

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES  
FOR EL DORADO COUNTY  
COMMUNITY FACILITIES DISTRICT NO. 2024-1  
(CARSON CREEK HERITAGE VILLAGE 11)  
IMPROVEMENT AREA NO. 1**

A Special Tax, as hereinafter defined, shall be levied and collected within Improvement Area No. 1 of the El Dorado County Community Facilities District No. 2024-1 (Carson Creek Heritage Village 11) each Fiscal Year commencing in Fiscal Year 2024/25, in an amount determined by the application of the procedures below. All Taxable Property within Improvement Area No. 1, as hereinafter defined, unless exempted by law or by the provisions hereof, shall be taxed for the purposes to the extent and in the manner herein provided including property subsequently annexed to Improvement Area No. 1 unless a separate Rate and Method of Apportionment is adopted for the annexed area.

**A. DEFINITIONS**

The terms hereinafter set forth have the following meaning:

**"Accessory Dwelling Unit" or "ADU"** means all Assessor's Parcels of Residential Property for which a building permit(s) has been issued for an "Accessory Dwelling Unit" as defined in California Government Code Section 65852.2(j)(1), as may be amended from time to time, that is accessory to a primary Unit.

**"Acre" or "Acreage"** means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map. In the event that the Assessor's Parcel Map shows no acreage, the Acreage for any Assessor's Parcel may be determined by the CFD Administrator based upon, in the CFD Administrator's discretion, the applicable condominium plan, final map, parcel map, Assessor's Data or by using available spatial data and GIS.

**"Act"** means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1, Division 2 of Title 5 of the Government Code of the State.

**"Administrative Expenses"** means the actual or reasonably estimated costs directly related to the administration of Improvement Area No. 1 including, but not limited to, the following: the costs of any paying agents/fiscal agents/trustees related to Improvement Area No. 1 Bond payments (including the fees and expenses of related counsel); the costs of computing the Annual Special Tax Requirement, the Special Taxes and of preparing the collection schedules for the Special Taxes; the costs of collecting the Special Taxes, including any charges levied by the County Auditor's Office, County Tax Collector's Office or County Treasurer's Office; the costs of the County or designee in complying with the disclosure requirements associated with applicable federal and state securities laws, or otherwise related to Improvement Area No. 1 or Improvement Area No. 1 Bonds; the County's annual administration fees and third party expenses; costs of responding to public inquiries regarding the Special Taxes; the costs of the County or designee related to an appeal of the Special Tax or interpretation of this Rate and Method of Apportionment of Special Taxes; amounts needed to pay any required arbitrage rebate to the federal government related to Improvement Area No. 1 Bonds; the costs associated with the release of funds from any escrow account; and the costs of commencing and pursuing to completion any foreclosure action arising from delinquent Special Taxes in Improvement Area No. 1. Administrative Expenses shall also

include amounts estimated or advanced by the County or Improvement Area No. 1 for any other administrative purposes of Improvement Area No. 1.

**"Annual Special Tax Requirement"** means that amount required in any Fiscal Year for Improvement Area No. 1 to (1) pay Debt Service on all Outstanding Improvement Area No. 1 Bonds due in the Debt Year that commences in such Fiscal Year; (2) pay debt service on bonds expected to be issued for Improvement Area No. 1 due in the Debt Year that commences in such Fiscal Year; (3) Administrative Expenses; (4) provide any amount required to establish or replenish a reserve fund in connection with any Improvement Area No. 1 Bonds; (5) provide an amount equal to reasonably anticipated Special Tax delinquencies based on the delinquency rate for Special Taxes levied in the previous Fiscal Year as determined by the CFD Administrator, as limited by the Act, and without duplicating any amounts described in clauses (3) or (4); and (6) account for Pay-As-You-Go Expenditures for the Authorize Facilities. The amounts referred to in clauses (1) through (5) of the preceding sentence may be reduced in any Fiscal Year (in the County's sole discretion) by (i) surplus balances in funds and accounts for Improvement Area No. 1 Bonds to the extent that such balances are available to apply against Debt Service pursuant to the Indenture, (ii) proceeds from the collection of penalties associated with delinquent Special Tax, and (iii) any other revenues available to pay Debt Service on the Outstanding Improvement Area No. 1 Bonds or other indebtedness as determined by the CFD Administrator.

