quarter of Section 16, a distance of 613.41 feet to the Southeasterly corner of that Parcel of land described in Document No. 2002-0037457, Official Records of Fresno County; thence along the Easterly boundary of said Parcel following the subsequent courses and distances:

93) North 20° 25' 28" East, a distance of 413.22 feet, thence

94) North 14° 51' 32" East, a distance of 626.05 feet, thence

95) North 36° 58' 51" East, a distance of 273.76 feet, thence

96) South 76° 43' 35" East, a distance of 83.61 feet, thence

97) North 11° 58' 51" East, a distance of 745.82 feet, thence

98) North 48° 42' 42" West, a distance of 398.99 feet, thence

99) North 74° 41' 00" West, a distance of 139.69 feet, thence

100) South 29° 28' 42" West, a distance

101) North 01° 08' 39" East, along the West line of said Northeast quarter, a distance of 940.87 feet to the point of beginning.

This legal is made pursuant to that certain Certificate of Compliance recorded August 22, 2008 as Instrument No. 2008-0120599 of Official Records.

Together with that portion of the East half of Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the United States Government Plat, described as follows:

Beginning at the Northwest corner of the East half of the West half of the Southeast quarter of said Section 16; thence North 00° 45' 27" East a distance of 397.31 feet; thence North 53° 08'

19" East, a distance of 704.59 feet; thence North 39° 00' 16" East, a distance of 98.07 feet; thence North 36° 07' 04" West, a distance of 146.77 feet; thence South 62° 36' 14" West, a distance of 442.99 feet; thence North 02° 28' 39" East, a distance of 363.84 feet; thence North 07° 04' 26" West, a distance of 61.17 feet; thence North 02° 52' 20" East, a distance of 127.97 feet; thence South 89° 21' 32" East, a distance of 84.95 feet; thence North 44° 42' 00" East, a distance of 167.09 feet; thence South 88° 44' 33" East, a distance of 298.19 feet; thence South 06° 33' 59" East, a distance of 306.42 feet to a point on a non-tangent curve, concave to the Southwest, with a radius of 360.00 feet (the radial to said point bears North 33° 02' 19" East); thence Southeasterly along said curve, through a central angle of 16° 11' 26", an arc distance of 101.73 feet; thence South 40° 46' 15" East, a distance of 119.90 feet; thence South 49° 13' 45" West, a distance of 67.61 feet; thence South 36° 04' 13" East, a distance of 126.89 feet; thence South 01° 19' 46" East, a distance of 634.33 feet; thence South 36° 37' 58" East, a distance of 681.91 feet; thence South 20° 52' 54" West, a distance of 578.18 feet; thence North 61° 22' 23" West, a distance of 178.34 feet; thence South 44° 33' 23" West, a distance of 366.25 feet; thence South 37° 30' 29" West, a distance of 582.64 feet; thence South 50° 04' 30" West, a distance of 229.77 feet; thence North 88° 41' 45" West, a distance of 172.04 feet to a point on the West line of the East half of the West half of the Southeast quarter of said Section 16; thence North 00° 45' 27" East, along said West line of the East half of the West half of the Southeast quarter of Section 16, a distance of 1,637.46 feet to the point of beginning.

EXCEPTING THEREFROM that portion thereof described as follows:

Commencing at the Northwest corner of the East half of the West half of the Southeast quarter of said Section 16; thence North 69° 57' 24" East, a distance of 446.22 feet to the true point of beginning of this description; thence South 64° 45' 59" East, a distance of 249.90 feet; thence South 36° 37' 58" East, a distance of 511.79 feet; thence South 20° 52' 54" West, a distance of 305.34 feet; thence North 61° 22' 23" West, a distance of 198.44 feet to the point of curvature of a curve, concave to the Northeast, with a radius of 560.00 feet; thence Northwesterly and Northeasterly along said curve, through a central angle 84° 03' 01", an arc distance of 821.49 feet to the true point of beginning.

EXCEPTING THEREFROM that portion lying North of the South line of the Northeast quarter of Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian.

This legal description is made pursuant to that certain Certificate Approving a Lot Line Adjustment, Certificate No. 12-18 shown as Parcel C, recorded May 24, 2013, as Instrument No.13-75084 of Official Records.

APN: 300-542-32  
300-542-33  
300-542-52

# **EXHIBIT C**

## **PETITION AND WRITTEN CONSENT (INCLUDING WAIVERS)**

**REQUESTING COMMENCEMENT OF PROCEEDINGS UNDER GOVERNMENT  
CODE SECTIONS 53311 ET SEQ.  
AND ANY OTHER PROVISION OF LAW  
DEEMED NECESSARY BY THE COUNTY OF FRESNO, INTER ALIA,  
TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT  
TO SERVE CERTAIN TERRITORY DESCRIBED HEREIN,  
AND TO CONDUCT A LANDOWNER ELECTION,  
TO RECORD AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND TO  
IMPOSE A SPECIAL TAX FOR LAW ENFORCEMENT SERVICES THEREIN AND  
AGREEMENT TO COVENANT, INCLUDING TO COVENANT  
RESTRICTING SALE OR TRANSFER OF REAL PROPERTY UNTIL  
SATISFACTION OF CONDITION PRECEDENT, TO FACILITATE SAME**

To the Board of Supervisors  
County of Fresno  
c/o County Administrative Officer  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

Re: Assessor's Parcel Numbers 300-340-60S, 300-542-51, and Tract No. 5430

Members of the Board of Supervisors:

Millerton Investments, LLC, a Limited Liability Company ("GRANTOR ") is the sole owner of all the territory of real property shown and described in Exhibit "A", which exhibit is attached to and made a part of this petition ("Land").

MILLERTON is aware that the County, under the Mello-Roos Community Facilities Act of 1982 (the "Act") has established Community Facilities District No. 2006-01 (Police Protection Services) County of Fresno (the "District") to provide the ongoing financing for the continual provision of the necessary law enforcement services (the "Law Enforcement Services") in the unincorporated areas of Fresno County where such District has been established, and where territory has been annexed to such District.

MILLERTON hereby petitions that the County institute proceedings (and acknowledges that the County has instituted proceedings) to annex the territory of the Land to the District, to provide Law enforcement Services therein, and in other lands owned by other landowners now making similar petitions (collectively, "Proposed Annexation Territory"), and MILLERTON hereby represents, covenants, warrants, and agrees that MILLERTON , if consent is granted by the County and the transfer is allowed and occurs, will remain the sole owner of the entire fee interest of the Land, including all rights, title and interest therein and all land and improvements thereon and therein (collectively, "MILLERTON 's Real Property"), and that there always have been, always are, and always will be less than twelve (12) registered voters residing in or the Land since ninety (90) days before MILLERTON 's execution of this petition and written consent (including waivers), and



continuing thereafter without interruption through and until the conclusion of the proceedings for the annexation of the Land to the District, in order to permit the County to proceed with and successfully complete the annexation of such territory to the District, the landowner voter election for the proposed special tax levy for the Land proposed for annexation to the District, the imposition of the special tax lien upon all nonexempt real property located in the Land, the recordation of the amendment to the notice of special tax lien against MILLERTON's Real Property, and the provision of the Law Enforcement Services in the Land, as authorized under the Act. MILLERTON acknowledges and agrees that the County will be proceeding with the proposed annexation of the Land to the District under such landowner voter election procedures, based upon such representations, covenants, warranties and agreements of MILLERTON.

MILLERTON hereby petitions and requests that the Board of Supervisors commences proceedings necessary under the Act, and any other applicable provisions of law deemed necessary by the County of Fresno, to annex the Land to the District under the Act, to impose a special tax lien for an annual special tax for Law Enforcement Services levied by the District to finance, in part, the cost of providing Law Enforcement Services in a staffing ratio of 2.0 sworn officers per 1,000 residents, in the Land.

MILLERTON further petitions and requests that the Board of Supervisors proceeds immediately with all proceedings necessary to accomplish annexation of the Land to the District, the establishment of the Initial Appropriations Limit (defined herein below) for the Proposed Annexation Territory, and the imposition of the special tax lien upon MILLERTON's Real Property, and the recordation of the amendment to the notice of special tax lien against MILLERTON's Property. In that regard, to the greatest extent allowed by law, MILLERTON hereby expressly waives any and all notices, minimum noticing periods, procedures and requirements otherwise required under (i) the Act, including, by way of example and without limitation, Article 3.5 (commencing with section 53339) of the Act regarding the proceedings to annex the Proposed Annexation Territory to the District, (ii) sections 54950 through and including 54962 of the Government Code regarding notices of and holding of public meetings of the County's Board of Supervisors, (iii) section 53739 of the Government Code regarding the setting of the rate for taxes, including an inflationary adjustment, (iv) Article 3.5 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (sections 50075 through and including 50077) regarding special taxes, (v) the applicable provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (sections 53720 through and including 53730, as applicable) regarding special taxes; and (vi) the applicable provisions of the Constitution of the United States and the State of California and any other laws or governing legal authorities, whether in law or equity, with regard to and including by way of example and without limitation, adoption of any ordinances or resolutions, filing of any engineer's report, filing of any reports, plans or studies concerning the Law Enforcement Services and their related estimated costs under Government Code section 53321.5, filing of any other reports, plans (including by way of example and without limitation a plan for sharing services to be provided in common between the District and the Proposed Annexation Territory under Government Code section 53339.3), or studies, giving of any notices, holding any meetings or hearings, right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity of sufficiency of the proceedings for the annexation of the Proposed Annexation Territory to the District, recordation of the amendment to the notice of special tax lien, or the imposition of the special tax lien or annual levy of the special tax upon nonexempt properties located in the Proposed Annexation Territory), the right to vote, election requirements, and time limits for election, and expressly supports the County's

annexation of the Proposed Annexation Territory to the District, the levy of the special tax and the establishment and/or confirmation of the Initial Appropriations Limit (defined below), the recordation of the amendment to the notice of the special tax lien against the properties described in Exhibit "A", and the imposition of the special tax lien and the special tax levy on all nonexempt properties located in the Proposed Annexation Territory, all for the continual provision of the Law Enforcement Services in the Proposed Annexation Territory, and the benefit of the Proposed Annexation Territory, without completion of or compliance with any such notices, minimum noticing periods, time limits, procedures or substantive requirements. Without limiting the generality of any of the foregoing, and to the greatest extent allowed by law, MILLERTON hereby further expressly waives (i) any and all time limits and requirements in connection with the conduct of the election of the special tax levy referred to in Government Code section 53326(a), (ii) the impartial analysis and arguments and rebuttals, if any, in connection with the election by the qualified landowner voters for the vote of the special tax levy referred to Government Code section 53327, (iii) any and all objections for other procedures and substantive requirements in connection with the regularity and sufficiency of an election and time limits for the calling for an election of the special tax levy in the Proposed Annexation Territory, and for performance by any County election official for the vote of such special tax levy, (iv) any and all rights under Article XIII C of the California Constitution regarding special taxes and the right to the Initiative power to reduce or repeal local taxes, and (v) any and all rights under Article 3 (commencing with section 53330 of the Act to reduce or repeal the special tax to terminate the special tax levy, and to eliminate or reduce the Law Enforcement Services, and (vi) any and all objections to the County's establishment and/or confirmation of the initial appropriation limit for the Proposed Annexation Territory (the "Initial Appropriations Limit"), pursuant to Article XIII B of the California Constitution, and section 53325.7 of the Government Code.

