

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

ADOPT RESOLUTION 2009-46, APPROVING THE DISSOLVING OF IMPROVEMENT AREA NO. 2 OF THE TOWN OF APPLE VALLEY COMMUNITY FACILITIES DISTRICT NO. 2006-03 (SKY HAVEN RANCH/GRANITE HILLS)

Summary Statement:

In July 2006 Town Council approved the formation of Community Facilities District 2006-03 to provide a funding mechanism for the payment of development impact fees to the Town of Apple Valley and for the payment of school mitigation fees to the Apple Valley School District. Bonds for this Community Facilities District were never issued and ultimately the project was taken over by the FDIC.

The project was purchased by another developer and that developer has petitioned the Town of Apple Valley and the Apple Valley School District to dissolve the CFD associated with the development. The Apple Valley School District has agreed to remove the Community Facilities District and has recorded the removal with the County Auditor/Controller.

Staff recommends the approval of the petition as requested by the developer. All fees associated with the project will be paid to the Town upon issuance of the certificate of occupancy for each single family home. There is no fiscal impact to the Town by approval of the Resolution.

Recommended Action:

Adopt Resolution 2009-46, approving the dissolving of improvement area No. 2 of the Town of Apple Valley Community Facilities District No. 2006-03 (Sky Haven Ranch/Granite Hills)

Proposed by: William Pattison, Asst. Town Manager Item Number _____

T. M. Approval: _____ Budgeted Item Yes No N/A

RESOLUTION NO. 2009-46

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
APPLE VALLEY DISSOLVING IMPROVEMENT AREA NO. 2 OF
THE TOWN OF APPLE VALLEY COMMUNITY FACILITIES
DISTRICT NO. 2006-3 (SKY HAVEN RANCH/GRANITE HILLS)**

WHEREAS, the City Council (the "Council") of the Town of Apple Valley (the "Town") has heretofore formed Town of Apple Valley Community Facilities District No. 2006-3 (Sky Haven Ranch/Granite Hills) (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the "Act"); and

WHEREAS, the Council has received a petition from the landowner of Improvement Area No. 2 of the District requesting the Town to institute proceedings to dissolve Improvement Area No. 2 of the District;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, AS FOLLOWS:

Section 1. The Council hereby dissolves Improvement Area No. 2 of the District and discharges the special tax liens on properties within Improvement Area No. 2 of the District. The Town Clerk is hereby directed to record an amendment to a Notice of Special Tax Lien discharging the special tax liens on such properties.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2009.

Mayor

ATTEST:

Town Clerk

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, California 92307
Attention: William Pattison

NOTICE OF CESSATION OF SPECIAL TAX

Pursuant to the Section 53330.5 of the California Government Code, the obligation to pay the special tax within Improvement Area No. 2 of the Town of Apple Valley Community Facilities District No. 2006-3 (Sky Haven Ranch/Granite Hills) (the "Area") has ceased and the lien imposed by the Notice of Special Tax Lien recorded as Document No. 2006-0649874 in the Official Records of County of San Bernardino is extinguished.

Reference is made to the boundary map of the Area recorded at Book 80 of Maps of Assessment and Community Facilities Districts at Page 88-89, in the office of the County Recorder for the County of San Bernardino, California.

Dated: _____

TOWN CLERK OF THE
TOWN OF APPLE VALLEY