

3-5-2019

Item #7

CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)

CITY OF SANTA CLARA  
OFFICE OF THE CITY CLERK

2019 MAR -4 AM 11:17

**PETITION  
(With Waivers)**

**To Create a Community Facilities District  
and Related Matters**

To The Honorable City Council  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

Members of the City Council:

This is a petition to create a Community Facilities District and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act") and it states as follows:

**1. Petitioner.** This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land identified below (the "Property"). The Petitioner warrants to the City of Santa Clara (the "City") that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s).

**2. Proceedings Requested.** This Petition asks that the City Council undertake proceedings under the Act to create a Community Facilities District to be designated "City of Santa Clara Community Facilities District No. 2019-1 (Lawrence Station)" (the "Community Facilities District"), and a future annexation area related thereto (the "Future Annexation Area"), to levy special taxes in the Community Facilities District.

**3. Boundaries.** This Petition asks that the territory to be included in the boundaries of the Community Facilities District and the Future Annexation Area consist of that shown on a map of the proposed boundaries of the Community Facilities District filed with the City Clerk, which includes the Property and is hereby made a part hereof.

**4. Purpose.** This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or a part of the public services (the "Services") shown in Exhibit A attached hereto and made a part hereof.

**5. Special Tax.** The Petitioner agrees that the City will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a Special Tax in the Community Facilities District to pay for the Services, to be levied pursuant to the Rate and Method of Apportionment shown in Exhibit B attached hereto and made a part hereof, subject to the completion of all proceedings by the City under the Act.

**POST MEETING MATERIAL**

**6. Election.** The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community Facilities District be conducted by the City and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

**7. Waivers.** To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing and all published notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

**8. Authority Warranted.** The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City for the formation of the Community Facilities District shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Petitioner agrees, at its expense, to supply to the City current title evidence so that the City may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

**9. Due-Diligence and Disclosures.** The Petitioner agrees to cooperate with the City, its attorneys and consultants and to provide all information and disclosures required by the City about the Special Tax to purchasers of the Property or any part of it.

**10. Agreements.** The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City's costs in establishing the Community Facilities District. Petitioner agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the City in its absolute discretion.

Dated: March 1, 2019

The Assessor Parcels Comprising the Property are listed on the attached Exhibit C and contain 3.80 total acres.

The Petitioner (record owner) is:

Chang Income Property Partnership, LP,  
Lawrence Business Park Series (R1), a  
Delaware limited partnership

By: 

Name: William Chang

Title: CEO

**EXHIBIT A**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**DESCRIPTION OF SERVICES**

*(attached)*

## **EXHIBIT A**

### **PROPOSED DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD**

#### **City of Santa Clara Community Facilities District 2019-1 (Lawrence Station)**

##### Lane Mile of Roadways

Maintenance, including public space improvements such as signages, street trees, decorative lighting fixtures, and other public space enhancements. Other maintenance items include servicing, repair, replacement, and removal of roadways and sidewalks, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

##### Parks

Maintenance, including servicing, repair, replacement, and removal of neighborhood parks (includes park amenities such as park community centers, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbeques, etc.). Maintenance also includes technological enhancements, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

##### Parking Spaces and Parking Enforcement

Maintenance, including servicing, repair, replacement, and removal of parking spaces (includes poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals and metering devices, etc.). Maintenance also includes technological enhancements, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

Additional services to be provided include the employment of a Community Services Officer, including all salaries and benefits, and including the cost and maintenance of related equipment and vehicle.

##### Landscaped Parkways and Medians

Maintenance, including servicing, repair, replacement, and removal of parkways, landscape setbacks, and landscaped roadway medians (including all signage, turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, electricity, repair/replacement & inspection, and associated appurtenant facilities located within the streetscape). Maintenance includes cleaning and removal of graffiti, and associated electric, water, and other utility costs.

