

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 14M (EASTERN URBAN CENTER/MILLENNIA), AUTHORIZING THE RECORDING OF A NOTICE OF CESSATION OF SPECIAL TAX LIEN FOR CERTAIN PROPERTIES WITHIN SUCH COMMUNITY FACILITIES DISTRICT

WHEREAS, the City Council of the City of Chula Vista, California (the “City Council”), has previously formed Community Facilities District No. 14M (CFD No. 14M) (Eastern Urban Center/Millenia) pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982,” being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the “Act”) and the City of Chula Vista Community Facilities District Ordinance enacted pursuant to the powers reserved by the City of Chula Vista under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California (the “Ordinance”) (the Act and the Ordinance may be referred to collectively as the “Community Facilities District Law”); and

WHEREAS, under the rate and method of apportionment for CFD No. 14M, there was no classification for detached condominium units and the City of Chula Vista (the “City”) formed an overlay community facilities district, Community Facilities District No. 14M-2 (CFD No. 14M-2), in order to levy a special tax on such properties; and

WHEREAS, certain parcels of real property described in Exhibit A attached hereto (the “Overlay Parcels”) are located within the boundaries of both CFD No. 14M and CFD No. 14M-2; and

WHEREAS, in forming CFD No. 14M-2 the City Council intended that the Overlay Parcels be subject to the levy of the special taxes only for CFD No. 14M-2 and that the special taxes for CFD No. 14M shall cease to be levied on the Overlay Parcels; and

WHEREAS, pursuant to the requirements of Section 3114.5 of the California Streets and Highways Code and Section 53328.3 of the Act, the City Clerk of the City previously caused to be recorded in the records of the County Recorder for the County of San Diego, a separate Notice of Special Tax Lien for CFD No. 14M and CFD No. 14M-2; and

WHEREAS, the City Council, acting as the legislative body of CFD No. 14M, desires to cause to be recorded a Notice of Cessation of Special Tax Lien for CFD No. 14M, pursuant to Section 53330.5 of the Act, to give notice that the obligation of the Overlay Parcels to pay the special tax for CFD No. 14M has ceased and the lien imposed by the recordation of the Notice of Special Tax Lien for CFD No. 14M, as it pertains to the Overlay Parcels has been extinguished.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Recitals. The above recitals are all true and correct.

SECTION 2. Determination. It is hereby determined by the City Council that the special taxes shall cease to be levied on the Overlay Parcels with respect to CFD No. 14M.

SECTION 3. Notice of Cessation. The City Clerk, acting for and on behalf of CFD No. 14M, is hereby ordered to cause a Notice of Cessation of Special Tax for CFD No. 14M to be recorded in the office of the County Recorder of the County of San Diego pursuant to Section 53330.5 of the Act against the Overlay Parcels.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PREPARED BY:

APPROVED AS TO FORM BY:

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney

EXHIBIT A

DESCRIPTION OF OVERLAY PARCELS

The Overlay Parcels are identified by the following Assessor Parcel Numbers:

- 643-060-53-00
- 643-060-57-00
- 643-060-58-00
- 643-060-61-00
- 643-060-62-00
- 643-060-63-00
- 643-065-07-00
- 643-065-01-00
- 643-065-02-00
- 643-060-69-00
- 643-060-71-00
- 643-065-08-00
- 643-060-92-00
- 643-066-01-00
- 643-066-02-00
- 643-066-03-00
- 643-066-04-00
- 643-066-05-00
- 643-066-06-00
- 643-066-07-00
- 643-066-09-00
- 643-066-10-00