Additionally, to the extent that the County may institute proceedings for the establishment of any Community Facilities Districts in the remainder of the unincorporated area of Fresno County, or annex any contiguous or noncontiguous territories anywhere in Fresno County to the District, or include (whether at the time that the District is created or at any time thereafter) any contiguous or noncontiguous territories in Fresno County within the District that are, in either case, owned by persons or entities other than MILLERTON in either case levy a special tax, for Law Enforcement Services in such territories, all of the provisions hereinabove concerning MILLERTON's consent and waiver shall also apply to other entities vis-à-vis such other Community Facilities Districts or annexations to, or inclusions in, the District, in order that the County may be fully assured that MILLERTON shall fully cooperate with the County's, and will not defeat, cause to delay, or otherwise interfere with the County's establishment and implementation of such Community Facilities Districts for, or annexations to the District of, or inclusions within the District of, any of such other territories. **To that end, to the greatest extent allowed by law, MILLERTON hereby additionally expressly waives any and all right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings) to the proposed annexations or inclusions or inclusions of all of such other areas to or within the District, which are provided for in Government Code sections 53324 and 53339.6 as applicable.**

In consideration for the County's Board of Supervisors conducting the proceedings for the annexation of the Land to the District, the imposition of the special tax lien, establishment and/or confirmation of the Initial Appropriations limit, and conducting proceedings for the special tax levy for the benefit of the Land as requested, MILLERTON agrees to and shall remain the sole owner of the Land and further agrees not to close

escrow, or to sell, or to transfer title to, or any right or interest in, the Land, or any other lot or portion thereof (collectively, or individually, the "Sale or Transfer"), to any other person or entity until the earliest of: (i) completion of the County' proceedings for the annexation of the Proposed Annexation Territory to the District and the establishment of the Initial Appropriations Limit, and imposing the special tax lien on all nonexempt property located in the Proposed Annexation Territory, including by way of example and without limitation, the County's determination, by and through its Board of Supervisors, that the requisite 2/3 votes cast by MILLERTON , who shall be a qualified landowner voter, in the election in favor of the special tax levy and establishment of the Initial Appropriations Limit, and the recording, by the County's Clerk of the Board of Supervisors (or such other designated County Officer), of the amendment to the notice of special tax lien for the Proposed Annexation Territory in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5; or (ii) County's prior express written consent to such Sale or Transfer of the Land, or any lot or other portion thereof, provided however, MILLERTON shall not Sell or Transfer, or request consent to the Sale or Transfer of, any individual lot or lots to persons seeking to establish, or who may allow other persons seeking to establish, their residences in the area covered by the proposed District.

In further consideration for the County conducting the annexation of the Land to the District and other proceedings required to impose the special tax lien requested herein, MILLERTON shall not submit an application to the California Department of Real Estate for a Public Report, whether a Conditional Public Report, Preliminary Public Report, Overall Preliminary Public Report, Interim Public report, or Final Public Report for the subdivision of the Land, or for the subdivision of any portion thereof, unless and until the County has commenced, instituted and pursued to completion all proceedings necessary under California Government Code Sections 53311 et seq., and any other applicable provision of law deemed necessary by the County, to annex the Proposed Annexation Territory to the District pursuant to Government Code Sections 53311 et seq., to obtain approval of the special tax levy, and the County has recorded an amendment to the notice of special tax lien for the Proposed Annexation Territory against MILLERTON 's Real Property, in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5, in order that County, through the Proposed Annexation Territory, may provide the Law Enforcement Services in the Land.

On request by the County, MILLERTON agrees to and promptly shall execute and deliver to County any other agreements, instrument, documents, and information that the County deems necessary to accomplish the annexation of the territory of the Land to the District, the special election for the special tax levy and establishment of the Initial Appropriations Limit, the imposition of the special tax lien, the recordation of the amendment to the notice of the special tax lien, and the initial special tax levy in the Proposed Annexation Territory and to evidence MILLERTON 's petition, request, consent and waiver herein, including by way of example and without limitation, petition, waiver and consent forms, ballots regarding the special tax levy and Initial Appropriations Limit, and receipts for notices, and authorizations by MILLERTON to take any actions, to give any approvals, to execute any agreements, instruments and documents, to authenticate any information provided by MILLERTON , and to vote for the special tax levy and Initial Appropriations Limit, as provided herein. Without limiting the foregoing, MILLERTON agrees to and immediately upon County's request shall execute and deliver to County a Covenant running with the land (or give written approval to an existing Covenant running with the land that is recorded or to be recorded in the Office of the Fresno County Recorder) memorializing all of these matters, and any additional matters as may be required by County, including a

covenant restricting the sale or transfer of land until satisfaction of condition precedent in order to facilitate the annexation of the Land to the District and the recording of a notice of special tax lien on the real property described on Exhibit "A" hereto, in a form acceptable to County in County's sole discretion, and which Covenant MILLERTON agrees may be recorded immediately by County, in the Office of the Fresno County Recorder, against the real property described on Exhibit "A" hereto, binding MILLERTON , partners, heirs, executors, administrators, successors, transferees, assigns and subsequent owners, transferees and assigns regarding the representations and agreements stated herein.

Notwithstanding anything stated to the contrary in this petition, MILLERTON acknowledges and agrees that the County, in its sole discretion, may abandon the proposed annexation of the Land to the District, pursuant to Government Code, section 53339.7, and not proceed further with the conduct of the special election for the special tax levy and Initial Appropriations Limit, provided however, nothing contained in this paragraph shall obligate or be deemed to obligate the County to take such action.

If any provision of this petition, or the application thereof to any person, entity, real property, or circumstance, is found to violate any law or is found to be otherwise legally defective or unenforceable, then to any extent that is so found to be violative, invalid or unenforceable, the remainder of this petition, or the application thereof to persons, entities, real property, or circumstances other than those as to which it is violative, invalid or unenforceable, shall not be affected thereby, and each such provision of this petition shall remain in full force and effect and shall be enforceable to the full extent permitted by law.

MILLERTON represents, covenants, and warrants that the person(s) executing this petition for MILLERTON is the duly authorized representative of MILLERTON, and is fully authorized by MILLERTON to legally bind MILLERTON to this petition according to its terms and conditions, to make all of the representations, covenants, warranties, and agreements provided herein, to encumber the Land as provided herein, and to make the petition and requests of the County provided herein.

Respectfully submitted by MILLERTON: Millerton Investments, LLC.

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

Farid Assemi, Managing Member  
Millerton Investments, LLC.

Date: \_\_\_\_\_

4/12/19

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #1

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK, A.M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTIS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

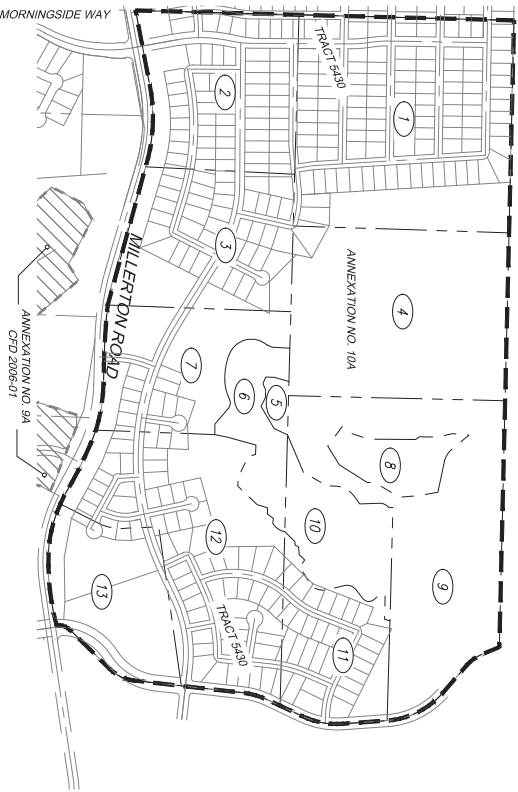
BY: \_\_\_\_\_  
DEPUTY RECORDER

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

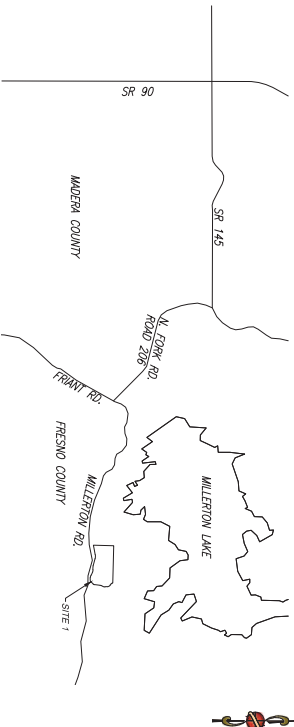
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA", WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 200608943.

ASSNMT	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	200-02-125	1	5440
2	200-340-015	1	5440
3	200-340-015	1	5440
4	200-02-475	1	5440
5	200-340-165	1	-
6	200-340-365	1	-
7	200-340-365	1	5440
8	200-02-455	1	-
9	200-02-465	1	5440
10	200-02-465	1	5440
11	200-02-465	1	5440
12	200-340-375	1	5440
13	200-340-385	1	5440



LEGEND	
COLLECT	DESCRIPTION
	ASSESSMENT NUMBER
	LOT LINES
	CENTER LINE
	APN LINES
	PROPOSED ANNEXATION TO CSD NO. 2006-01
	EXISTING CSD NO. 2006-01



### VICINITY MAP NOT TO SCALE

PROJECT TITLE: MILLERTON SPECIFIC PLAN	
SHEET DESCRIPTION: ANNEXATION MAP NO. 10A SITE 1	
CITY OF:	COUNTY OF: FRESNO
PREPARED FOR: ASSEMI GROUP FRESNO, CA 93711 1396 W. HERDON SUITE 110 (559) 440-8308	
REVISIONS	
DRAWN BY: RA CHECKED BY: DY DATE: 3/28/19	
SHEET NUMBER: 1 OF 15	
JOB NUMBER: 19-046	

**PRECISION**  
CIVIL ENGINEERING, INC.

PLANNING ■ SURVEYING ■ CIVIL ENGINEERING

1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #2

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTIS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

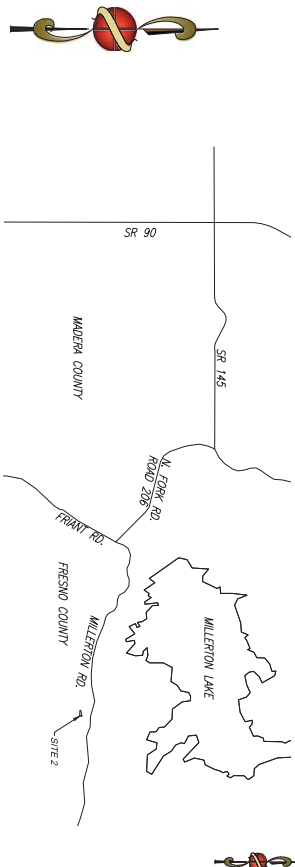
BY: \_\_\_\_\_  
DEPUTY RECORDER FRESNO COUNTY RECORDER

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR THOSE PARCELS LISTED.  
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 200608943.

