

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, drainage inlets and retention basins.

2. The undersigned hereby certifies that as of the date indicated opposite 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 the 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 the provisions of Section 4101 of the California Elections Code.

6. The undersigned hereby consents to and expressly waives any and all 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.

IN WITNESS WHEREOF, I hereunto set my hand this ____ day of _____,
20____.

[NAME OF LANDOWNER]

By:



Name: David Palmer - Desert Grow LLC

Title: CEO

OWNER'S PROPERTY:

TRACT MAP OR PARCEL MAP NO.
or PROJECT NO. 665-040-017

OWNER'S MAILING ADDRESS:

PO Box 966

Weatherford TX 76086

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY COUNCIL OF THE CITY OF
DESERT HOT SPRINGS THIS ____ DAY OF _____, 20____.

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

**ACKNOWLEDGMENT REGARDING ANNEXATION OF PROPERTY TO MAINTENANCE
COMMUNITY FACILITIES DISTRICT NO. 2010-1 OF THE CITY OF DESERT HOT SPRINGS**

The developer/property owner of (Tract/Parcel No. Project No.) 665-040-017
hereby acknowledges that:

If the landscaping and related improvements within the proposed CFD landscape areas of (Tract/Parcel No./Project No.) 665-040-017, which is to be annexed to Maintenance Community Facilities District No. 2010-1 of the City of Desert Hot Springs, are completed prior to the levy and collection of special taxes upon property within said tract for the maintenance of such landscape and improvements, the developer/property owner will continue to be responsible for and will maintain the landscape and improvements within such landscape areas at its sole expense, and the City will not assume responsibility for the maintenance of such landscaping and improvements until such time as the City is able to collect such special taxes to pay the costs of the maintenance of such landscape and improvements.

DATED:

OWNER(S):

DAVID PALMER

(Print Name)

[Signature]

(Signature)

CEO

(Title)

(Print Name)

(Signature)


(Title)

STATE OF TEXAS]
COUNTY OF Parker]

On July 10, 2017 before me, Desert Grow, LLC, CEO personally appeared David Palmer who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument

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

Subscribed and sworn to before me by the said David Palmer
this 10 day of July, 2017 to certify which witness my
hand and seal of office.


Notary Public in and for the State of Texas

