

WAIVER OF CERTAIN ELECTION PROCEDURES
WITH RESPECT TO LANDOWNER ELECTION FOR
COMMUNITY FACILITIES DISTRICT NO. 2015-1
OF THE CITY OF LAKE ELSINORE
(SAFETY SERVICES)

The undersigned, Brian Rupp, acting on behalf of SPT-AREP III Tuscan Associates, LLC, a Delaware limited liability company (the "Owner"), hereby certifies to the City of Lake Elsinore (the "City"), with respect to the proposed annexation of territory to Community Facilities District No. 2015-1 of the City of Lake Elsinore (Safety Services) (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 Brian Rupp 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 Brian Rupp: _____

2. The Owner is the present owner of 83.95 acres of land as described in Exhibit "A" hereto (the "Annexation Territory"). There are no registered voters residing within the Annexation Territory owned by the Owner and have been none during the 90-day period preceding April 27, 2021.

3. The Owner has received notice of the April 27, 2021 public hearing to be held by the City Council of the City regarding the approval of (i) annexation of the Annexation Territory to the District and (ii) the levy of special taxes within the Annexation Territory in accordance with the rate and method for the District. The Owner agrees that it received adequate notice of the April 27, 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 annexation and levy of the special tax, as set forth in Resolution No. 2021-23 adopted by the City Council on March 23, 2021 (the "Resolution").

5. The undersigned understands that if the proceedings for the annexation of the Annexation Territory to the District are undertaken on or after April 27, 2021, an election will be held by the District on the propositions set forth in the sample ballot attached hereto as Exhibit "B" less than 90 days after the close of the April 27, 2021 public hearing as in accordance with Section 53339.7 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 Section 53339.7, 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 April 27, 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 annexation of the Annexation Territory to the District and 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 or the levy of the special tax to finance services for the benefit of the Annexation Territory in accordance with the rate and method of apportionment of special tax for the District.

Dated: April __, 2021

SPT- AREP III Tuscany Associates, LLC
a Delaware limited liability company

By: _____
Name: Brian Rupp
Title: Executive Vice President, Real Estate

ATTACHMENT “A”

DESCRIPTION OF PROPERTY

Real property in the City of Lake Elsinore, County of Riverside, State of California, described as follows:

Assessor's Parcel Nos:

349-240-006
349-380-024
349-380-025
349-240-043
349-240-044
349-240-045
349-240-046
349-240-047
349-240-054
349-240-055
349-240-056
349-240-034
349-240-038
349-240-072
349-240-075

ATTACHMENT “B”

SAMPLE

BALLOT

COMMUNITY FACILITIES DISTRICT NO. 2015-1
OF CITY OF LAKE ELSINORE (SAFETY SERVICES)

ANNEXATION AND SPECIAL TAX ELECTION

April 27, 2021

This ballot represents ____ votes.

PROPOSITION A: Shall the territory described in Attachment “A” of Resolution No. 2021-23 of the City Council of the City of Lake Elsinore be annexed to Community Facilities District No. 2015-1 of the City of Lake Elsinore (Safety Services)?

YES_____

NO_____

PROPOSITION B: Shall a special tax with a rate and method of apportionment as provided in Attachment “B” to Resolution No. 2021-23 of the City Council of the City of Lake Elsinore be levied to pay for the Services and other purposes described in Resolution No. 2016-035?

YES_____

NO_____