LEGEND	
OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
---	LOT LINES
---	EDGE OF RIGHT-OF-WAY
---	CENTER LINE
---	APN LIMITS
---	PROPOSED ANNEXATION TO CTD NO. 2006-01
	EXISTING CTD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-032-125	2	5430



VICINITY MAP  
NOT TO SCALE

**PRECISION**  
CIVIL ENGINEERING, INC.  
PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

PROJECT TITLE: MILLERTON SPECIFIC PLAN  
SHEET DESCRIPTION: ANNEXATION MAP NO. 10A SITE 2  
CITY OF: COUNTY OF: FRESNO

PREPARED FOR:  
ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS  
DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER: 2 OF 15  
JOB NUMBER: 19-046



# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #43

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_

MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

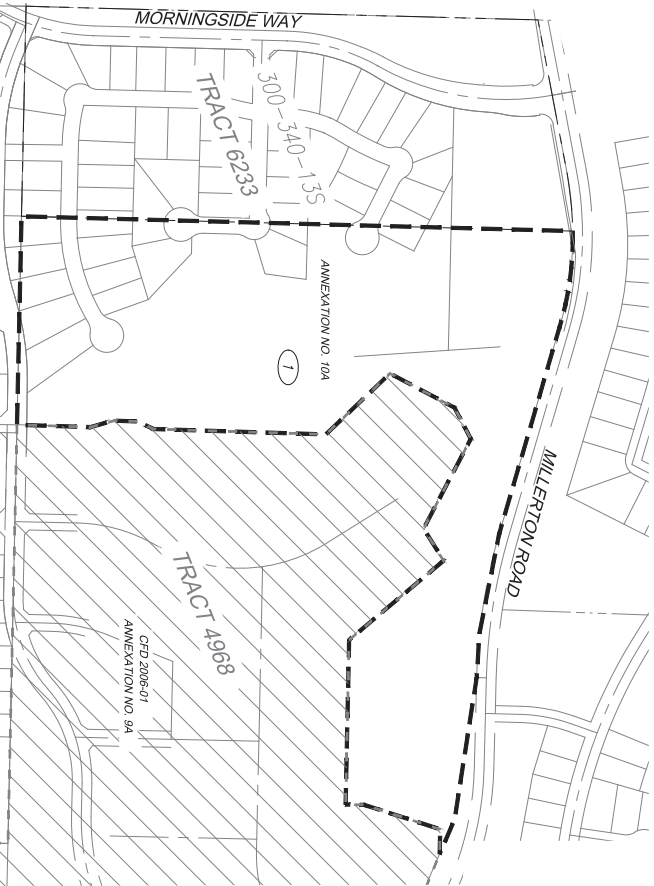
PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

BY: \_\_\_\_\_  
DEPUTY RECORDER FRESNO COUNTY RECORDER

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

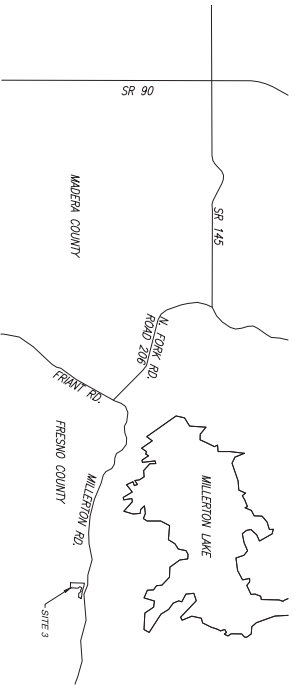
THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 200608943.



LEGEND	
OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
	LOT LINES
	CENTER LINE
	APL LIMITS
	PROPOSED ANNEXATION TO CSD NO. 2006-01
	EXISTING CSD NO. 2006-01

ASSMT.	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-140-403	3	-



VICINITY MAP  
NOT TO SCALE

**PRECISION CIVIL ENGINEERING, INC.**  
PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

PROJECT TITLE: MILLERTON SPECIFIC PLAN  
SHEET DESCRIPTION: ANNEXATION MAP NO. 10A SITE 3  
CITY OF: COUNTY OF: FRESNO

PREPARED FOR: ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS  
DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER: 3 OF 15  
JOB NUMBER: 19-046

# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #4

I, HEREBY CERTIFY THAT THE MINIMUM MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_  
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL DORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

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

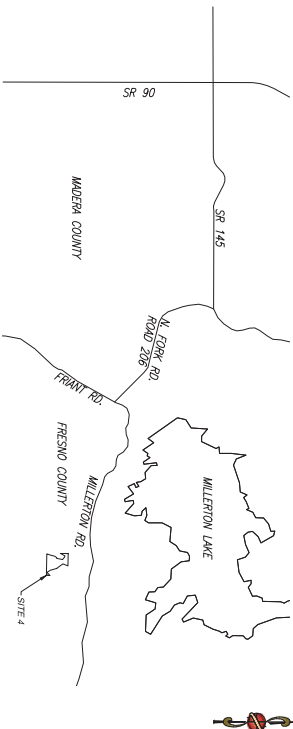
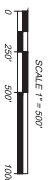
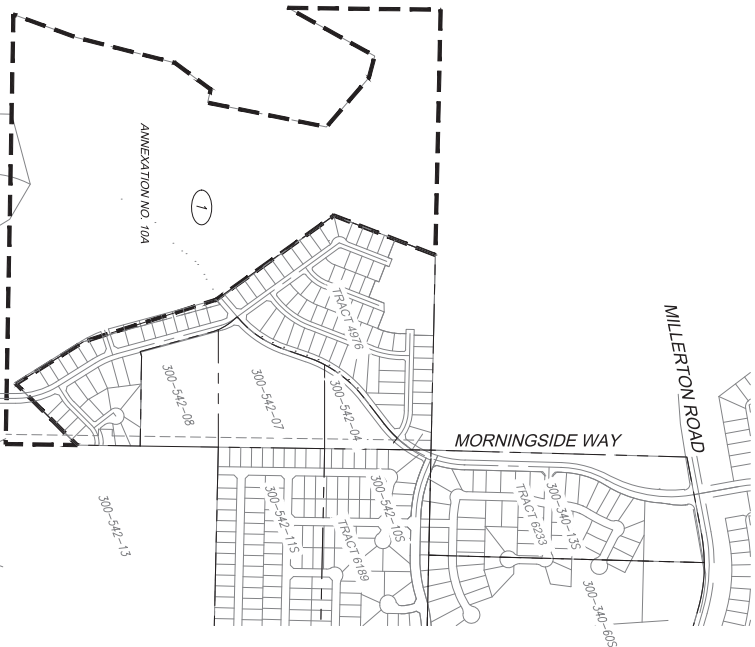
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR THOSE PARCELS LISTED.

THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 2006008943.

LEGEND	
COLLECT	DESCRIPTION
	ASSESSMENT NUMBER
---	LOT LINES
---	CENTER LINE
---	APN LINES
---	PROPOSED ANNEXATION TO CTO NO. 2006-01
	EXISTING CTO NO. 2006-01

ASSMT	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-51	4	-



### VICINITY MAP

NOT TO SCALE

**PRECISION**  
CIVIL ENGINEERING, INC.

PLANNING ■ SURVEYING ■ CIVIL ENGINEERING

1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

PROJECT TITLE:  
MILLERTON SPECIFIC PLAN

SHEET DESCRIPTION:  
ANNEXATION MAP NO. 10A SITE 4

CITY OF: \_\_\_\_\_ COUNTY OF: FRESNO

PREPARED FOR:  
ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

REVISIONS


DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19

SHEET NUMBER:  
4 OF 15

JOB NUMBER:  
19-046



**SITE #1**

ORDER NO. : 1411014263

**SITE #2**

**EXHIBIT A**

The land referred to is situated in the County of Fresno, City of Friant, State of California, and is described as follows:

Parcels 1, 18, 19, and 20 of Parcel Map No. 3179 in the unincorporated area of the County of Fresno, State of California, according to the Amended Map thereof recorded in [Book 34, Page 94 of Parcel Maps](#), Fresno County Records.

EXCEPTING THEREFROM all oil, gas and minerals lying below a depth of 500 feet as conveyed to Carlsberg Resources Corporation, a California corporation, by Deed dated October 26, 1970, recorded October 30, 1970, in [Book 5832, Page 371](#) of Official Records, Instrument No. 76311.

APN: 300-032-12 as to Parcel 1  
300-340-03 as to Parcel 18  
300-340-01 as to Parcel 19  
300-021-27 as to Parcel 20

**SITE #1**  
**EXHIBIT A**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

**PARCEL ONE:**

That portion of Parcel A of Lot Line Adjustment No. 01-17, recorded in Document No. [20020139830](#), Official Records Fresno County, situate in Section 10, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, being portions of Parcels 3 and 4, of Parcel Map No. 3179, according to the Amended Map thereof, recorded [in Book 34 of Parcel Maps, at Page 94](#), Fresno County Records, being more particularly described as follows:

Beginning at a point on the Southerly line of said Parcel 3, said point bears South 88° 10' 20" East, a distance of 85.41 feet from the Southwest corner of said Parcel 3; thence

- 1) North 03° 34' 40" West, a distance of 170.05 feet; thence
- 2) North 24° 30' 04" West, a distance of 35.61 feet; thence
- 3) North 07° 32' 54" West, a distance of 51.75 feet; thence
- 4) North 03° 32' 30" East, a distance of 54.49 feet; thence
- 5) North 14° 28' 23" West, a distance of 108.93 feet; thence
- 6) North 02° 57' 19" East, a distance of 104.61 feet; thence
- 7) South 39° 59' 09" East, a distance of 144.54 feet to the beginning of a tangent curve, concave Northeasterly, and having a radius of 117.50 feet; thence
- 8) Easterly along the arc of said tangent curve, through a central angle of 40° 11' 50", an arc distance of 82.43 feet; thence
- 9) South 80° 10' 59" East, a distance of 215.08 feet; thence
- 10) South 13° 35' 23" East, a distance of 115.70 feet; thence
- 11) South 06° 47' 35" East, a distance of 57.75 feet; thence
- 12) South 01° 39' 31" East, a distance of 73.06 feet; thence
- 13) South 26° 59' 18" West, a distance of 108.73 feet to said South line of Parcel 3; thence leaving said line
- 14) Continuing South 26° 59' 18" West, a distance of 40.43 feet to the beginning of a tangent curve, concave Southeasterly, and having a radius of 167.50 feet; thence
- 15) Southerly along the arc of said tangent curve, through a central angle of 21° 43' 59", an arc distance of 63.53 feet to a point of reverse curvature with a curve concave to the West, having a radius of 132.50 feet; thence
- 16) Southerly along the arc of said reverse curve, through a central angle of 25° 17' 33", an arc distance of 58.49 feet; thence
- 17) South 30° 32' 52" West, a distance of 134.54 feet to the beginning of a tangent curve, concave Northwesterly and having a radius of 132.50 feet; thence

- 18) Southwesterly along the arc of said tangent curve, through a central angle of 23° 00' 19", an arc distance of 53.19 feet; thence
- 19) South 53° 33' 10" West, a distance of 127.42 feet; thence
- 20) North 53° 43' 13" West, a distance of 160.87 feet; thence
- 21) North 34° 40' 56" East, a distance of 76.26 feet; thence
- 22) North 17° 08' 33" East, a distance of 120.61 feet; thence
- 23) North 00° 19' 55" East, a distance of 119.45 feet to the point of beginning.

This legal description is made pursuant to Certificate of Compliance Placer 06-32(A), recorded September 30, 2008, as Instrument No. [2008-140700](#) of Official Records.

