

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF EASTERN MUNICIPAL WATER DISTRICT APPROVING AN AMENDED AND RESTATED JOINT COMMUNITY FACILITIES AGREEMENT WITH MORENO VALLEY UNIFIED SCHOOL DISTRICT FOR COMMUNITY FACILITIES DISTRICT NO. 2015-3 OF THE MORENO VALLEY UNIFIED SCHOOL DISTRICT

WHEREAS, the Governing Board of Moreno Valley Unified School District (the "School District") has formed Community Facilities District No. 2015-3 of the Moreno Valley Unified School District (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California (the "Act") for the primary purpose of financing school facilities; and

WHEREAS, in 2015 the School District and Eastern Municipal Water District (the "Water District") entered into a Joint Community Facilities Agreement with WSI Lincoln Property Holdings, LLC, a Delaware limited liability company, (the "Prior Owner") relating to Community Facilities District No. 2015-3 of the Moreno Valley Unified School District (the "Prior JCFA") with respect to the CFD; and

WHEREAS, subsequent to the execution of the prior JCFA, RSI Communities-California LLC, a Delaware limited liability company (the "Current Owner") acquired the real property comprising the CFD; and

WHEREAS, pursuant to Section 53316.2 of the Act, a community facilities district is authorized to finance facilities to be owned or operated by an entity other than the agency that created the community facilities district pursuant to a joint community facilities agreement; and

WHEREAS, the Current Owner of the CFD has requested that the School District and EMWD enter into an amended Joint Community Facilities Agreement, the form of which is on file with the Secretary of this Board of Directors and which is incorporated herein by this reference (the "Amended Joint Community Facilities Agreement") for the purpose of extending the termination date of the Prior JCFA and updating the Prior JCFA with the Water District's current requirements for joint community facilities agreements.

NOW, THEREFORE, THE BOARD OF DIRECTORS, DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

1. Each of the above recitals is true and correct.
2. Pursuant to Section 53316.2 of the Act, this Board hereby approves the Amended Joint Community Facilities Agreement substantially in the form on file with the Secretary of the Board and determines that the Amended Joint Community Facilities Agreement will be beneficial

to the residents of the territory served by the Water District and included within the jurisdictional boundaries of the CFD. The President or the General Manager of the Water District or the Deputy General Manager of the Water District or the Director of Finance of the Water District and the Secretary of the Board of Directors are hereby authorized and directed to execute and deliver the Amended Joint Community Facilities Agreement in said form with such changes, insertions and omissions as may be approved by the officer or officers executing such agreement, said execution and delivery being conclusive evidence of such approval. Any document authorized herein to be signed by the Secretary of the Water District may be signed by a duly appointed deputy secretary.

3. This Resolution shall be effective upon its adoption.

Dated: January 16, 2019

Ronald W. Sullivan, President

I hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by the Board of Directors of Eastern Municipal Water District at its meeting held on January 16, 2019.

ATTEST:

Sheila Zelaya, Board Secretary

(SEAL)