

**WAIVER OF CERTAIN ELECTION PROCEDURES
WITH RESPECT TO LANDOWNER ELECTION FOR
COMMUNITY FACILITIES DISTRICT NO. 2025-1 (SAFETY SERVICES)
OF THE CITY OF MURRIETA**

The undersigned, Stephen Z. Elieff, acting on behalf of Discovery Village LLC, a Delaware limited liability company (the "Owner"), hereby certifies to the City of Murrieta (the "City"), with respect to the proposed formation of Community Facilities District No. 2025-1 (Safety Services) of the City of Murrieta (the "District"), as follows:

1. The undersigned has been duly authorized by the Owner and possesses all authority necessary to execute this Waiver on behalf of the Owner in connection with the election to be called by the City Council of the City with respect to the District. The Owner hereby appoints Stephen Z. Elieff to act as its authorized representatives to vote in the election referred to herein and certifies that their true and exact signatures are set forth below:

Signature of Stephen Z. Elieff: _____

2. The Owner is the present owner of 28.94 acres of land located within the proposed boundaries of the District. There are no registered voters residing within the territory owned by the Owner and have been none during the 90-day period preceding April 1, 2025.

3. The Owner has received notice of the April 1, 2025 public hearing to be held by the City Council of the City regarding the levy of a special tax in the District. The Owner agrees that it received adequate notice of the April 1, 2025 hearing.

4. The Owner has received from the City and the City has made available to the Owner necessary and relevant information regarding the proposed formation of the District and the imposition of the special tax as set forth in Resolution No. 25-4805 adopted by the City Council on February 4, 2025 (together, the "Resolution") to finance the services as set forth in the Resolution. The proposed rate and method of apportionment of the District is set forth in Exhibit "B" hereto.

5. The undersigned understands that if the District is formed on or after April 1, 2025, an election will be held by the District on the propositions set forth in the sample ballot attached hereto as Exhibit "A" less than 90 days after the close of the April 1, 2025 public hearing as in accordance with Section 53326 of the Government Code, without the preparation of an impartial analysis, arguments or rebuttals concerning the election as provided for by Elections Code Sections 9160 to 9167, inclusive, and 9190 and without preparation of a tax rate statement as provided in Section 9401 of the Elections Code and without further notice of such election as required pursuant to the Elections Code or the Government Code. Having been fully advised with respect to the election, in accordance with the authority contained in Government Code Sections 53326 and 53327, the Owner waives compliance with the foregoing provisions of the Elections Code and Government Code, with any time limits or other procedural requirements pertaining to the conduct of the election which are not being complied with and consents to having the election on any date on or after the close of the April 1, 2025 public hearing and consents to the closing of the election as soon as all ballots are received by the City Clerk.

6. The undersigned hereby represents that compliance with the procedural requirements for conducting the election, including the receipt of any ballot arguments and

impartial analysis and the time limitations which apply in connection with scheduling, mailing and publishing notices for such an election, are unnecessary in light of the fact that the undersigned has received sufficient information regarding the imposition of the special tax as set forth in the Resolution to allow it to properly complete the attached ballot. The Owner further waives its right to make any protest or complaint or undertake any legal action challenging the validity of the election, the validity of any bonded indebtedness issued by the District as approved at the election, or the levy of the special tax to finance services for the benefit of the District.

Dated: March __, 2025

DISCOVERY VILLAGE LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: Authorized Signatory

EXHIBIT A

OFFICIAL BALLOT

**COMMUNITY FACILITIES DISTRICT NO. 2025-1 (SAFETY SERVICES)
OF THE CITY OF MURRIETA**

SPECIAL TAX ELECTION

April 1, 2025

PROPOSITION A: Shall a special tax with a rate and method of apportionment as provided in the resolution establishing Community Facilities District No. 2025-1 (Safety Services) adopted on April 1, 2025 (the "Resolution of Formation") by the City Council of the City of Murrieta establishing the District be levied to pay for the Services, Services Incidental Expenses and other purposes described in the Resolution of Formation?