ALSO EXCEPTING THEREFROM all oil, gas and minerals lying below a depth of 500 feet as conveyed to Carlsberg Resources Corporation, a California corporation, by Deed dated October 26, 1970, recorded October 30, 1970, in [Book 5832, Page 371 of Official Records, Document No. 76311](#)

APN: 300-032-65

#### PARCEL TWO:

That portion of Parcel B of Lot Line Adjustment No. 01-17, recorded in Document No. [20020139830](#), Official Records Fresno County, situate in Section 10, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, being a portion of Parcel 4, of Parcel Map No. 3179, according to the Amended Map thereof, recorded in Book 34 of Parcel Maps, at Page 94, Fresno County Records, being more particularly described as follows:

Beginning at the Southeast corner of said Parcel 4, said point also being on the centerline of an easement, a described by that Deed recorded on March 21, 1984, as Document No. [84027331 of Official Records of Fresno County](#); thence

- 1) North 88° 01' 09" West, along the South boundary line of said Parcel 4, a distance of 906.06 feet to the Northeast corner of said Parcel 16; thence
- 2) North 88° 00' 49" West, continuing along said South boundary line of Parcel 4, a distance of 52.26 feet; thence leaving said line
- 3) North 33° 37' 58" East, a distance of 48.65 feet; thence
- 4) South 86° 41' 49" East, a distance of 13.46 feet; thence
- 5) North 34° 59' 26" East, a distance of 28.87 feet; thence
- 6) North 81° 20' 15" East, a distance of 43.28 feet; thence
- 7) North 36° 39' 48" East, a distance of 45.81 feet; thence
- 8) South 52° 40' 26" East, a distance of 53.46 feet; thence
- 9) North 60° 12' 08" East, a distance of 121.33 feet; thence
- 10) North 36° 04' 52" East, a distance of 57.15 feet; thence
- 11) North 01° 54' 08" East, a distance of 51.42 feet; thence
- 12) North 15° 07' 29" West, a distance of 145.83 feet; thence
- 13) North 26° 37' 11" East, a distance of 45.12 feet; thence

- 14) North 52° 20' 01" East, a distance of 64.44 feet to the beginning of a tangent curve, concave Westerly, and having a radius of 55.00 feet; thence
- 15) Northerly along the arc of said tangent curve, through a central angle of 95° 37' 03", an arc distance of 91.79 feet; thence
- 16) North 43° 17' 02" West, a distance of 37.97 feet; thence
- 17) North 00° 06' 49" East, a distance of 31.30 feet; thence
- 18) South 88° 10' 20" East, a distance of 142.26 feet; thence
- 19) North 19° 34' 50" East, a distance of 42.00 feet to a point on the North line of said Parcel 4, said point being a distant 1093.32 feet from the Northwest corner of said Parcel 4; thence
- 20) South 88° 10' 20" East, along said North line, a distance of 629.32 feet to the Northeast corner of said Parcel 4; said corner being also on said centerline of said perpetual easement and right of way; thence continuing to follow said Easterly boundary along the subsequent courses and distances
- 21) South 03° 41' 33" East, along the Easterly boundary of said Parcel 4, a distance of 258.17 feet to the beginning of a tangent curve, concaving Westerly and having a radius of 500.00 feet; thence
- 22) Southwesterly along the arc of said tangent curve, through a central angle of 29° 26' 30", an arc distance of 256.93 feet along the East line of said Parcel 4; thence
- 23) South 25° 44' 57" West, a distance of 150.65 feet to the point of beginning.

This legal description is made pursuant to Certificate of Compliance Placer 06-32(B), recorded September 30, 2008, as Instrument No. [2008-140701](#) of Official Records.

ALSO EXCEPTING THEREFROM all oil, gas and minerals lying below a depth of 500 feet as conveyed to Carlsberg Resources Corporation, a California corporation, by Deed dated October 26, 1970, recorded October 30, 1970, in [Book 5832, Page 371](#) of Official Records, Document No. 76311

APN: 300-032-66

### **PARCEL THREE:**

That certain real property situate in Section 10, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, being all of Parcel 2 and portions of Parcel 3, Parcel 4, Parcel 16 and Parcel 17, of Parcel Map No. 3179, according to the Amended Map thereof, recorded in Book 34 of Parcel Maps, at Page 94, Fresno County Records, being more particularly described as follows:

All of Parcel 2, together with Parcel 3 and Parcel 4 as shown on said Map, excepting therefrom the following described portion of said Parcel 3 and said Parcel 4:

Beginning at a point on the Southerly line of said Parcel 3, said point bears South 88° 10' 20" East, a distance of 85.41 feet from the Southwest corner of said Parcel 3; thence

- 1) North 03° 34' 40" West, a distance of 170.05 feet; thence
- 2) North 24° 30' 04" West, a distance of 35.61 feet; thence

- 3) North 07° 32' 54" West, a distance of 51.75 feet; thence
- 4) North 03° 32' 30" East, a distance of 54.49 feet; thence
- 5) North 14° 28' 23" West, a distance of 108.93 feet; thence
- 6) North 02° 57' 19" East, a distance of 104.61 feet; thence
- 7) South 39° 59' 09" East, a distance of 144.54 feet to the beginning of a tangent curve, concave Northeasterly and having a radius of 117.50 feet; thence
- 8) Easterly along the arc of said tangent curve, through a central angle of 40° 11' 50", an arc distance of 82.43 feet; thence
- 9) South 80° 10' 59" East, a distance of 215.08 feet; thence
- 10) South 13° 35' 23" East, a distance of 115.70 feet; thence
- 11) South 06° 47' 35" East, a distance of 57.75 feet; thence
- 12) South 01° 39' 31" East, a distance of 73.06 feet; thence
- 13) South 26° 59' 18" West, a distance of 108.73 feet to said South line of Parcel 3; thence leaving said line
- 14) Continuing South 26° 59' 18" West, a distance of 40.43 feet to the beginning of a tangent curve, concave Southeasterly and having a radius of 167.50 feet; thence
- 15) Southerly along the arc of said tangent curve, through a central angle of 21° 43' 59", an arc distance of 63.53 feet to a point of reverse curvature with a curve concave to the West, having a radius of 132.50 feet; thence
- 16) Southerly along the arc of said reverse curve, through a central angle of 25° 17' 33", an arc distance of 58.49 feet; thence
- 17) South 30° 32' 52" West, a distance of 134.54 feet to the beginning of a tangent curve, concave Northwesterly and having a radius of 132.50 feet; thence
- 18) Southwesterly along the arc of said tangent curve, through a central angle of 23° 00' 09", an arc distance of 53.19 feet; thence
- 19) South 53° 33' 10" West, a distance of 127.42 feet; thence
- 20) North 53° 43' 13" West, a distance of 160.87 feet; thence
- 21) North 34° 40' 56" East, a distance of 76.26 feet; thence
- 22) North 17° 08' 33" East, a distance of 120.61 feet; thence
- 23) North 00° 19' 55" East, a distance of 119.45 feet to the point of beginning.

ALSO EXCEPTING THEREFROM the following described portion of said Parcel 4:

Beginning at the Southeast corner of said Parcel 4, said point also being on the centerline of an easement, as described by that Deed recorded on March 21, 1984, as Document No. [84027331 of Official Records of Fresno County](#); thence

- 24) North 88° 01' 09" West, along the South boundary line of said Parcel 4, a distance of 960.06 feet to the Northeast corner of said Parcel 16; thence
- 25) North 88° 00' 49" West, continuing along said South boundary line of Parcel 4, a distance of 52.26 feet; thence leaving said line
- 26) North 33° 37' 58" East, a distance of 48.65 feet; thence
- 27) South 86° 41' 49" East, a distance of 13.46 feet; thence
- 28) North 34° 59' 26" East, a distance of 28.87 feet; thence

- 29) North 81° 20' 15" East, a distance of 43.28 feet; thence
- 30) North 36° 39' 48" East, a distance of 45.81 feet; thence
- 31) South 52° 40' 26" East, a distance of 53.46 feet; thence
- 32) North 60° 12' 08" East, a distance of 121.33 feet; thence
- 33) North 36° 04' 52" East, a distance of 57.15 feet; thence
- 34) North 01° 54' 08" East, a distance of 51.42 feet; thence
- 35) North 15° 07' 29" West, a distance of 145.83 feet; thence
- 36) North 26° 37' 11" East, a distance of 45.12 feet; thence
- 37) North 52° 20' 01" East, a distance of 64.44 feet to the beginning of a tangent curve, concave Westerly, and having a radius of 55.00 feet; thence
- 38) Northerly along the arc of said tangent curve, through a central angle of 95° 37' 03", an arc distance of 91.79 feet; thence
- 39) North 43° 17' 02" West, a distance of 37.97 feet; thence
- 40) North 00° 06' 49" East, a distance of 31.30 feet; thence
- 41) South 88° 10' 20" East, a distance of 142.26 feet; thence
- 42) North 19° 34' 50" East, a distance of 42.00 feet to a point on the North line of said Parcel 4, said point being a distant 1093.32 feet from the Northwest corner of said Parcel 4; thence
- 43) South 88° 10' 20" East, along said North line, a distance of 629.32 feet to the Northeast corner of said Parcel 4; said corner being also on said centerline of said perpetual easement and right of way; thence continuing to follow said Easterly boundary along the subsequent courses and distances
- 44) South 03° 41' 33" East, along the Easterly boundary of said Parcel 4, a distance of 258.17 feet to the beginning of a tangent curve, concaving Westerly and having a radius of 500.00 feet; thence
- 45) Southwesterly, along the arc of said tangent curve, through a central angle of 29° 26' 30", an arc distance of 256.93 feet along the East line of said Parcel 4; thence
- 46) South 25° 44' 57" West a distance of 150.65 feet to the point of beginning.

TOGETHER WITH the following described portion of said Parcel 17;

Beginning at the Northeast corner of said Parcel 17 of said Parcel Map; thence

- 47) South 02° 27' 56" West, along the East line of said Parcel 17, a distance of 449.00 feet; thence leaving said line
- 48) South 86° 19' 32" West, a distance of 40.44 feet; thence
- 49) North 54° 56' 18" West, a distance of 67.72 feet; thence
- 50) North 44° 26' 34" West, a distance of 80.51 feet; thence
- 51) North 78° 08' 56" West, a distance of 46.90 feet; thence
- 52) South 59° 51' 39" West, a distance of 46.99 feet; thence
- 53) South 79° 04' 36" West, a distance of 92.88 feet; thence
- 54) North 87° 42' 38" West, a distance of 68.89 feet; thence
- 55) North 73° 25' 16" West, a distance of 103.49 feet; thence

- 56) North 51° 58' 10" West, a distance of 38.42 feet to the beg of a tangent curve, concave Easterly and having a radius of 150.00 feet; thence
- 57) Northwesterly along the arc of said tangent curve, through a central angle of 78° 52' 27", an arc distance of 206.49 feet; thence
- 58) North 26° 54' 17" East, a distance of 73.98 feet; thence
- 59) North 02° 27' 46" East, a distance of 97.45 feet, to the North line of said Parcel 17; thence
- 60) South 88° 01' 49" East, along said North line, a distance of 551.50 feet to the point of beginning.

ALSO TOGETHER WITH the following described portion of said Parcel 16:

Beginning at the Northwest corner of said Parcel 16; thence

- 61) South 88° 40' 49" East, along the North line of said Parcel 16, a distance of 640.26 feet; thence leaving said line
- 62) South 18° 19' 33" West, a distance of 28.37 feet; thence
- 63) South 35° 29' 44" West, a distance of 30.20 feet; thence
- 64) South 49° 52' 55" West, a distance of 38.53 feet; thence
- 65) North 78° 11' 42" West, a distance of 27.37 feet; thence
- 66) South 40° 43' 47" West, a distance of 51.24 feet; thence
- 67) North 88° 40' 06" West, a distance of 41.90 feet; thence
- 68) South 15° 08' 58" West, a distance of 73.29 feet; thence
- 69) South 46° 09' 43" West, a distance of 55.48 feet; thence
- 70) South 36° 36' 49" West, a distance of 63.28 feet to the beginning point of a tangent curve concave Northerly and having a radius of 80.00 feet; thence
- 71) Westerly along the arc of said tangent curve, through a central angle of 80° 04' 45", an arc distance of 111.81 feet; thence
- 72) North 63° 18' 26" West, a distance of 68.81 feet; thence
- 73) North 67° 22' 27" West, a distance of 48.38 feet; thence
- 74) North 48° 13' 57" West, a distance of 30.67 feet; thence
- 75) North 17° 02' 16" West, a distance of 42.79 feet; thence
- 76) North 87° 28' 10" West, a distance of 57.59 feet; thence
- 77) South 15° 33' 44" West, a distance of 211.75 feet; thence
- 78) South 47° 56' 20" West, a distance of 64.91 feet to a point on the West line of said Parcel 16 distant 730.34 feet from the Southwest corner of said Parcel; thence
- 79) North 02° 27' 56" East, along said West line, a distance of 449.00 feet to the point of beginning.