##### Trails

Maintenance, including servicing, repair, replacement, and removal of all facilities associated with the trails (includes amenities such as trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control and other abatements, signs, associated appurtenant facilities., etc.).

### Highway Overpass

Maintenance, including servicing, repair, replacement, and removal of all facilities associated with the Highway Overpass between Westlake and SummerHill (includes vertical curbs, median, recovery areas, shoulders, concrete, bridge supports, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water, and other utility costs.

### Community Clubhouse and Garden

Maintenance, including servicing, repair, replacement, and removal of all facilities associated with the Community Clubhouse and Garden (includes amenities such as lighting, drinking fountains, restrooms, exercise facilities, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, electricity, repair/replacement & inspection, and associated appurtenant facilities, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water, and other utility costs.

### Maintenance & Operating Reserve

Operating expenses, including the costs incurred to operate and service the facilities of the CFD, as well as removal and replacement of the facilities of the CFD. This will include the accumulation of surpluses that are available for these purposes and for discretionary use.

### Administrative Reserve

Administrative expenses, including the cost incurred to determine, levy, and collect special taxes, including compensation of the City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of special taxes upon the general tax rolls, preparation of required reports, and any other costs incurred in the administration of the CFD by the City.

**EXHIBIT B**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

*(attached)*

**EXHIBIT C**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

Owner Name	APN	Acreage
Chang Income Property Partnership, LP, Lawrence Business Park Series (R1), a Delaware limited partnership	216-34-052	3.80



2019 MAR -1 AM 11:44

CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)

PETITION  
(With Waivers)

To Create a Community Facilities District  
and Related Matters

To The Honorable City Council  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

Members of the City Council:

This is a petition to create a Community Facilities District and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act") and it states as follows:

1. **Petitioner.** This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land identified below (the "Property"). The Petitioner warrants to the City of Santa Clara (the "City") that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s).

2. **Proceedings Requested.** This Petition asks that the City Council undertake proceedings under the Act to create a Community Facilities District to be designated "City of Santa Clara Community Facilities District No. 2019-1 (Lawrence Station)" (the "Community Facilities District"), and a future annexation area related thereto (the "Future Annexation Area"), to levy special taxes in the Community Facilities District.

3. **Boundaries.** This Petition asks that the territory to be included in the boundaries of the Community Facilities District and the Future Annexation Area consist of that shown on a map of the proposed boundaries of the Community Facilities District filed with the City Clerk, which includes the Property and is hereby made a part hereof.

4. **Purpose.** This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or a part of the public services (the "Services") shown in Exhibit A attached hereto and made a part hereof.

5. **Special Tax.** The Petitioner agrees that the City will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a Special Tax in the Community Facilities District to pay for the Services, to be levied pursuant to the Rate and Method of Apportionment shown in Exhibit B attached hereto and made a part hereof, subject to the completion of all proceedings by the City under the Act.

**6. Election.** The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community Facilities District be conducted by the City and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

**7. Waivers.** To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing and all published notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

**8. Authority Warranted.** The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City for the formation of the Community Facilities District shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Petitioner agrees, at its expense, to supply to the City current title evidence so that the City may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

**9. Due-Diligence and Disclosures.** The Petitioner agrees to cooperate with the City, its attorneys and consultants and to provide all information and disclosures required by the City about the Special Tax to purchasers of the Property or any part of it.

**10. Agreements.** The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City's costs in establishing the Community Facilities District. Petitioner agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the City in its absolute discretion.

Dated: February 27, 2019

Assessor Parcel:  
216-59-003

2.49 total acres.

