

WAIVER OF CERTAIN ELECTION PROCEDURES  
WITH RESPECT TO LANDOWNER ELECTION FOR  
COMMUNITY FACILITIES DISTRICT NO. 2019-2  
OF THE CITY OF LAKE ELSINORE (NICHOLS RANCH)

The undersigned, Eric L. Werner and Patrick Broyles, acting on behalf of Nichols Rd. Partners, LLC, a California limited liability company (the "Owner"), hereby certify to the City of Lake Elsinore (the "City"), with respect to the proposed change proceedings for Community Facilities District No. 2019-2 of the City of Lake Elsinore (Nichols Ranch) (the "District"), as follows:

1. The undersigned has been duly authorized by the Owner and possesses all authority necessary to execute this Waiver on behalf of the Owner in connection with the election to be called by the City Council of the City with respect to the District. The Owner hereby appoints Eric L. Werner to act as its authorized representative to vote in the election referred to herein and certifies that his true and exact signature is set forth below:

Signature of Eric L. Werner: \_\_\_\_\_

2. The Owner is the present owner of 58.19 acres of land located within the boundaries of the District. There are no registered voters residing within the territory owned by the Owner and have been none during the 90-day period preceding January 12, 2021.

3. The Owner has received notice of the January 12, 2021 public hearing to be held by the City Council of the City regarding the approval of a new rate and method of apportionment for the District and the increase of the maximum authorized amount of bonded indebtedness for the District (the "Change Proceedings"). The Owner agrees that it received adequate notice of the January 12, 2021 hearing.

4. The Owner has received from the City and the City has made available to the Owner necessary and relevant information regarding the proposed Change Proceedings, as set forth in Resolution No. 2020-101 adopted by the City Council on December 8, 2020 (the "Resolution").

5. The undersigned understands that if the Change Proceedings are undertaken on or after January 12, 2021, an election will be held by the District on the proposition set forth in the sample ballot attached hereto as Exhibit "A" less than 90 days after the close of the January 12, 2021 public hearing as in accordance with Section 53326 of the Government Code, without the preparation of an impartial analysis, arguments or rebuttals concerning the election as provided for by Elections Code Sections 9160 to 9167, inclusive, and 9190 and without preparation of a tax rate statement as provided in Section 9401 of the Elections Code and without further notice of such election as required pursuant to the Elections Code or the Government Code. Having been fully advised with respect to the election, in accordance with the authority contained in Government Code Sections 53326 and 53327, the Owner waives compliance with the foregoing provisions of the Elections Code and Government Code, with any time limits or other procedural requirements pertaining to the conduct of the election which are not being complied with and consents to having the election on any date on or after the close of the January 12, 2021 public hearing and consents to the closing of the election as soon as all ballots are received by the City Clerk.

6. The undersigned hereby represents that compliance with the procedural requirements for conducting the election, including the receipt of any ballot arguments and impartial analysis and the time limitations which apply in connection with scheduling, mailing and publishing notices for such an election, are unnecessary in light of the fact that the undersigned has received sufficient information regarding the imposition of the special tax as set forth in the Resolution to allow it to properly complete the attached ballot. The Owner further waives its right to make any protest or complaint or undertake any legal action challenging the validity of the election, the validity of any bonded indebtedness issued by the District, or the levy of the special tax to finance facilities for the benefit of the District or to repay bonded indebtedness issued by the District.

Dated: January \_\_, 2021

Nichols Rd. Partners, LLC,  
A California limited liability company

By: \_\_\_\_\_  
Eric L. Werner, Member and Manager

By: \_\_\_\_\_  
Patrick Broyles, Member and Manager

EXHIBIT A

SAMPLE BALLOT

COMMUNITY FACILITIES DISTRICT NO. 2019-2  
OF THE CITY OF LAKE ELSINORE (NICHOLS RANCH)

SPECIAL ELECTION

January 12, 2021

This ballot represents \_\_\_\_ votes.

To vote, write or stamp a cross (“+” or “X”) in the voting square after the word “YES” or after the word “NO”. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear or deface this ballot, return it to the City Clerk of the City of Lake Elsinore and obtain another.

PROPOSITION A: Shall a special tax with an amended and restated rate and method of apportionment as provided in Attachment “B” to Resolution No. 2020-101 adopted by the City Council of the City of Lake Elsinore on December 8, 2020, with respect to certain change proceedings for Community Facilities District No. 2019-2 of the City of Lake Elsinore (Nichols Ranch) (the “District”), be levied to pay for the Improvements, Incidental Expenses and other purposes described in Resolution No. 2019-095, including the payment of the principal of and interest on bonds issued to finance the Improvements and Incidental Expenses for the District?

YES\_\_\_\_\_

NO\_\_\_\_\_

PROPOSITION B: Shall the amount of authorized indebtedness and the issuance bonds by the District be increased in the maximum principal amount from \$10,000,000 to \$11,000,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law, to finance the Improvements and the Incidental Expenses described in Resolution No. 2019-095 of the City Council of the City of Lake Elsinore for the District?

YES\_\_\_\_\_

NO\_\_\_\_\_