This legal description is made pursuant to Certificate of Compliance Placer 06-33(A), recorded September 30, 2008, as Instrument No. [2008-140703](#) of Official Records.

ALSO EXCEPTING THEREFROM all oil, gas and minerals lying below a depth of 500 feet as conveyed to Carlsberg Resources Corporation, a California corporation, by Deed dated October

26, 1970, recorded October 30, 1970, in [Book 5832, Page 371](#) of Official Records, Document No. 76311

APN: 300-032-47;  
300-032-68;  
300-032-69;  
300-340-16; and  
300-340-36

**PARCEL FOUR:**

That certain real property situate in Section 10, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, being a portion Parcel 17 of Parcel Map No. 3179, according to the Amended Map thereof, recorded in Book 34 of Parcel Maps, at Page 94, Fresno County Records, being more particularly described as follows:

All of said Parcel 17, excepting therefrom the following described portion:

Beginning at the Northeast corner of said Parcel 17, of said Parcel Map; thence

- 1) South 02° 27' 56" West, along the East line of said Parcel 17, a distance of 449.00 feet; thence leaving said line
- 2) South 86° 19' 32" West, a distance of 40.44 feet; thence
- 3) North 54° 56' 18" West, a distance of 67.72 feet; thence
- 4) North 44° 26' 34" West, a distance of 80.51 feet; thence
- 5) North 78° 08' 56" West, a distance of 46.90 feet; thence
- 6) South 59° 51' 39" West, a distance of 46.99 feet; thence
- 7) South 79° 04' 36" West, a distance of 92.88 feet; thence
- 8) North 87° 42' 38" West, a distance of 68.89 feet; thence
- 9) North 73° 25' 16" West, a distance of 103.49 feet; thence
- 10) North 51° 58' 10" West, a distance of 38.42 feet to the beginning of a tangent curve, concave Easterly and having a radius of 150.00 feet; thence
- 11) Northwesterly along the arc of said tangent curve, through a central angle of 78° 52' 27", an arc distance of 206.49 feet; thence
- 12) North 26° 54' 17" East, a distance of 73.98 feet; thence
- 13) North 02° 27' 46" East, a distance of 97.45 feet, to the North line of said Parcel 17; thence
- 14) South 88° 01' 49" East, along said North line, a distance of 551.50 feet to the point of beginning.

This legal description is made pursuant to Certificate of Compliance Placer 06-32(C), recorded September 30, 2008, as Instrument No. [2008-140702](#) of Official Records.

ALSO EXCEPTING THEREFROM all oil, gas and minerals lying below a depth of 500 feet as conveyed to Carlsberg Resources Corporation, a California corporation, by Deed dated October



26, 1970, recorded October 30, 1970, in [Book 5832, Page 371](#) of Official Records, Document No. 76311

APN: 300-340-30

**PARCEL FIVE:**

That certain real property situate in Section 10, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, being a portion of Parcel 15 and Parcel 16, of Parcel Map No. 3179, according to the Amended Map thereof, recorded in Book 34 of Parcel Maps, at Page 94, Fresno County Records, being more particularly described as follows:

Beginning at the Northwest corner of said Parcel 15; thence

- 1) South  $01^{\circ} 09'$  East, along the North line of said Parcel 15, a distance of 960.06 feet to the Northeast corner of said Parcel, said point also being on the centerline of an easement as described by that Deed recorded on March 21, 1984, as Document No. [84027331](#) of Official Records Fresno County; thence continuing along the East line of said Parcel 15, following the subsequent courses and distances
- 2) South  $25^{\circ} 44' 57''$  West, a distance of 80.81 feet to the beginning of a tangent curve, concave Easterly and having a radius of 500.00 feet; thence
- 3) Southerly along the arc of said tangent curve, through a central angle of  $18^{\circ} 57' 19''$ , an arc distance of 165.42 feet along said easement; thence
- 4) South  $06^{\circ} 47' 38''$  West, a distance of 395.29 feet along said easement; thence
- 5) North  $83^{\circ} 12' 22''$  West, a distance of 52.77 feet along said easement to a tangent curve, concave Southerly and having a radius of 206.00 feet; thence
- 6) Westerly along the arc of said tangent curve, through a central angle of  $12^{\circ} 57' 42''$ , an arc distance of 46.60 feet; thence leaving said East line
- 7) South  $83^{\circ} 49' 56''$  West, a distance of 768.81 feet, to the West line of said Parcel 15; thence
- 8) North  $02^{\circ} 28' 05''$  East, along said West line, a distance of 733.32 feet to the point of beginning.

TOGETHER WITH the following described portion of said Parcel 16:

All of said Parcel 16 excepting therefrom the following described portion:

Beginning at the Northwest corner of said Parcel 16; thence

- 9) South  $88^{\circ} 00' 49''$  East, along the North line of said Parcel 16, a distance of 640.26 feet; thence leaving said line
- 10) South  $18^{\circ} 19' 33''$  West, a distance of 28.37 feet; thence
- 11) South  $35^{\circ} 29' 44''$  West, a distance of 30.20 feet; thence
- 12) South  $49^{\circ} 52' 55''$  West, a distance of 38.53 feet; thence
- 13) North  $78^{\circ} 11' 42''$  West, a distance of 27.37 feet; thence

- 14) South 40° 43' 47" West, a distance of 51.24 feet; thence
- 15) North 88° 40' 06" West, a distance of 41.90 feet; thence
- 16) South 15° 08' 58" West, a distance of 73.29 feet; thence
- 17) South 46° 09' 43" West, a distance of 55.48 feet; thence
- 18) South 36° 36' 49" West, a distance of 63.28 feet to the beginning point of a tangent curve concave Northeasterly and having a radius of 80.00 feet; thence
- 19) Westerly along the arc of said tangent curve, through a central angle of 80° 04' 45", an arc distance of 111.81 feet; thence
- 20) North 63° 18' 26" West, a distance of 68.81 feet; thence
- 21) North 67° 22' 27" West, a distance of 48.38 feet; thence
- 22) North 48° 13' 57" West, a distance of 30.67 feet; thence
- 23) North 17° 02' 16" West, a distance of 42.79 feet; thence
- 24) North 87° 28' 10" West, a distance of 57.59 feet; thence
- 25) South 15° 33' 44" West, a distance of 211.75 feet; thence
- 26) South 47° 56' 20" West, a distance of 64.91 feet to a point on the West line of said Parcel 16 distant 730.34 feet from the Southwest corner of said Parcel; thence
- 27) North 02° 27' 56" East, along said West line, a distance of 449.00 feet to the point of beginning

ALSO EXCEPTING the following described portion of said Parcel 16:

Beginning at the Southeast corner of said Parcel 16; thence

- 28) North 02° 28' 05" East, along the East line of said Parcel 16, a distance of 713.15 feet; thence leaving said line
- 29) South 83° 49' 56" West, a distance of 95.20 feet; thence
- 30) South 05° 05' 45" East, a distance of 182.13 feet; thence
- 31) South 04° 21' 10" West, a distance of 91.90 feet; thence
- 32) South 08° 43' 30" West, a distance of 28.62 feet; thence
- 33) South 15° 17' 15" West, a distance of 57.23 feet; thence
- 34) South 21° 23' 56" West, a distance of 54.53 feet; thence
- 35) South 46° 44' 14" West, a distance of 261.69 feet, to the Southerly boundary of said Parcel 16, said point also being the beginning of a non-tangent curve concave Northerly and having a radius of 886.91 feet, a radial to said point bears South 23° 15' 53" West; thence
- 36) Easterly, following the Southerly boundary of said Parcel 16, along the arc of said non-tangent curve, through a central angle of 14° 16' 48", an arc distance of 221.05 to the point of beginning.

This legal description is made pursuant to Certificate of Compliance Placer 06-33(B), recorded September 30, 2008, as Instrument No. [2008-140704](#) of Official Records.

ALSO EXCEPTING THEREFROM all oil, gas and minerals lying below a depth of 500 feet as conveyed to Carlsberg Resources Corporation, a California corporation, by Deed dated October

26, 1970, recorded October 30, 1970, in [Book 5832, Page 371](#) of Official Records, Document No. 76311

APN: 300-340-37

**PARCEL SIX:**

That certain real property situate in Section 10, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof, being a portion of Parcel 15 and Parcel 16 of Parcel Map No. 3179, according to the Amended Map thereof, recorded in Book 34 of Parcel Maps, at Page 94, Fresno County Records, being more particularly described as follows:

All of said Parcel 15, excepting the following described portion:

Beginning at the Northwest corner of said Parcel 15; thence;

- 1) South 88° 01' 09" East, along the North line of said Parcel 15, a distance of 960.06 feet to the Northeast corner of said Parcel, said point also being on the centerline of an easement as described by that Deed recorded on March 21, 1984, as Document No. [84027331](#) of Official Records, Fresno County; thence continuing along the East line of said Parcel 15, following the subsequent courses and distances:
- 2) South 25° 44' 57" West, a distance of 80.81 feet to the beginning of a tangent curve, concave Easterly and having a radius of 500.00 feet; thence
- 3) Southerly along the arc of said tangent curve, through a central angle of 18° 57' 19", an arc distance of 165.42 feet along said easement; thence
- 4) South 06° 47' 38" West, a distance of 395.29 feet along said easement; thence
- 5) North 83° 12' 22" West, a distance of 52.77 feet along said easement to a tangent curve, concave Southerly and having a radius of 206.00 feet; thence
- 6) Westerly along the arc of said tangent curve, through a central angle of 12° 57' 42", an arc distance of 46.60 feet; thence leaving said line
- 7) South 83° 49' 56" West, a distance of 768.81 feet, to the West line of said Parcel 15; thence
- 8) North 02° 28' 05" East, along said West line, a distance of 733.32 feet to the point of beginning.

TOGETHER WITH the following described portion of said Parcel 16:

Beginning at the Southeast corner of said Parcel 16; thence

- 9) North 02° 28' 05" East, along the East line of said Parcel 16, a distance of 713.15 feet; thence leaving said line
- 10) South 83° 49' 56" West, a distance of 95.20 feet; thence
- 11) South 05° 05' 45" East, a distance of 182.13 feet; thence
- 12) South 04° 21' 10" West, a distance of 91.90 feet; thence
- 13) South 08° 43' 30" West, a distance of 28.62 feet; thence
- 14) South 15° 17' 15" West, a distance of 57.23 feet; thence

- 15) South  $21^{\circ} 23' 56''$  West, a distance of 54.53 feet; thence
- 16) South  $26^{\circ} 44' 14''$  West, a distance of 261.69 feet to the Southerly boundary of said Parcel 16, said point also being the beginning of a non-tangent curve concave Northerly and having a radius of 886.91 feet, a radial to said point bears South  $23^{\circ} 15' 53''$  West; thence
- 17) Easterly following the Southerly boundary of said Parcel 16 along the arc of said non-tangent curve, through a central angle of  $14^{\circ} 16' 48''$ , an arc distance of 221.05 to the point of beginning.

This legal description is made pursuant to Certificate of Compliance Placer 06-33(C), recorded September 30, 2008, as Instrument No. [2008-140705](#) of Official Records.

ALSO EXCEPTING THEREFROM all oil, gas and minerals lying below a depth of 500 feet as conveyed to Carlsberg Resources Corporation, a California corporation, by Deed dated October 26, 1970, recorded October 30, 1970, in [Book 5832, Page 371](#) of Official Records, Document No. 76311

APN: 300-340-38

## **EXHIBIT A (SITE 3)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract IV:

PARCEL 2 OF PARCEL MAP NO. 5988, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 41 PAGE 22 PARCEL MAPS, FRESNO COUNTY RECORDS; EXCEPTING THEREFROM ALL OIL, GAS, MINERALS, HYDROCARBONS AND KINDRED SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BUT WITHOUT THE RIGHT OF SURFACE ENTRY, AS GRANTED TO CARLSBERG RESOURCES CORPORATION, A CALIFORNIA CORPORATION, BY DEED RECORDED OCTOBER 30, 1970, IN BOOK 5832 PAGE 371 OF OFFICIAL RECORDS, INSTRUMENT NO. 76311.