The Petitioner (record owner) is:

SHAC LS APARTMENTS I LLC,  
a Delaware limited liability company

By: SHAC LS Apartments I Venture LLC,  
a Delaware limited liability company,  
its manager

By: SHAC LS Apartments I Manager LLC, a  
Delaware limited liability company,  
its manager

By:  SummerHill Apartment Communities, a  
California corporation, its managing member

By: \_\_\_\_\_

Name: Debbi McDonald

Title: COU

By: John Taylor

Name: Joshua Taylor

Title: Assistant Secretary

**EXHIBIT A**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**DESCRIPTION OF SERVICES**

*(attached)*

## **EXHIBIT A**

### **PROPOSED DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD**

#### **City of Santa Clara Community Facilities District 2019-1 (Lawrence Station)**

##### Lane Mile of Roadways

Maintenance, including public space improvements such as signages, street trees, decorative lighting fixtures, and other public space enhancements. Other maintenance items include servicing, repair, replacement, and removal of roadways and sidewalks, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

##### Parks

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##### Landscaped Parkways and Medians

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##### Trails

Maintenance, including servicing, repair, replacement, and removal of all facilities associated with the trails (includes amenities such as trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control and other abatements, signs, associated appurtenant facilities., etc.).

### Highway Overpass

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### Community Clubhouse and Garden

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**EXHIBIT B**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

*(attached)*



2019 MAR -1 AM 11:44

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Dated: February 27, 2019

The Assessor Parcels Comprising the Property are listed on the attached Exhibit C and contain 10.92 total acres.

The Petitioner (record owner) is:

SummerHill Lawrence Station LLC,  
a California limited liability company

By: SummerHill Lawrence Station Manager LLC,  
a Delaware limited liability company  
Its: Manager

By: SummerHill Homes LLC,  
a California limited liability company  
Its: Manager

By: \_\_\_\_\_

Name: Lance Fried

Title: VP of Land

By: \_\_\_\_\_

Name: Joshua Taylor

Title: Assistant Secretary

**EXHIBIT A**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**DESCRIPTION OF SERVICES**

*(attached)*

## **EXHIBIT A**

### **PROPOSED DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD**

#### **City of Santa Clara Community Facilities District 2019-1 (Lawrence Station)**

##### Lane Mile of Roadways

Maintenance, including public space improvements such as signages, street trees, decorative lighting fixtures, and other public space enhancements. Other maintenance items include servicing, repair, replacement, and removal of roadways and sidewalks, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

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##### Landscaped Parkways and Medians

Maintenance, including servicing, repair, replacement, and removal of parkways, landscape setbacks, and landscaped roadway medians (including all signage, turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, electricity, repair/replacement & inspection, and associated appurtenant facilities located within the streetscape). Maintenance includes cleaning and removal of graffiti, and associated electric, water, and other utility costs.

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**EXHIBIT B**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

