

AMENDED PETITION TO THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS REQUESTING ANNEXATION OF PROPERTY TO MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 2010-1 (SERVICES) AND A WAIVER WITH RESPECTS TO CERTAIN PROCEDURAL MATTERS UNDER THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 AND CONSENTING TO THE LEVY OF SPECIAL TAXES THEREON TO PAY THE COSTS OF SERVICES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT

1. THE UNDERSIGNED OWNER requests that the City Council of the City of Desert Hot Springs, initiate and conduct proceedings pursuant to Article 3.5 (commencing with Government Code Section 53339) of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311) of Part I of Division 2 of Title 5 of the California Government Code, for the annexation of the property described below to Community Facilities District No. 2010-1 (Services) of the City of Desert Hot Springs, and consents to the annual levy of special taxes on such property to pay the costs of services to be provided by the community facilities district, services to be provided by community facilities district, services that are permitted under the Mello-Roos Community Facilities Act of 1982 including, without limitation, all necessary service, operations, administration and maintenance required to keep the lighting of parks, parkways, streets, roads and open space, which maintenance and lighting services may include, without limitation, furnishing of electrical power to street lights; repair and replacement of damaged or inoperative light bulbs, fixtures and standards; maintenance (including irrigation and replacement) of landscaping vegetation situated on or adjacent to parks, parkways, streets, roads and open space; maintenance and repair of irrigation facilities; maintenance of public signage; graffiti removal from and maintenance and repair of public structures situated on parks, parkways, streets, roads and open space; maintenance and repair of playground or recreation program equipment or facilities situated on any park, and the maintenance and operation of storm drainage and flood protection facilities, including, without limitation,

2. The undersigned hereby certifies that as of the date indicated their signatures, the landowner listed herein is the owner of all the property within the proposed boundaries of the property described in Exhibit A hereto and as shown on the map Exhibit B hereto.

3. The undersigned waives any requirement for the mailing of the ballot for the special election and expressly agree that said election may be conducted by mailed or hand-delivered ballot to be returned as quickly as possible to the designated election official, being the office of the City Clerk of the City Council and the undersigned request that the results of said election be canvassed and reported to the City Council at the same meeting of the City Council as the public hearing on the creation of the community facilities district of the portion of the incorporated area of the City of Desert Hot Springs into the community facilities district or the next available meeting.

4. The undersigned expressly waives all applicable waiting periods for election and waives the requirement for analysis and arguments relating to the special election,

and consents to not having such materials provided to the landowner in the ballot packet, and expressly waives any requirements as to the form of the ballot.

5. The undersigned expressly waives all notice requirements relating to hearings and special elections, whether by posting, publishing or mailing, and whether such requirements are found in the California Elections Code, the California Government Code or other laws or procedures, including but limited to any notice provided for by compliance with

6. The undersigned hereby consents to and expressly waives any and claims based on any irregularity, error, mistake or departure from the provisions of the Act or other laws of the State and any and all laws and requirements incorporated therein, and no step or action in any proceeding relative to the creation of the community facilities district of the portion of the incorporated area of the City of Desert Hot Springs or the special election therein shall be invalidated or affected by any such irregularity, error mistake or departure.

2016. IN WITNESS WHEREOF, I hereunto set my hand this 10 day of AUGUST

Kris Kertzman

By: 
Name: Kris Kertzman
Title:

OWNER'S PROPERTY:

Record of Survey: Por. Of E. 1/2 of Parcel 5 RS 21/55

OWNER'S MAILING ADDRESS:

804 Del Rio Avenue

Encinitas, CA 92024

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY COUNCIL OF THE CITY
OF

Deputy City Clerk of the City Council of the
City of Desert Hot Spring

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of San Diego }

On Aug 10th 2016 before me, Jon Scott Notary Public
(Here insert name and title of the officer)

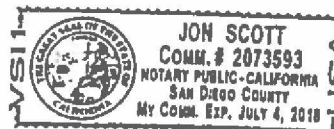
personally appeared Kris Kertt Mar
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.