EXCEPTING THEREFROM A PORTION OF SAID PARCEL 2 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2;

THENCE ALONG THE EAST LINE OF SAID PARCEL 2 NORTH 01°47'08" EAST A DISTANCE OF 227.35 FEET TO THE TRUE POINT OF BEGINNING (P.O.B-1);

THENCE NORTH 15°24'03" WEST A DISTANCE OF 73.70 FEET;

THENCE NORTH 01°47'08" EAST PARALLEL WITH AND 21.78 FEET WESTERLY FROM EAST LINE OF SAID PARCEL 2, A DISTANCE OF 75.29 FEET;

THENCE NORTH 26°56'00" EAST A DISTANCE OF 51.24 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL 2;

THENCE ALONG SAID EAST LINE SOUTH 01°47'08" WEST A DISTANCE OF 192.08 FEET TO THE TRUE POINT OF BEGINNING (P.O.B-1).

ALSO EXCEPTING THEREFROM A PORTION OF SAID PARCEL 2 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2;

THENCE ALONG THE EAST LINE OF SAID PARCEL 2 NORTH 01°47'08" EAST A DISTANCE OF 950.66 FEET TO THE TRUE POINT OF BEGINNING (P.O.B-2);

THENCE NORTH 43°29'57" WEST A DISTANCE OF 272.21 FEET;

THENCE NORTH 27°53'00" EAST A DISTANCE OF 224.53 FEET;

THENCE NORTH 62°31'36" EAST A DISTANCE OF 108.51 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL 2;

THENCE ALONG SAID EAST LINE SOUTH 01°47'08" WEST A DISTANCE OF 446.20 FEET TO THE TRUE POINT OF BEGINNING (P.O.B-2).

TOGETHER WITH PORTIONS OF PARCELS 20 AND 21 OF PARCEL MAP NO. 5349 RECORDED IN BOOK 34 AT PAGES 19 AND 20 OF PARCEL MAPS, FRESNO COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2;

THENCE ALONG THE WEST LINE OF SAID PARCEL 2 NORTH 01°47'08" EAST A DISTANCE OF 1396.86 FEET TO THE TRUE POINT OF BEGINNING (P.O.B-3);

THENCE SOUTH 62°15'02" EAST A DISTANCE OF 311.63 FEET;

THENCE NORTH 58°08'13" EAST A DISTANCE OF 116.44 FEET;

THENCE SOUTH 39°59'15" EAST A DISTANCE OF 379.36 FEET;

THENCE SOUTH 88°45'40" EAST A DISTANCE OF 506.61 FEET;

THENCE NORTH 01°14'20" EAST A DISTANCE OF 57.39 FEET;

THENCE NORTH 17°48'29" EAST A DISTANCE OF 245.56 FEET;

THENCE NORTH 88°45'40" WEST A DISTANCE OF 75.50 FEET;

THENCE NORTH 66°34'29" WEST A DISTANCE OF 115.47 FEET;

THENCE NORTH 81°09'12" WEST A DISTANCE OF 441.68 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF MILLERTON ROAD AS DESCRIBED IN DOCUMENT NUMBER 23913, RECORDED IN BOOK 6568, PAGE 294, OFFICIAL RECORDS OF FRESNO COUNTY;

THENCE WESTERLY ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF MILLERTON ROAD TO THE NORTHWEST CORNER OF LOT 21 OF SAID MAP;

THENCE ALONG THE WEST LINE OF SAID PARCEL 21 SOUTH 01°47'08" WEST A DISTANCE OF 171.32 FEET TO THE TRUE POINT OF BEGINNING (P.O.B-3).

EXCEPTING THEREFROM all oil, gas, minerals, hydrocarbons and kindred substances lying below a depth of 500 feet, but without the right of surface entry, as granted to Carlsberg Resources Corporation, a California corporation, by Deed recorded October 30, 1970, in Book 5832, Page 371 of Official Records, Instrument No. 76311.

APN: 300-340-60 (new, not yet assessed)

## **EXHIBIT A (SITE 4)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract III:

Portions of Section 15 and Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, being more particularly described as follows:

Beginning at the Northwest corner of the Northeast quarter of said Section 16; thence

- 1) South 88° 20' 25" East, along the North line of said Northeast quarter, a distance of 1,509.93 feet to the Northwest corner of that parcel of land described in Document No. 2006-0143583, Official Records of Fresno County; thence along the Westerly boundary of said Parcel following subsequent courses and distances
- 2) South 21° 41' 28" West, a distance of 670.08 feet; thence
- 3) South 35° 31' 20" East, a distance of 830.19 feet; thence
- 4) South 40° 21' 32" East, a distance of 60.00 feet; thence
- 5) North 49° 38' 28" East, a distance of 27.92 feet; thence
- 6) South 14° 49' 50" East, a distance of 871.78 feet; thence
- 7) South 31° 36' 17" East, a distance of 489.62 feet; thence
- 8) North 45° 31' 54" East, a distance of 531.57 feet to the East line of said Northeast quarter of Section 16; thence
- 9) South 01° 13' 22" West, along said East line, a distance of 439.13 feet to the Northwest corner of the Southwest quarter of said Section 15; thence
- 10) South 88° 13' 13" East, along the North line of said Southwest quarter, a distance of 755.75 feet to the centerline of White Fox Creek; thence along said centerline following the subsequent courses and distances
- 11) South 19° 56' 46" West, a distance of 72.49 feet; thence
- 12) North 85° 00' 30" West, a distance of 64.24 feet; thence
- 13) South 31° 16' 41" West, a distance of 173.07 feet; thence
- 14) South 07° 32' 49" West, a distance of 30.34 feet; thence
- 15) South 60° 14' 25" East, a distance of 15.12 feet; thence
- 16) North 51° 58' 21" East, a distance of 50.64 feet; thence
- 17) South 68° 02' 55" East, a distance of 20.01 feet; thence
- 18) South 08° 04' 11" East, a distance of 109.28 feet; thence
- 19) South 42° 12' 02" West, a distance of 12.77 feet; thence
- 20) North 87° 31' 46" West, a distance of 32.39 feet; thence

- 21) South 37° 15' 35" West, a distance of 11.40 feet; thence
- 22) South 17° 57' 04" East, a distance of 71.26 feet; thence
- 23) South 03° 52' 53" West, a distance of 77.17 feet; thence
- 24) South 37° 58' 25" West, a distance of 77.17 feet; thence
- 25) South 58° 06' 28" West, a distance of 52.04 feet; thence
- 26) North 55° 36' 08" West, a distance of 24.13 feet; thence
- 27) North 10° 41' 15" East, a distance of 88.28 feet; thence
- 28) North 35° 44' 47" West, a distance of 13.78 feet; thence
- 29) North 82° 10' 48" West, a distance of 56.38 feet; thence
- 30) South 70° 01' 31" West, a distance of 25.44 feet; thence
- 31) South 02° 10' 27" East, a distance of 47.81 feet; thence
- 32) South 87° 49' 33" West, a distance of 23.35 feet; thence
- 33) North 25° 34' 05" West, a distance of 33.23 feet; thence
- 34) North 45° 05' 04" West, a distance of 87.86 feet; thence
- 35) North 21° 03' 30" West, a distance of 82.48 feet; thence
- 36) South 66° 29' 29" West, a distance of 48.38 feet; thence
- 37) South 27° 08' 46" East, a distance of 61.63 feet; thence
- 38) South 54° 42' 00" West, a distance of 49.76 feet; thence
- 39) North 58° 26' 10" West, a distance of 123.11 feet; thence
- 40) South 62° 09' 18" West, a distance of 30.53 feet; thence
- 41) South 02° 44' 45" West, a distance of 47.97 feet; thence
- 42) South 41° 03' 28" East, a distance of 73.48 feet; thence
- 43) South 24° 09' 27" West, a distance of 53.77 feet; thence
- 44) South 75° 42' 11" West, a distance of 52.74 feet; thence
- 45) South 35° 36' 50" West, a distance of 206.11 feet to a point on the West line of said Southwest quarter of Section 15, said point being a distance of 721.70 feet Southwesterly of said Northwest corner of the Southwest quarter; thence leaving said West line and continuing along said centerline of White Fox Creek
- 46) South 35° 36' 50" West, a distance of 172.00 feet; thence leaving said centerline
- 47) South 02° 29' 55" West, a distance of 186.99 feet to the Northeasterly corner of that parcel of land described in Document No. 2002-0037453, Official Records of Fresno County; thence along the Northwesterly boundary of a said Parcel following the subsequent courses and distances
- 48) North 83° 40' 49" West, a distance of 195.90 feet; thence
- 49) North 06° 19' 11" East, a distance of 52.82 feet to the beginning of a tangent curve, concave to the Southwest, with a radius of 300.00 feet; thence along said curve
- 50) Northwesterly, through a central angle of 106° 50' 52", an arc distance of 559.45 feet;



thence

- 51) North 86° 42' 28" West, a distance of 69.89 feet; thence
- 52) South 41° 22' 04" West, a distance of 69.43 feet; thence
- 53) South 09° 21' 54" West, a distance of 192.94 feet; thence
- 54) South 39° 01' 45" West, a distance of 684.84 feet; thence
- 55) South 57° 43' 24" West, a distance of 122.18 feet; thence
- 56) South 34° 20' 50" West, a distance of 399.53 feet; thence
- 57) South 56° 48' 34" West, a distance of 179.21 feet; thence
- 58) South 22° 15' 42" West, a distance of 118.88 feet; thence
- 59) South 34° 05' 12" East, a distance of 60.87 feet; thence leaving said Northwesterly boundary
- 60) South 38° 49' 04" West, a distance of 106.13 feet, returning to said centerline of White Fox Creek; thence along said centerline following the subsequent courses and distances
- 61) South 10° 05' 17" West, a distance of 146.41 feet; thence
- 62) South 12° 27' 46" East, a distance of 128.54 feet; thence
- 63) South 20° 18' 39" West, a distance of 86.52 feet; thence
- 64) South 71° 09' 21" West, a distance of 160.16 feet; thence
- 65) South 57° 24' 44" West, a distance of 39.40 feet to the South line of the Southeast quarter of said 16; thence
- 66) North 88° 48' 08" West, along said South line, a distance of 70.53 feet to the Southwest corner of the East half of the West half of said Southeast quarter; thence
- 67) North 01° 09' 59" East, along the West line of said East half, a distance of 988.87 feet to the most Southerly corner of that parcel of land described in Document No. 2002-0037456, Official Records of Fresno County; thence along the Easterly boundary of said Parcel following the subsequent courses and distances
- 68) South 88° 17' 13" East, a distance of 172.04 feet; thence
- 69) North 50° 29' 02" East, a distance of 229.77 feet; thence
- 70) North 37° 55' 01" East, a distance of 582.64 feet; thence
- 71) North 44° 57' 55" East, a distance of 366.25 feet; thence
- 72) South 60° 57' 51" East, a distance of 178.34 feet; thence
- 73) North 21° 17' 26" East, a distance of 578.19 feet; thence
- 74) North 36° 13' 26" West, a distance of 681.91 feet; thence
- 75) North 00° 55' 14" West, a distance of 634.33 feet; thence
- 76) North 35° 39' 41" West, a distance of 126.89 feet; thence
- 77) North 49° 38' 17" East, a distance of 67.61 feet; thence
- 78) North 40° 21' 43" West, a distance of 119.90 feet to the beginning of a tangent curve, concave to the Southwest, with a radius of 360.00 feet; thence along said curve