*(attached)*

## **EXHIBIT C**

### **CITY OF SANTA CLARA COMMUNITY FACILITIES DISTRICT NO. 2019-1 (LAWRENCE STATION)**

<b>Lot</b>	<b>APN</b>	<b>Owner</b>	<b>Sq Feet</b>	<b>Acreage</b>
Lot 4	216-59-04	SummerHill Lawrence Station LLC	4752	0.11
Lot 5	216-59-05	SummerHill Lawrence Station LLC	8225	0.19
Lot 6	216-59-06	SummerHill Lawrence Station LLC	18373	0.42
Lot 7	216-59-07	SummerHill Lawrence Station LLC	35627	0.82
Lot 8	216-59-08	SummerHill Lawrence Station LLC	7269	0.17
Lot 9	216-59-09	SummerHill Lawrence Station LLC	7338	0.17
Lot 10	216-59-10	SummerHill Lawrence Station LLC	4631	0.11
Lot 11	216-59-11	SummerHill Lawrence Station LLC	11161	0.26
Lot 12	216-59-12	SummerHill Lawrence Station LLC	11161	0.26
Lot 13	216-59-13	SummerHill Lawrence Station LLC	18243	0.42
Lot 14	216-59-14	SummerHill Lawrence Station LLC	18570	0.43
Lot 15	216-59-15	SummerHill Lawrence Station LLC	13870	0.32
Lot 16	216-59-16	SummerHill Lawrence Station LLC	8855	0.20
Lot 17	216-59-17	SummerHill Lawrence Station LLC	8578	0.20
Lot 18	216-59-18	SummerHill Lawrence Station LLC	9623	0.22
Lot 19	216-59-19	SummerHill Lawrence Station LLC	5195	0.12
Lot 20	216-59-20	SummerHill Lawrence Station LLC	9794	0.22
Lot 21	216-59-21	SummerHill Lawrence Station LLC	5287	0.12
Lot 22	216-59-22	SummerHill Lawrence Station LLC	8099	0.19
Lot 23	216-59-23	SummerHill Lawrence Station LLC	8016	0.18
Lot 24	216-59-24	SummerHill Lawrence Station LLC	9965	0.23
Lot 25	216-59-25	SummerHill Lawrence Station LLC	9604	0.22
Lot 26	216-59-26	SummerHill Lawrence Station LLC	9439	0.22
Lot 27	216-59-27	SummerHill Lawrence Station LLC	8431	0.19
Lot 28	216-59-28	SummerHill Lawrence Station LLC	7173	0.16
Lot 29	216-59-29	SummerHill Lawrence Station LLC	7175	0.16
Lot 30	216-59-30	SummerHill Lawrence Station LLC	8177	0.19
Lot 31	216-59-31	SummerHill Lawrence Station LLC	8167	0.19
Lot 32	216-59-32	SummerHill Lawrence Station LLC	8179	0.19
Lot 33	216-59-33	SummerHill Lawrence Station LLC	8179	0.19
Lot 34	216-59-34	SummerHill Lawrence Station LLC	16677	0.38
Lot 35	216-59-35	SummerHill Lawrence Station LLC	16896	0.39
Lot 36	216-59-36	SummerHill Lawrence Station LLC	16896	0.39
Lot 37	216-60-01	SummerHill Lawrence Station LLC	2304	0.05
Lot 38	216-60-02	SummerHill Lawrence Station LLC	1824	0.04
Lot 39	216-60-03	SummerHill Lawrence Station LLC	1824	0.04