YES _____

NO _____

PROPOSITION B: For each year commencing with Fiscal Year 2025-2026, shall the appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, for Community Facilities District No. 2025-1 (Safety Services) be an amount equal to \$1,000,000,000?

YES _____

NO _____

EXHIBIT “B”

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2025-1 (SAFETY SERVICES) OF THE CITY OF MURRIETA

A Special Tax (the “Special Tax”) shall be levied on and collected from each Assessor’s Parcel (defined below) in Community Facilities District No. 2025-1 (Safety Services) (the “CFD No. 2025-1” or “CFD”; defined below), in each Fiscal Year, (defined below), commencing in the Fiscal Year beginning July 1, 2025, in an amount determined by the City Council of the City of Murrieta, acting in its capacity as the legislative body of CFD No. 2025-1, by applying the rate and method of apportionment set forth below. All of the real property in CFD No. 2025-1, unless exempted by law or by the provisions herein, shall be taxed to the extent and in the manner provided herein.

A. DEFINITIONS

“**Accessory Dwelling Unit**” means a residential unit of limited size including smaller secondary unit(s) that shares an Assessor’s Parcel with Single Family Residential Property that has a stand-alone Residential Unit.

“**Administrative Expenses**” means the actual or reasonably estimated costs directly related to the formation and administration of CFD No. 2025-1 including, but not limited to: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or designee thereof or both); the costs to the City, CFD No. 2025-1, or any designee thereof associated with fulfilling the CFD No. 2025-1 reporting requirements; the costs associated with responding to public inquiries regarding the Special Taxes; the costs of the City, CFD No. 2025-1 or any designee thereof related to an appeal of the Special Tax; and the City’s annual administration fees, collection expenses, and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2025-1 for any other administrative purposes of CFD No. 2025-1, including attorney’s fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

“**Administrator**” means the City Manager of the City of Murrieta, or his or her designee.

“**Affordable Housing**” means housing as defined in State Density Bonus Law, as amended, being Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code of the State of California.

“**Affordable Housing Property**” means any Affordable Housing residential property on an Assessor’s Parcel for which a building permit for new construction has been issued by the City on or prior to June 1 preceding the Fiscal Year in which the Special Tax is being levied.

“**Assessor’s Parcel**” means a lot or parcel of land that is identifiable by an Assessor’s Parcel Number by the County Assessor of the County of Riverside.

“**Assessor’s Parcel Map**” means an official map of the Assessor of the County designating parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” means the identification number assigned to a parcel by the County Assessor of the County of Riverside.

“CFD” or **“CFD No. 2025-1”** means the City of Murrieta Community Facilities District No. 2025-1 (Safety Services).

“City” means the City of Murrieta.

“County” means the County of Riverside.

“Developed Property” means all Assessor’s Parcels of Taxable Property for which a building permit for new construction has been issued on or prior to May 1 preceding the Fiscal Year in which the Special Tax is being levied.

“Exempt Property” means all Assessors’ Parcels designated as being exempt from the Special Tax as provided for in Section D.

“Fiscal Year” means the period from and including July 1st of any year to and including the following June 30th.

“Maximum Special Tax” means the Maximum Special Tax, as applicable, levied within the CFD for any Fiscal Year.

“Multi-Family Property” means all Assessor's Parcels of Developed Property for which a building permit or use permit for the construction of a residential structure with two or more Residential Units that share a single Assessor's Parcel Number, as determined by the Administrator, has been issued prior to May 1 preceding the Fiscal Year in which the Special Tax is being levied.

“Proportionately” means for Taxable Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is the same for all Assessor’s Parcels.

“Rate and Method of Apportionment” or **“RMA”** means this Rate and Method of Apportionment of Special Taxes.

“Residential Property” means all Assessor’s Parcels of Taxable Property upon which completed Residential Units have been constructed or for which building permits have been or may be issued for purposes of constructing one or more Residential Units.

“Residential Unit” or **“RU”** means a residential unit that is used or intended to be used as a domicile by one or more persons, as determined by the Administrator. An Accessory Dwelling Unit that shares an Assessor’s Parcel with a Single Family Residential Property shall not be considered a Residential Unit for purposes of this Rate and Method of Apportionment.

