

EMRCFD RES 2019-125

RESOLUTION OF THE BOARD OF DIRECTORS OF ESTRELLA MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT (CITY OF GOODYEAR, ARIZONA) APPROVING THE MODIFICATION OF ASSESSMENTS IN ASSESSMENT NUMBER 11D1-01-001 WITHIN LUCERO ASSESSMENT DISTRICT NO. 1.

WHEREAS, pursuant to A.R.S. § 48-594(B), the Superintendent of Streets of Estrella Mountain Ranch Community Facilities District (City of Goodyear, Arizona) Lucero Assessment District No. 1 (the "*Assessment District*"), has prepared a list of assessments on certain property within the Assessment District, which assessments are to be modified, including (a) the assessment number, legal description and amount assessed on each affected parcel before the modification, (b) the assessment number, legal description and name and address of the owner as shown on the most recent tax roll, and (c) the amount to be assessed on each parcel after modification; and

WHEREAS, the Superintendent of Streets has caused to be prepared and presented to the Board of Directors (the "*District Board*") of the Estrella Mountain Ranch Community Facilities District (City of Goodyear, Arizona) (the "*District*") an amendment to the original assessment diagram reflecting the requested modification (as amended, the "*Assessment Diagram*"); and

WHEREAS, the Superintendent of Streets has caused a notice to be mailed to the owner and developer of the affected parcel showing the proposed reallocation and stating the owner or developer may file a written objection to the reallocation within twenty (20) days after the notice was mailed; and

WHEREAS, no objections to the reallocation of the assessment have been received during the time provided by law; and

WHEREAS, the District Board has considered the matter and has the advice of its Superintendent of Streets with respect to the improvements constructed and the assessments levied for the Assessment District;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ESTRELLA MOUNTAIN RANCH COMMUNITY FACILITIES DISTRICT (CITY OF GOODYEAR, ARIZONA) as follows:

Section 1. Pursuant to A.R.S. § 48-594(B), and good cause appearing therefore, it is hereby ordered that assessment 11D1-01-001 (Parcel 11.D1) be modified in accordance with the assessment reallocation submitted by the Superintendent of Streets.

Section 2. The District Board hereby approves the Assessment Diagram with such modifications as are set forth on Exhibit A attached hereto.

Section 3. The District Board hereby directs the Superintendent of Streets to record the reallocated assessment and Assessment Diagram in the Superintendent of Streets' office

pursuant to A.R.S. § 48-594(B) and record the amended notice of recording of assessment in the records of Maricopa County, Arizona.

Section 4. The modified assessment numbers will now be 11D1-02-001 through and including 11D1-02-089.

Section 5. The costs of the reallocation shall be included in the amount of the assessment, as reallocated, and, if not sooner paid, shall be included in the next installment of the assessment due with respect to the affected parcels.

PASSED AND ADOPTED by the Board of Directors of Estrella Mountain Ranch Community Facilities District (City of Goodyear, Arizona) on April 8, 2019.

District Chairperson

District Clerk

APPROVED AS TO FORM:

Sherman & Howard L.L.C.
Special District Counsel

I hereby certify that I have reviewed the Assessment Diagram with respect to modifications of the assessments above-numbered and that the modifications set forth on the attached Assessment Diagram are acceptable to me.

Superintendent of Streets

CERTIFICATE

I hereby certify that the above and foregoing Resolution EMRCFD 2019-125 was duly passed by the Board of Directors of the Estrella Mountain Ranch Community Facilities District (City of Goodyear, Arizona) at a regular meeting held on April 8, 2019, and that a quorum was present thereat and that the vote thereon was _____ ayes and _____ nays; _____ did not vote or were absent.

District Clerk

EXHIBIT A

AMENDED ASSESSMENT DIAGRAM
(*see attached*)