<b>Lot</b>	<b>APN</b>	<b>Owner</b>	<b>Sq Feet</b>	<b>Acreage</b>
Lot 40	216-60-04	SummerHill Lawrence Station LLC	1824	0.04
Lot 41	216-60-05	SummerHill Lawrence Station LLC	1824	0.04
Lot 42	216-60-06	SummerHill Lawrence Station LLC	1824	0.04
Lot 43	216-60-07	SummerHill Lawrence Station LLC	1824	0.04
Lot 44	216-60-08	SummerHill Lawrence Station LLC	1824	0.04
Lot 45	216-60-09	SummerHill Lawrence Station LLC	1858	0.04
Lot 46	216-60-10	SummerHill Lawrence Station LLC	1992	0.05
Lot 47	216-60-11	SummerHill Lawrence Station LLC	1992	0.05
Lot 48	216-60-12	SummerHill Lawrence Station LLC	1824	0.04
Lot 49	216-60-13	SummerHill Lawrence Station LLC	1824	0.04
Lot 50	216-60-14	SummerHill Lawrence Station LLC	1824	0.04
Lot 51	216-60-15	SummerHill Lawrence Station LLC	1824	0.04
Lot 52	216-60-16	SummerHill Lawrence Station LLC	1824	0.04
Lot 53	216-60-17	SummerHill Lawrence Station LLC	1824	0.04
Lot 54	216-60-18	SummerHill Lawrence Station LLC	1824	0.04
Lot 55	216-60-19	SummerHill Lawrence Station LLC	1824	0.04
Lot 56	216-60-20	SummerHill Lawrence Station LLC	1824	0.04
Lot 57	216-60-21	SummerHill Lawrence Station LLC	1824	0.04
Lot 58	216-60-22	SummerHill Lawrence Station LLC	1824	0.04
Lot 59	216-60-23	SummerHill Lawrence Station LLC	1824	0.04
Lot 60	216-60-24	SummerHill Lawrence Station LLC	1824	0.04
Lot 61	216-60-25	SummerHill Lawrence Station LLC	1824	0.04
Lot 62	216-60-26	SummerHill Lawrence Station LLC	1805	0.04
Lot 63	216-60-27	SummerHill Lawrence Station LLC	1805	0.04
Lot 64	216-60-28	SummerHill Lawrence Station LLC	2101	0.05
Lot 65	216-60-29	SummerHill Lawrence Station LLC	1924	0.04
Lot 66	216-60-30	SummerHill Lawrence Station LLC	1924	0.04
Lot 67	216-60-31	SummerHill Lawrence Station LLC	2205	0.05
Lot 68	216-60-32	SummerHill Lawrence Station LLC	2214	0.05
Lot 69	216-60-33	SummerHill Lawrence Station LLC	2028	0.05
Lot 70	216-60-34	SummerHill Lawrence Station LLC	2028	0.05
Lot 71	216-60-35	SummerHill Lawrence Station LLC	2229	0.05
Lot 72	216-60-36	SummerHill Lawrence Station LLC	2051	0.05
Lot 73	216-60-37	SummerHill Lawrence Station LLC	1884	0.04
Lot 74	216-60-38	SummerHill Lawrence Station LLC	2051	0.05
Lot 75	216-60-39	SummerHill Lawrence Station LLC	1881	0.04
Lot 76	216-60-40	SummerHill Lawrence Station LLC	2030	0.05
Lot 77	216-60-41	SummerHill Lawrence Station LLC	1862	0.04
Lot 78	216-59-37	SummerHill Lawrence Station LLC	9651	0.22
Lot 79	216-59-38	SummerHill Lawrence Station LLC	9803	0.23
Lot 80	216-59-39	SummerHill Lawrence Station LLC	6328	0.15
Lot 81	216-59-40	SummerHill Lawrence Station LLC	8513	0.20



Lot	APN	Owner	Sq Feet	Acreage
Lot 82	216-59-41	SummerHill Lawrence Station LLC	5374	0.12
		total	475,766	10.92

2019 MAR -1 AM 11:44 CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)

**PETITION  
(With Waivers)**

**To Create a Community Facilities District  
and Related Matters**

To The Honorable City Council  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

Members of the City Council:

This is a petition to create a Community Facilities District and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act") and it states as follows:

1. **Petitioner.** This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land identified below (the "Property"). The Petitioner warrants to the City of Santa Clara (the "City") that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s).
2. **Proceedings Requested.** This Petition asks that the City Council undertake proceedings under the Act to create a Community Facilities District to be designated "City of Santa Clara Community Facilities District No. 2019-1 (Lawrence Station)" (the "Community Facilities District"), and a future annexation area related thereto (the "Future Annexation Area"), to levy special taxes in the Community Facilities District.
3. **Boundaries.** This Petition asks that the territory to be included in the boundaries of the Community Facilities District and the Future Annexation Area consist of that shown on a map of the proposed boundaries of the Community Facilities District filed with the City Clerk, which includes the Property and is hereby made a part hereof.
4. **Purpose.** This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or a part of the public services (the "Services") shown in Exhibit A attached hereto and made a part hereof.
5. **Special Tax.** The Petitioner agrees that the City will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a Special Tax in the Community Facilities District to pay for the Services, to be levied pursuant to the Rate and Method of Apportionment shown in Exhibit B attached hereto and made a part hereof, subject to the completion of all proceedings by the City under the Act.