“Services” means services permitted under the Mello-Roos Community Facilities Act of 1982 including, without limitation, those services authorized to be funded by CFD No. 2025-1 as set forth in Appendix B.

“Single Family Property” means any residential property other than a Multi-Family Property on an Assessor’s Parcel for which a building permit for new construction has been

issued by the City on or prior to May 1 preceding the Fiscal Year in which the Special Tax is being levied.

“**Special Tax**” means the Special Tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property.

“**Special Tax Requirement**” means the amount to be collected in any Fiscal Year to pay for certain costs as required to meet the public safety needs of CFD No. 2025-1 in both the current Fiscal Year and the next Fiscal Year. The costs to be covered shall be the direct costs for (i) police protection services, (ii) paramedic services, (iii) fund an operating reserve for the costs of Services as determined by the Administrator, and (iv) Administrative Expenses. Under no circumstances shall the Special Tax Requirement include funds for bonds.

“**Taxable Property**” means all Assessor’s Parcels within CFD No. 2025-1, which are not Exempt Property.

“**Taxable Unit**” means a Residential Unit.

“**Undeveloped Property**” means, for each Fiscal Year, all Taxable Property not classified as Developed Property.

B. RATE AND METHOD OF APPORTIONMENT OF MAXIMUM SPECIAL TAX RATES

As of July 1 of each Fiscal Year, commencing July 1, 2025, the Council shall determine the Special Tax Requirement and shall levy the Special Tax upon each of the Assessor’s Parcels within the CFD which constitute a Developed Property of Single Family Property, Multi-Family Property, or an Affordable Housing Property until the aggregate amount of Special Tax equals the Special Tax Requirement. The Special Tax shall be levied Proportionately on all Assessor’s Parcels of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

No Special Tax shall be levied upon Undeveloped Property for which a Building Permit has not been issued on or prior to May 1 preceding the Fiscal Year in which the Special Tax is being levied.

The Maximum Special Tax for Fiscal Year 2025-2026 for a Single Family Property, Multi-Family Property, and an Affordable Housing Property are shown below in Table 1.

**TABLE 1
MAXIMUM SPECIAL TAX RATES
FISCAL YEAR 2025-2026**

Description	Taxable Unit	Maximum Special Tax
Single Family Property	RU	\$580
Multi-Family Property	RU	\$468
Affordable Housing Property	RU	\$250

Increase in the Maximum Special Tax

On each July 1, commencing on July 1, 2026 the Maximum Special Tax for Developed Property of Single Family Property and Multi-Family Property shall increase by four percent (4.0%). The Maximum Special Tax for Developed Property of Affordable Housing Property shall not increase annually.

C. TERM OF SPECIAL TAX

For each Fiscal Year, the Maximum Special Taxes shall be levied as long as the Services are being provided within the boundaries of CFD No. 2025-1.

D. EXEMPTIONS

The City shall classify as Exempt Property within CFD No. 2025-1, any Assessor's Parcel in any of the following categories; (i) Assessor's Parcels which are owned by, irrevocably offered for dedication, encumbered by or restricted in use by any public entity; (ii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement; (iii) Assessor's Parcels which are privately owned but are encumbered by or restricted solely for public uses; (iv) any Assessor's Parcel which is in use in the performance of a public function as determined by the Administrator; or (v) any Assessor's Parcel which is not a Single Family Property, Multi-Family Property, or an Affordable Housing Property; (vi) any Assessor's Parcel that qualifies for a welfare exemption under applicable state or local law; or (vii) any Assessor's Parcel that is owned by a property owner association and used for common area purposes.

E. APPEALS

Any property owner claiming that the amount or application of the Special Taxes are not correct may file a written notice of appeal with the City not later than twelve months after having paid the first installment of the Special Tax that is disputed. The Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made, but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

F. MANNER OF COLLECTION

The Maximum Special Taxes levied in each Fiscal Year shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes. However, the District may collect the Special Tax at a different time or in a different manner if necessary to meet its financial obligations.

