

ORDINANCE NO. 16-011

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF ORANGE, CALIFORNIA,
DISSOLVING COMMUNITY FACILITIES DISTRICT NO. 87-3
(MISSION VIEJO) OF THE COUNTY OF ORANGE AND THE
LEVY OF SPECIAL TAXES AND ORDERING THE
RECORDATION OF AN ADDENDUM TO THE NOTICE OF
SPECIAL TAX LIEN RELATING TO COMMUNITY
FACILITIES DISTRICT NO. 87-3

WHEREAS, on January 26, 1988, the Board of Supervisors of the County of Orange (the “Board of Supervisors”) held a public hearing and adopted Resolution No. 88-96 forming Community Facilities District No. 87-3 (Mission Viejo) of the County of Orange (“CFD No. 87-3”) and authorizing the levy of a special tax therein to pay for certain public facilities described therein pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the “Act”); and WHEREAS, on January 26, 1988, by Resolutions No. 88-96 and 88-97 the Board of Supervisors, called for a special election on the proposition of levying a special tax and establishing an appropriations limit for CFD No. 87-3 and on the proposition of issuing bonded indebtedness payable from the special taxes and the ballot measures were passed and approved by more than two-thirds of the votes cast; and

WHEREAS, the final boundary map for CFD No. 87-3 was recorded at Book 39 of Maps of Assessment and Community Facilities Districts at Pages 26 through 42 in the office of the County Recorder for the County of Orange, State of California; and

WHEREAS, on February 24, 1988, the Notice of Special Tax Authorization for CFD No. 87-3 was recorded in the Official Records of Orange County, California as Document No. 88-081535 and

WHEREAS, on August 2, 1990, the Notice of Special Tax Authorization was amended and superseded by the Notice of Special Tax Lien for CFD No. 87-3, recorded in the Official Records of Orange County, California as Document No. 90-410828; and

WHEREAS, CFD No. 87-3 is not obligated to pay any outstanding debt; and

WHEREAS, the Board of Supervisors, acting as the legislative body of CFD No. 87-3 hereby determines that the levy of the special tax shall cease as of August 9, 2016, in accordance with Section 53330.5 of the Act; and

WHEREAS, given that CFD No. 87-3 is not obligated to pay any outstanding debt and is no longer authorized to levy any special tax, the Board of Supervisors, acting as the legislative body of CFD No. 87-3 desires to dissolve CFD No. 87-3 pursuant to Section 53338.5 of the California Government Code; and

WHEREAS, the Board of Supervisors, acting as the legislative body of CFD No. 87-3 desires to provide notice of the dissolution of CFD No. 87-3, that the obligation of parcels in CFD No. 87-3 to pay the special taxes has ceased and that the lien imposed by the Notice of Special Tax Lien recorded on August 2, 1990 as Document No. 90-410828 in the records of the County Recorder of Orange County, State of California is extinguished.

THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE, CALIFORNIA,
ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO.
87-3 (MISSION VIEJO) OF THE COUNTY OF ORANGE ORDAINS AS FOLLOWS:

Section 1. Each of the foregoing recitals is true and correct.

Section 2. The levy of the special tax by CFD No. 87-3 has ceased as of August 9, 2016, in accordance with Section 53330.5 of the Act.

Section 3. The Board of Supervisors hereby dissolves CFD No. 87-3 based on the following determinations:

- i. There are no facilities remaining to be financed by CFD No. 87-3.
- ii. CFD No. 87-3 is not obligated to pay any outstanding debt.
- iii. CFD No. 87-3 has no authorization to levy any special tax.

Section 4. The County Clerk or designee is hereby authorized and directed to notice the ordinance dissolving CFD No. 87-3 and the levy of the special tax in CFD No. 87-3 in a newspaper of general circulation in the area of CFD No. 87-3 within 15 days after adoption.

Section 5. In accordance with Government Code Sections 53330.5 and 53338.5, the County Clerk, or designee, is hereby authorized and directed to record Exhibit 1, attached hereto, as an addendum to the Notice of Special Tax Lien, Document Number 90-410828.

This ordinance shall take effect and be in full force thirty (30) days from and after its passage and before the expiration of fifteen (15) days after the passage thereof, shall be published once in an adjudicated newspaper in the County of Orange.

THE FOREGOING was PASSED and ADOPTED by the following vote of the Orange County Board of Supervisors, Acting as the Board of Supervisors and Legislative Body of Community Facilities District 87-3 (Mission Viejo) on August 09, 2016, to wit:

AYES: Supervisors: LISA A. BARTLETT, SHAWN NELSON, ANDREW DO,
MICHELLE STEEL, TODD SPITZER

NOES:

EXCUSED:

ABSTAINED:

/S/
Robin Stieler, Clerk of the Board of Supervisors, County of Orange, California

**ADDENDUM TO NOTICE OF SPECIAL TAX LIEN
AND NOTICE OF CESSATION OF SPECIAL TAX**

The Board of Supervisors of the County of Orange
Community Facilities District No. 87-3 (Mission Viejo)
of the County of Orange

The Board of Supervisors of the County of Orange, State of California, (the “Board of Supervisors”) as the legislative body of Community Facilities District No. 87-3 (Mission Viejo) of the County of Orange (the “District”), hereby gives notice in accordance with Government Code Sections 53330.5 and 53338.5 that:

1. The Board of Supervisors has established the District pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 Part 1 of Division 2 of Title 5, commencing with Section 53311 of the California Government Code.

2. Pursuant to Government Code Section 53338.5, on August 9, 2016, the Board of Supervisors, acting as the legislative body of the District, adopted Ordinance No. 16-011 dissolving the District and determining that the obligation to pay special taxes has ceased and special taxes will no longer be levied on property in the District.

3. The District and all associated liens have been dissolved. The obligation of parcels in the District to pay the special taxes has ceased and the lien imposed by the Notice of Special Tax Lien recorded on August 2, 1990 as Document No. 90-410828 in the records of the County Recorder of Orange County, State of California is extinguished.

4. The map of the boundaries of the District was recorded on December 24, 1987 in Book 39 of Maps of Assessment and Community Facilities Districts at Pages 26 through 42 (Document No. 87-709367) in the office of the County Recorder for the County of Orange, State of California.

Dated this 9th day of August, 2016.

By: /s/
Robin Stieler, Clerk of the Board of Supervisors