**6. Election.** The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community Facilities District be conducted by the City and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

**7. Waivers.** To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing and all published notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

**8. Authority Warranted.** The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City for the formation of the Community Facilities District shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Petitioner agrees, at its expense, to supply to the City current title evidence so that the City may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

**9. Due-Diligence and Disclosures.** The Petitioner agrees to cooperate with the City, its attorneys and consultants and to provide all information and disclosures required by the City about the Special Tax to purchasers of the Property or any part of it.

**10. Agreements.** The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City's costs in establishing the Community Facilities District. Petitioner agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the City in its absolute discretion.

Dated: February 27, 2019

Assessor Parcel:  
216-59-001

2.81 total acres.

The Petitioner (record owner) is:

SHAC LS APARTMENTS II LLC,  
a Delaware limited liability company

By: SHAC LS Apartments II Venture LLC,  
a Delaware limited liability company,  
its manager

By: SHAC LS Apartments II Manager  
LLC, a Delaware limited liability company,  
its manager

By: SummerHill Apartment  
Communities, a California  
corporation, its managing member

By: 

Name: Doyle McDonald

Title: COO

By: 

Name: Joshua Taylor

Title: Assistant Secretary

**EXHIBIT A**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**DESCRIPTION OF SERVICES**

*(attached)*

## **EXHIBIT A**

### **PROPOSED DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD**

#### **City of Santa Clara Community Facilities District 2019-1 (Lawrence Station)**

##### Lane Mile of Roadways

Maintenance, including public space improvements such as signages, street trees, decorative lighting fixtures, and other public space enhancements. Other maintenance items include servicing, repair, replacement, and removal of roadways and sidewalks, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

##### Parks

Maintenance, including servicing, repair, replacement, and removal of neighborhood parks (includes park amenities such as park community centers, playground equipment, play courts, play structures, picnic tables, lighting, drinking fountains, barbecues, etc.). Maintenance also includes technological enhancements, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

##### Parking Spaces and Parking Enforcement

Maintenance, including servicing, repair, replacement, and removal of parking spaces (includes poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals and metering devices, etc.). Maintenance also includes technological enhancements, cleaning and removal of graffiti, and associated electric, water, and other utility costs.

Additional services to be provided include the employment of a Community Services Officer, including all salaries and benefits, and including the cost and maintenance of related equipment and vehicle.

##### Landscaped Parkways and Medians

Maintenance, including servicing, repair, replacement, and removal of parkways, landscape setbacks, and landscaped roadway medians (including all signage, turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, electricity, repair/replacement & inspection, and associated appurtenant facilities located within the streetscape). Maintenance includes cleaning and removal of graffiti, and associated electric, water, and other utility costs.

##### Trails

Maintenance, including servicing, repair, replacement, and removal of all facilities associated with the trails (includes amenities such as trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control and other abatements, signs, associated appurtenant facilities., etc.).

### Highway Overpass

Maintenance, including servicing, repair, replacement, and removal of all facilities associated with the Highway Overpass between Westlake and SummerHill (includes vertical curbs, median, recovery areas, shoulders, concrete, bridge supports, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water, and other utility costs.

### Community Clubhouse and Garden

Maintenance, including servicing, repair, replacement, and removal of all facilities associated with the Community Clubhouse and Garden (includes amenities such as lighting, drinking fountains, restrooms, exercise facilities, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, electricity, repair/replacement & inspection, and associated appurtenant facilities, etc.). Maintenance also includes cleaning and removal of graffiti, and associated electric, water, and other utility costs.

### Maintenance & Operating Reserve

Operating expenses, including the costs incurred to operate and service the facilities of the CFD, as well as removal and replacement of the facilities of the CFD. This will include the accumulation of surpluses that are available for these purposes and for discretionary use.

### Administrative Reserve

Administrative expenses, including the cost incurred to determine, levy, and collect special taxes, including compensation of the City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of special taxes upon the general tax rolls, preparation of required reports, and any other costs incurred in the administration of the CFD by the City.