The Maximum Special Taxes when levied shall be secured by the lien imposed pursuant to Section 3115.5 of the Streets and Highways Code. This lien shall be a continuing lien and shall secure each levy of Maximum Special Taxes. The lien of Maximum Special Taxes shall continue in force and effect until the Special Tax ceases to be levied in the manner provided by Section 53330.5 of the Government Code.

G. INTERPRETATION

Interpretations may be made by the Council by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment.

APPENDIX A

**CITY OF MURRIETA
COMMUNITY FACILITIES DISTRICT NO. 2025-1
(SAFETY SERVICES)**

SUMMARY

Safety Services - It is estimated that the cost of providing police, fire protection and suppression services, and paramedic services being funded by the Special Tax for the Community Facilities District No. 2025-1 (Safety Services) will be as follows for the Fiscal Year 2025-2026:

- \$580 per residential unit for Single Family Residential Property
- \$468 per residential unit for Multi-Family Residential Property
- \$250 per residential unit for Affordable Housing Residential Property

Annual Escalation - On each July 1, commencing on July 1, 2026 the Maximum Special Tax for Developed Property of Single Family Property and Multi-Family Property shall increase by four percent (4.0%). The Maximum Special Tax for Developed Property of Affordable Housing Property shall not increase annually.

Fiscal Year	Tract/ APN	Development Name	No. of Taxable Units	Land Use Category	Maximum Special Tax	Subdivider
2025- 26	TR 38228	Discovery Village	365	Single Family Property	\$580	Discovery Village, LLC

APPENDIX B

CITY OF MURRIETA COMMUNITY FACILITIES DISTRICT NO. 2025-1 (SAFETY SERVICES)

DESCRIPTION OF AUTHORIZED SERVICES

The services which may be funded with proceeds of the special tax of CFD No. 2025-1, as provided by Section 53313 of the Act, will include some or all of the costs attributable to public safety.

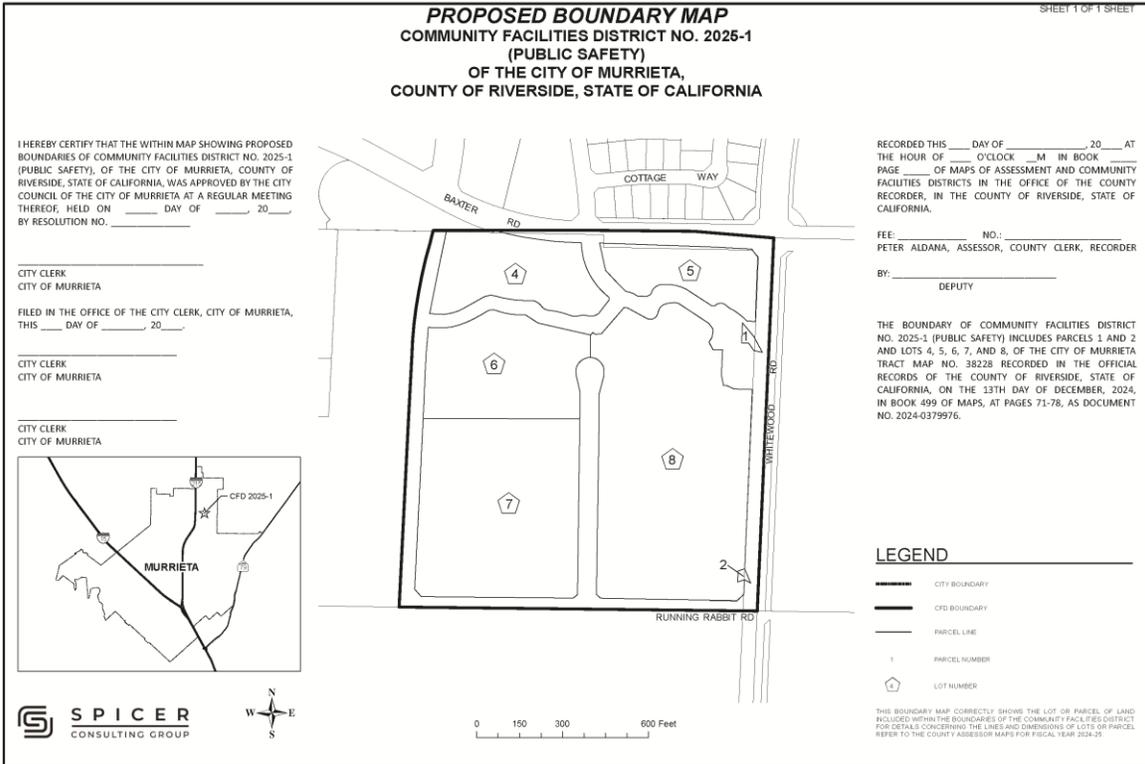
These services include police protection services (including but not limited to criminal justice services), fire protection and suppression services, and paramedic services.