- 79) Northwesterly, through a central angle of 16° 11' 26", an arc distance of 101.73 feet; thence  
80) North 86° 09' 27" West, a distance of 306.42 feet; thence  
81) North 88° 20' 01" West, a distance of 298.19 feet; thence  
82) South 45° 06' 32" West, a distance of 167.09 feet; thence  
83) North 88° 57' 00" West, a distance of 84.95 feet; thence  
84) South 03° 16' 52" West, a distance of 127.97 feet; thence  
85) South 06° 39' 54" East, a distance of 61.17 feet; thence  
86) South 02° 53' 11" West, a distance of 363.84 feet; thence  
87) North 63° 00' 46" East, a distance of 442.99 feet; thence  
88) South 35° 42' 32" East, a distance of 146.77 feet; thence  
89) South 39° 24' 48" West, a distance of 98.07 feet; thence  
90) South 53° 32' 51" West, a distance of 704.59 feet; thence  
91) South 01° 09' 59" West, a distance of 397.31 feet to the Northwest corner of said East half;  
thence  
92) North 88° 34' 23" West, along the South line of said Northeast quarter of Section 16, a  
distance of 613.41 feet to the Southeasterly corner of that parcel of land described in  
Document No. 2002-0037457, Official Records of Fresno County; thence along the  
Easterly boundary of said Parcel following the subsequent courses and distances  
93) North 20° 25' 28" East, a distance of 413.22 feet; thence  
94) North 14° 51' 32" East, a distance of 626.05 feet; thence  
95) North 36° 58' 51" East, a distance of 273.76 feet; thence  
96) South 76° 43' 55" East, a distance of 83.61 feet; thence  
97) North 11° 58' 51" East, a distance of 745.82 feet; thence  
98) North 48° 42' 42" West, a distance of 398.99 feet; thence  
99) North 74° 41' 00" West, a distance of 13969 feet; thence  
100) South 29° 28' 42" West, a distance of 611.16 feet to the West line of said Northeast  
quarter of Section 16; thence  
101) North 01° 08' 39" East, along the West line of said Northeast quarter, a distance of  
940.87 feet to the point of beginning.

This legal is made pursuant to that certain Certificate of Correction recorded August 22, 2008,  
as Instrument No. 2008-0120599 of Official Records.

TOGETHER WITH that portion of the East half of Section 16, Township 11 South, Range 21  
East, Mount Diablo Base and Meridian, according to the United States Government Plat,  
described as follows:

Beginning at the Northwest corner of the East half of the West half of the Southeast quarter of  
said Section 16; thence North 00° 45' 27" East, a distance of 397.31 feet; thence North 53° 08'  
19" East, a distance of 704.59 feet; thence North 39° 00' 16" East, a distance of 98.07 feet;

thence North 36° 07' 04" West, a distance of 146.77 feet; thence South 62° 36' 14" West, a distance of 442.99 feet; thence North 02° 28' 39" East, a distance of 363.84 feet; thence North 07° 04' 26" West, a distance of 61.17 feet; thence North 02° 52' 20" East, a distance of 127.97 feet; thence South 89° 21' 32" East, a distance of 84.95 feet; thence North 44° 42' 00" East, a distance of 167.09 feet; thence South 88° 44' 33" East, a distance of 298.19 feet; thence South 06° 33' 59" East, a distance of 306.42 feet to a point on a non-tangent curve, concave to the Southwest, with a radius of 360.00 feet (the radial to said point bears North 33° 02' 19" East); thence Southeasterly along said curve, through a central angle of 16° 11' 26", an arc distance of 101.73 feet; thence South 40° 46' 15" East, a distance of 119.90 feet; thence South 49° 13' 45" West, a distance of 67.61 feet; thence South 36° 04' 13" East, a distance of 126.89 feet; thence South 01° 19' 46" East, a distance of 634.33 feet; thence South 36° 37' 58" East, a distance of 681.91 feet; thence South 20° 52' 54" West, a distance of 578.18 feet; thence North 61° 22' 23" West, a distance of 178.34 feet; thence South 44° 33' 23" West, a distance of 366.25 feet; thence South 37° 30' 29" West, a distance of 582.64 feet; thence South 50° 04' 30" West, a distance of 229.77 feet; thence North 88° 41' 45" West, a distance of 172.04 feet to a point on the West line of the East half of the West half of the Southeast quarter of said Section 16; thence North 00° 45' 27" East, along said West line of the East half of the West half of the Southeast quarter of Section 16, a distance of 1,637.46 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying South of the South line of the Northeast quarter of Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian.  
ALSO that portion of the East half of Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the United States Government Plat, described as follows:

Commencing at the Northwest corner of the East half of the West half of the Southeast quarter of said Section 16; thence North 69° 57' 24" East, a distance of 446.22 feet to the true point of beginning of this description; thence South 64° 45' 59" East, a distance of 249.90 feet; thence South 36° 37' 58" East, a distance of 511.79 feet; thence South 20° 52' 54" West, a distance of 305.34 feet; thence North 61° 22' 23" West, a distance of 198.44 feet to the point of curvature of a curve, concave to the Northeast, with a radius of 560.00 feet; thence Northwesterly and Northeasterly along said curve, through a central angle 84° 03' 01", an arc distance of 821.49 feet to the true point of beginning.

EXCEPTING THEREFROM that portion lying South of the South line of the Northeast quarter of Section 16, Township 11 South, Range 21 East, Mount Diablo Base and Meridian.  
This legal description is made pursuant to that certain Certificate approving a Lot Line Adjustment, Certificate No. 12-18, shown as Parcel A, recorded May 24, 2013, as Instrument No. 2013-75084 of Official Records.

APN: 300-542-51

# **EXHIBIT C**

## **PETITION AND WRITTEN CONSENT (INCLUDING WAIVERS)**

**REQUESTING COMMENCEMENT OF PROCEEDINGS UNDER GOVERNMENT  
CODE SECTIONS 53311 ET SEQ.  
AND ANY OTHER PROVISION OF LAW  
DEEMED NECESSARY BY THE COUNTY OF FRESNO, INTER ALIA,  
TO ANNEX TERRITORY TO A COMMUNITY FACILITIES DISTRICT  
TO SERVE CERTAIN TERRITORY DESCRIBED HEREIN,  
AND TO CONDUCT A LANDOWNER ELECTION,  
TO RECORD AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN AND TO  
IMPOSE A SPECIAL TAX FOR LAW ENFORCEMENT SERVICES THEREIN AND  
AGREEMENT TO COVENANT, INCLUDING TO COVENANT  
RESTRICTING SALE OR TRANSFER OF REAL PROPERTY UNTIL  
SATISFACTION OF CONDITION PRECEDENT, TO FACILITATE SAME**

To the Board of Supervisors  
County of Fresno  
c/o County Administrative Officer  
Hall of Records, Room 304  
2281 Tulare Street  
Fresno, California 93721

Re: Tract No. 4934

Members of the Board of Supervisors:

WC Millerton Developers, Inc., a California Corporation ("WC MILLERTON") is the sole owner of all the territory of real property located in Tract Map No. 4934, Fresno County, California, shown and described in Exhibit "A", which exhibit is attached to and made a part of this petition ("Land").

WC MILLERTON is aware that the County, under the Mello-Roos Community Facilities Act of 1982 (the "Act") has established Community Facilities District No. 2006-01 (Police Protection Services) County of Fresno (the "District") to provide the ongoing financing for the continual provision of the necessary law enforcement services (the "Law Enforcement Services") in the unincorporated areas of Fresno County where such District has been established, and where territory has been annexed to such District.

WC MILLERTON hereby petitions that the County institute proceedings (and acknowledges that the County has instituted proceedings) to annex the territory of the Land to the District, to provide Law enforcement Services therein, and in other lands owned by other landowners now making similar petitions (collectively, "Proposed Annexation Territory"), and WC MILLERTON hereby represents, covenants, warrants, and agrees that WC MILLERTON, if consent is granted by the County and the transfer is allowed and occurs, will remain the sole owner of the entire fee interest of the Land, including all rights, title and interest therein and all land and improvements thereon and therein (collectively, "WC MILLERTON's Real Property"), and that there always have been, always are, and always will be less than twelve (12) registered voters residing in or the Land since ninety

(90) days before WC MILLERTON's execution of this petition and written consent (including waivers), and continuing thereafter without interruption through and until the conclusion of the proceedings for the annexation of the Land to the District, in order to permit the County to proceed with and successfully complete the annexation of such territory to the District, the landowner voter election for the proposed special tax levy for the Land proposed for annexation to the District, the imposition of the special tax lien upon all nonexempt real property located in the Land, the recordation of the amendment to the notice of special tax lien against WC MILLERTON's Real Property, and the provision of the Law Enforcement Services in the Land, as authorized under the Act. WC MILLERTON acknowledges and agrees that the County will be proceeding with the proposed annexation of the Land to the District under such landowner voter election procedures, based upon such representations, covenants, warranties and agreements of WC MILLERTON.

WC MILLERTON hereby petitions and requests that the Board of Supervisors commences proceedings necessary under the Act, and any other applicable provisions of law deemed necessary by the County of Fresno, to annex the Land to the District under the Act, to impose a special tax lien for an annual special tax for Law Enforcement Services levied by the District to finance, in part, the cost of providing Law Enforcement Services in a staffing ratio of 2.0 sworn officers per 1,000 residents, in the Land.

WC MILLERTON further petitions and requests that the Board of Supervisors proceeds immediately with all proceedings necessary to accomplish annexation of the Land to the District, the establishment of the Initial Appropriations Limit (defined herein below) for the Proposed Annexation Territory, and the imposition of the special tax lien upon WC MILLERTON's Real Property, and the recordation of the amendment to the notice of special tax lien against WC MILLERTON's Property. In that regard, to the greatest extent allowed by law, WC MILLERTON hereby expressly waives any and all notices, minimum noticing periods, procedures and requirements otherwise required under (i) the Act, including, by way of example and without limitation, Article 3.5 (commencing with section 53339) of the Act regarding the proceedings to annex the Proposed Annexation Territory to the District, (ii) sections 54950 through and including 54962 of the Government Code regarding notices of and holding of public meetings of the County's Board of Supervisors, (iii) section 53739 of the Government Code regarding the setting of the rate for taxes, including an inflationary adjustment, (iv) Article 3.5 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (sections 50075 through and including 50077) regarding special taxes, (v) the applicable provisions of Article 3.7 of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code (sections 53720 through and including 53730, as applicable) regarding special taxes; and (vi) the applicable provisions of the Constitution of the United States and the State of California and any other laws or governing legal authorities, whether in law or equity, with regard to and including by way of example and without limitation, adoption of any ordinances or resolutions, filing of any engineer's report, filing of any reports, plans or studies concerning the Law Enforcement Services and their related estimated costs under Government Code section 53321.5, filing of any other reports, plans (including by way of example and without limitation a plan for sharing services to be provided in common between the District and the Proposed Annexation Territory under Government Code section 53339.3), or studies, giving of any notices, holding any meetings or hearings, right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings for the annexation of the Proposed Annexation Territory to the District, recordation of the amendment to the notice of special tax lien, or the imposition of the special tax lien or annual levy of the special tax upon nonexempt properties located in the Proposed Annexation Territory), the right to

vote, election requirements, and time limits for election, and expressly supports the County's annexation of the Proposed Annexation Territory to the District, the levy of the special tax and the establishment and/or confirmation of the Initial Appropriations Limit (defined below), the recordation of the amendment to the notice of the special tax lien against the properties described in Exhibit "A", and the imposition of the special tax lien and the special tax levy on all nonexempt properties located in the Proposed Annexation Territory, all for the continual provision of the Law Enforcement Services in the Proposed Annexation Territory, and the benefit of the Proposed Annexation Territory, without completion of or compliance with any such notices, minimum noticing periods, time limits, procedures or substantive requirements. Without limiting the generality of any of the foregoing, and to the greatest extent allowed by law, WC MILLERTON hereby further expressly waives (i) any and all time limits and requirements in connection with the conduct of the election of the special tax levy referred to in Government Code section 53326(a), (ii) the impartial analysis and arguments and rebuttals, if any, in connection with the election by the qualified landowner voters for the vote of the special tax levy referred to Government Code section 53327, (iii) any and all objections for other procedures and substantive requirements in connection with the regularity and sufficiency of an election and time limits for the calling for an election of the special tax levy in the Proposed Annexation Territory, and for performance by any County election official for the vote of such special tax levy, (iv) any and all rights under Article XIII C of the California Constitution regarding special taxes and the right to the Initiative power to reduce or repeal local taxes, and (v) any and all rights under Article 3 (commencing with section 53330 of the Act to reduce or repeal the special tax to terminate the special tax levy, and to eliminate or reduce the Law Enforcement Services, and (vi) any and all objections to the County's establishment and/or confirmation of the initial appropriation limit for the Proposed Annexation Territory (the "Initial Appropriations Limit"), pursuant to Article XIII B of the California Constitution, and section 53325.7 of the Government Code.