**EXHIBIT B**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

*(attached)*



2019 MAR -1 AM 11:44

CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)

PETITION  
(With Waivers)

To Create a Community Facilities District  
and Related Matters

To The Honorable City Council  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

Members of the City Council:

This is a petition to create a Community Facilities District and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act") and it states as follows:

**1. Petitioner.** This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land identified below (the "Property"). The Petitioner warrants to the City of Santa Clara (the "City") that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s).

**2. Proceedings Requested.** This Petition asks that the City Council undertake proceedings under the Act to create a Community Facilities District to be designated "City of Santa Clara Community Facilities District No. 2019-1 (Lawrence Station)" (the "Community Facilities District"), and a future annexation area related thereto (the "Future Annexation Area"), to levy special taxes in the Community Facilities District.

**3. Boundaries.** This Petition asks that the territory to be included in the boundaries of the Community Facilities District and the Future Annexation Area consist of that shown on a map of the proposed boundaries of the Community Facilities District filed with the City Clerk, which includes the Property and is hereby made a part hereof.

**4. Purpose.** This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or a part of the public services (the "Services") shown in Exhibit A attached hereto and made a part hereof.

**5. Special Tax.** The Petitioner agrees that the City will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a Special Tax in the Community Facilities District to pay for the Services, to be levied pursuant to the Rate and Method of Apportionment shown in Exhibit B attached hereto and made a part hereof, subject to the completion of all proceedings by the City under the Act.

**6. Election.** The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community Facilities District be conducted by the City and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

**7. Waivers.** To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing and all published notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

**8. Authority Warranted.** The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, casting of ballots at the property owner election and other actions mandated by the City for the formation of the Community Facilities District shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Petitioner agrees, at its expense, to supply to the City current title evidence so that the City may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

**9. Due-Diligence and Disclosures.** The Petitioner agrees to cooperate with the City, its attorneys and consultants and to provide all information and disclosures required by the City about the Special Tax to purchasers of the Property or any part of it.

**10. Agreements.** The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City's costs in establishing the Community Facilities District. Petitioner agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the City in its absolute discretion.

Dated: FEBRUARY 28, 2019

Assessor Parcel:  
216-59-002

1.72 total acres.

The Petitioner (record owner) is:

Toll West Coast, LLC,  
a Delaware limited liability company

By: \_\_\_\_\_

Name: TODD CHALLAGHAN

Title: SENIOR VP

**EXHIBIT A**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**DESCRIPTION OF SERVICES**

*(attached)*

**EXHIBIT B**

**CITY OF SANTA CLARA  
COMMUNITY FACILITIES DISTRICT NO. 2019-1  
(LAWRENCE STATION)**

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

*(attached)*

CITY OF SANTA CLARA  
OFFICE OF THE CITY CLERK

2019 MAR -1 AM 11:31

**Reference:** Lawrence station CFD / Owners Petitions

**CITY COUNCIL MEETING MARCH 5, 2019. RTC 19-115. CFD 2019-1  
Lawrence Station.**

**SummerHill Homes<sup>SM</sup>**

3000 Executive Pkwy, Suite 450  
San Ramon, CA 94583  
Tel: 925.244.7500  
Fax: 925.244.7501

CITY OF SANTA CLARA  
OFFICE OF THE CITY CLERK  
2019 MAR -1 AM 11:32

February 28, 2019

**BY FEDEX**


City Clerk  
City of Santa Clara  
1500 Warburton,  
Santa Clara, CA 95050

**Re: RTC 19-115. CFD 2019-1 Lawrence Station  
For City Council Meeting on March 5, 2019**

City Clerk

Enclosed are the following Petitions for Community Facilities District No. 2019-1 (Lawrence Station) for the City Council Meeting on March 5, 2019, that have been signed by SHAC LS Apartments I LLC, SHAC LS Apartments II LLC and SummerHill Lawrence Station LLC.

Very truly yours,

  
Joshua Taylor  
SummerHill Housing Group