In addition to payment of the cost and expense of the forgoing services, proceeds of the special tax may be expended to pay "Administrative Expenses" as said term is defined in the Rate and Method of Apportionment and to establish an operating reserve for the costs of services as determined by the Administrator.

The above services shall be limited to those provided within the boundaries of CFD No. 2025-1 for the benefit of the properties within the boundaries of CFD No. 2025-1 and said services may be financed by proceeds of the special tax of CFD No. 2025-1 only to the extent that they are in addition to those provided in the territory of CFD No. 2025-1 before CFD No. 2025-1 was created.

APPENDIX C

Proposed Boundaries Community Facilities District No. 2025-1 (Safety Services) of the City of Murrieta, Riverside County, California



BOUNDARIES - POTENTIAL ANNEXATION AREA
COMMUNITY FACILITIES DISTRICT NO. 2025-1
(PUBLIC SAFETY)
CITY OF MURRIETA,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

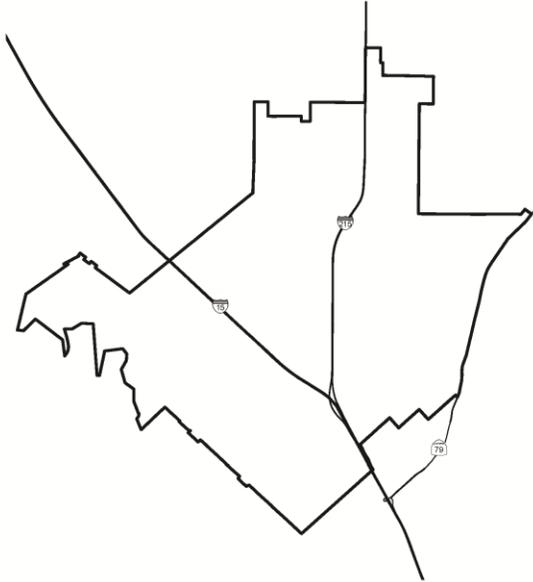
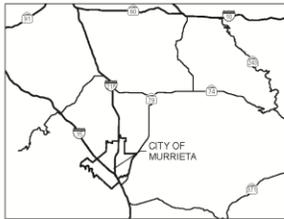
SHEET 1 OF 1 SHEET

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF THE POTENTIAL ANNEXATION AREA OF COMMUNITY FACILITIES DISTRICT NO. 2025-1 (PUBLIC SAFETY), CITY OF MURRIETA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY OF MURRIETA AT A REGULAR MEETING THEREOF, HELD ON _____ DAY OF _____, 20____, BY RESOLUTION NO. _____

 CITY CLERK
 CITY OF MURRIETA

FILED IN THE OFFICE OF THE CITY CLERK,
 CITY OF MURRIETA, THIS ____ DAY OF _____, 20____.

 CITY CLERK
 CITY OF MURRIETA



RECORDED THIS ____ DAY OF _____, 20____ AT THE HOUR OF ____ O'CLOCK ____M IN BOOK ____ PAGE ____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

FEE: _____ NO.: _____
 PETER ALDANA, ASSESSOR, COUNTY CLERK, RECORDER
 BY: _____ DEPUTY

LEGEND

— ANNEXATION BOUNDARY