Additionally, to the extent that the County may institute proceedings for the establishment of any Community Facilities Districts in the remainder of the unincorporated area of Fresno County, or annex any contiguous or noncontiguous territories anywhere in Fresno County to the District, or include (whether at the time that the District is created or at any time thereafter) any contiguous or noncontiguous territories in Fresno County within the District that are, in either case, owned by persons or entities other than WC MILLERTON in either case levy a special tax, for Law Enforcement Services in such territories, all of the provisions hereinabove concerning WC MILLERTON's consent and waiver shall also apply to other entities vis-à-vis such other Community Facilities Districts or annexations to, or inclusions in, the District, in order that the County may be fully assured that WC MILLERTON shall fully cooperate with the County's, and will not defeat, cause to delay, or otherwise interfere with the County's establishment and implementation of such Community Facilities Districts for, or annexations to the District of, or inclusions within the District of, any of such other territories. **To that end, to the greatest extent allowed by law, WC MILLERTON hereby additionally expressly waives any and all right of majority protest and objections (including by way of example and without limitation to objections concerning the regularity or sufficiency of the proceedings) to the proposed annexations or inclusions or inclusions of all of such other areas to or within the District, which are provided for in Government Code sections 53324 and 53339.6 as applicable.**

In consideration for the County's Board of Supervisors conducting the proceedings for the annexation of the Land to the District, the imposition of the special tax lien, establishment and/or confirmation of the Initial Appropriations limit, and conducting

proceedings for the special tax levy for the benefit of the Land as requested, WC MILLERTON agrees to and shall remain the sole owner of the Land and further agrees not to close escrow, or to sell, or to transfer title to, or any right or interest in, the Land, or any other lot or portion thereof (collectively, or individually, the "Sale or Transfer"), to any other person or entity until the earliest of: (i) completion of the County's proceedings for the annexation of the Proposed Annexation Territory to the District and the establishment of the Initial Appropriations Limit, and imposing the special tax lien on all nonexempt property located in the Proposed Annexation Territory, including by way of example and without limitation, the County's determination, by and through its Board of Supervisors, that the requisite 2/3 votes cast by WC MILLERTON, who shall be a qualified landowner voter, in the election in favor of the special tax levy and establishment of the Initial Appropriations Limit, and the recording, by the County's Clerk of the Board of Supervisors (or such other designated County Officer), of the amendment to the notice of special tax lien for the Proposed Annexation Territory in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5; or (ii) County's prior express written consent to such Sale or Transfer of the Land, or any lot or other portion thereof, provided however, WC MILLERTON shall not Sell or Transfer, or request consent to the Sale or Transfer of, any individual lot or lots to persons seeking to establish, or who may allow other persons seeking to establish, their residences in the area covered by the proposed District.

In further consideration for the County conducting the annexation of the Land to the District and other proceedings required to impose the special tax lien requested herein, WC MILLERTON shall not submit an application to the California Department of Real Estate for a Public Report, whether a Conditional Public Report, Preliminary Public Report, Overall Preliminary Public Report, Interim Public report, or Final Public Report for the subdivision of the Land, or for the subdivision of any portion thereof, unless and until the County has commenced, instituted and pursued to completion all proceedings necessary under California Government Code Sections 53311 et seq., and any other applicable provision of law deemed necessary by the County, to annex the Proposed Annexation Territory to the District pursuant to Government Code Sections 53311 et seq., to obtain approval of the special tax levy, and the County has recorded an amendment to the notice of special tax lien for the Proposed Annexation Territory against WC MILLERTON's Real Property, in the Office of the Fresno County Recorder pursuant to Government Code section 53339.8, and Streets and Highway Code section 3117.5, in order that County, through the Proposed Annexation Territory, may provide the Law Enforcement Services in the Land.

On request by the County, WC MILLERTON agrees to and promptly shall execute and deliver to County any other agreements, instrument, documents, and information that the County deems necessary to accomplish the annexation of the territory of the Land to the District, the special election for the special tax levy and establishment of the Initial Appropriations Limit, the imposition of the special tax lien, the recordation of the amendment to the notice of the special tax lien, and the initial special tax levy in the Proposed Annexation Territory and to evidence WC MILLERTON's petition, request, consent and waiver herein, including by way of example and without limitation, petition, waiver and consent forms, ballots regarding the special tax levy and Initial Appropriations Limit, and receipts for notices, and authorizations by WC MILLERTON to take any actions, to give any approvals, to execute any agreements, instruments and documents, to authenticate any information provided by WC MILLERTON, and to vote for the special tax levy and Initial Appropriations Limit, as provided herein. Without limiting the foregoing, WC MILLERTON agrees to and immediately upon County's request shall execute and deliver to County a

Covenant running with the land (or give written approval to an existing Covenant running with the land that is recorded or to be recorded in the Office of the Fresno County Recorder) memorializing all of these matters, and any additional matters as may be required by County, including a covenant restricting the sale or transfer of land until satisfaction of condition precedent in order to facilitate the annexation of the Land to the District and the recording of a notice of special tax lien on the real property described on Exhibit "A" hereto, in a form acceptable to County in County's sole discretion, and which Covenant WC MILLERTON agrees may be recorded immediately by County, in the Office of the Fresno County Recorder, against the real property described on Exhibit "A" hereto, binding WC MILLERTON, partners, heirs, executors, administrators, successors, transferees, assigns and subsequent owners, transferees and assigns regarding the representations and agreements stated herein.

Notwithstanding anything stated to the contrary in this petition, WC MILLERTON acknowledges and agrees that the County, in its sole discretion, may abandon the proposed annexation of the Land to the District, pursuant to Government Code, section 53339.7, and not proceed further with the conduct of the special election for the special tax levy and Initial Appropriations Limit, provided however, nothing contained in this paragraph shall obligate or be deemed to obligate the County to take such action.

If any provision of this petition, or the application thereof to any person, entity, real property, or circumstance, is found to violate any law or is found to be otherwise legally defective or unenforceable, then to any extent that is so found to be violative, invalid or unenforceable, the remainder of this petition, or the application thereof to persons, entities, real property, or circumstances other than those as to which it is violative, invalid or unenforceable, shall not be affected thereby, and each such provision of this petition shall remain in full force and effect and shall be enforceable to the full extent permitted by law.

WC MILLERTON represents, covenants, and warrants that the person(s) executing this petition for WC MILLERTON is the duly authorized representative of WC MILLERTON, and is fully authorized by WC MILLERTON to legally bind WC MILLERTON to this petition according to its terms and conditions, to make all of the representations, covenants, warranties, and agreements provided herein, to encumber the Land as provided herein, and to make the petition and requests of the County provided herein.

Respectfully submitted by WC MILLERTON: WC Millerton Developers, Inc.

By:   
Joshua Peterson, CEO / CFO  
WC Millerton Developers, Inc.

Date: April 11, 2019



# EXHIBIT A

## ANNEXATION MAP NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SITE #49

I, HEREBY CERTIFY THAT THE MAP SHOWING BOUNDARIES OF ANNEXATION NO. 10A OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019 BY ITS RESOLUTION NO. \_\_\_\_.

FILED IN THE OFFICE OF THE CLERK TO THE BOARD OF SUPERVISORS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

CLERK TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO

FILE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019, AT THE HOUR OF \_\_\_\_ O'CLOCK \_\_\_\_ A.M. IN BOOK \_\_\_\_ AT PAGE(S) \_\_\_\_.

MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

PAUL BORTS, CPA  
COUNTY ASSESSOR-RECORDER  
OF THE COUNTY OF FRESNO

BY: \_\_\_\_\_  
DEPUTY RECORDER  
FRESNO COUNTY RECORDER

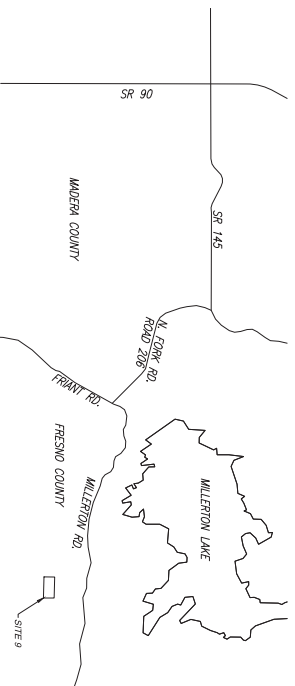
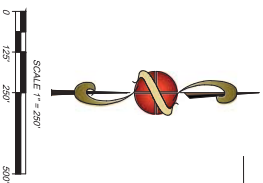
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN IN THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE FRESNO COUNTY ASSESSOR'S MAP FOR PARCELS LISTED.

THE FRESNO COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS AND PARCELS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVED THE ORIGINAL BOUNDARY MAP OF THE DISTRICT, ENTITLED "MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2006-01 (POLICE PROTECTION SERVICES), COUNTY OF FRESNO, STATE OF CALIFORNIA," WHICH WAS FILED PURSUANT TO SECTION 3111 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, ON APRIL 3, 2006, IN BOOK 41, AT PAGE(S) 80 AND 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS INSTRUMENT NO. 200608943.

LEGEND	
OBJECT	DESCRIPTION
	ASSESSMENT NUMBER
---	LOT LINES
---	CENTER LINE
---	APN LINES
	PROPOSED ANNEXATION CTO NO. 2006-01
	EXISTING CTO NO. 2006-01

ASSMT	ASSESSOR'S PARCEL NO.	SITE NO.	TRACT MAP NO.
1	300-542-13	9	4934



### VICINITY MAP NOT TO SCALE

PREPARED FOR:  
ASSEMI GROUP  
FRESNO, CA 93711  
1396 W. HERDON SUITE 110  
(559) 440-8308

PROJECT TITLE:  
MILLERTON SPECIFIC PLAN  
SHEET DESCRIPTION:  
ANNEXATION MAP NO. 10A SITE 9  
CITY OF: \_\_\_\_\_  
COUNTY OF: FRESNO

**PRECISION**  
CIVIL ENGINEERING, INC.  
PLANNING ■ SURVEYING ■ CIVIL ENGINEERING  
1234 O STREET, FRESNO, CALIFORNIA 93721  
TEL: 559-449-4500 FAX: 559-449-4515  
WWW.PRECISIONENG.NET

DRAWN BY: RA  
CHECKED BY: DY  
DATE: 3/29/19  
SHEET NUMBER:  
9 OF 15  
JOB NUMBER:  
19-046

## **EXHIBIT A (SITE 9)**

The land referred to is situated in the unincorporated area of the County of Fresno, State of California, and is described as follows:

Tract II:

The South half of the Northwest quarter of Section 15, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the Official Plat thereof.

APN: 300-542-13