**"Assessor's Data"** means the property characteristic data compiled and maintained by the County Assessor for each Assessor's Parcel, including, but not limited to, Assessor's Parcel Number, Acreage, Building Square Footage, and Units.

**"Assessor's Parcel" or "Parcel"** means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

**"Assessor's Parcel Map"** means an official map of the County Assessor designating parcels by Assessor's Parcel Number.

**"Assessor's Parcel Number" or "APN"** means, with respect to an Assessor's Parcel, that number assigned to such Assessor's Parcel by the County for purposes of identification.

**"Authorized Facilities"** means the public facilities authorized to be financed, in whole or in part, by Improvement Area No. 1 Bonds or Special Tax revenue dedicated to Pay-As-You-Go Expenditures for Improvement Area No. 1.

**"Base Year"** means the Fiscal Year beginning on July 1, 2024 and ending on June 30, 2025.

**"Board of Supervisors"** means the Board of Supervisors of the County, acting as the legislative body of CFD No. 2024-1.

**"Building Permit"** means a permit issued by the County for new construction of a residential or non-residential building on an Assessor's Parcel.

**"Building Square Feet" or "BSF"** means all of the square footage of living area within the perimeter of a residential structure, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Building Square Feet shall be made by reference to the building permit(s) issued for such residential dwelling unit. In the event that the building permit does not show

Building Square Feet, other records of the County or Assessor's Data shall be used as determined by the CFD Administrator.

**"CFD Administrator"** means an official of the County, or designee thereof, responsible for determining the Annual Special Tax Requirement, and otherwise providing for the levy and collection of the Special Taxes.

**"CFD No. 2024-1"** means El Dorado County Community Facilities District No. 2024-1 (Carson Creek Heritage Village 11), established by the Board of Supervisors pursuant to the Act.

**"County"** means the County of El Dorado, California.

**"Debt Service"** means for each Debt Year, the total amount of principal and interest due on any Outstanding Improvement Area No. 1 Bonds.

**"Debt Year"** means the twelve (12) month period ending on the second debt service payment date of each calendar year.

**"Developed Property"** means, in any Fiscal Year, all Taxable Property in Improvement Area No. 1 for which a Building Permit for new construction was issued by the County on or before April 30 of the preceding Fiscal Year.

**"Development Class"** means, individually, Developed Property, Final Map Property, Undeveloped Property, Taxable Property Owners Association Property and Taxable Public Property.

**"Development Area"** means the area designation for Assessor's Parcels as shown in Attachment A describing the Planned Residential Lots and on the map included in Attachment B.

**"Estimated Sales Price"** means a written document provided by the developer upon request for an entire Development Area that has been classified as Final Map Property showing the estimated sales price for each typical model type for a Development Area.

**"Exempt Property"** means all property located within the boundaries of Improvement Area No. 1 which is exempt from the Special Tax pursuant to the Act or Section E below.

**"Final Map Property"** means, in any Fiscal Year, all Residential Lots created within a Final Subdivision Map which has recorded prior to April 30 of the preceding Fiscal Year.

**"Final Subdivision Map"** means a final subdivision map, parcel map or lot line adjustment, approved by the County pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*) or recordation of a condominium plan pursuant to California Civil Code 4285, that creates individual lots for which Building Permits may be issued without further subdivision of such property.

**"Fiscal Year"** means the period starting July 1 and ending on the following June 30.

**"GIS" or "Geographic Information System"** means a system designed to capture, store, manipulate, analyze, manage, and present spatial or geographic data.

**"Improvement Area No. 1 Bonds"** means bonds or other Debt (as defined in section 53317 of the Act), whether in one or more series, issued or assumed by or on behalf of the County for Improvement Area No. 1 under the Act, and secured by pledge of the Special Taxes.

**"Indenture"** means the indenture, fiscal agent agreement, resolution, or other instrument pursuant to which Improvement Area No. 1 Bonds are issued, as modified, amended, and/or supplemented from time to time, and any instrument replacing or supplementing the same.

**"Maximum Special Tax"** means the Maximum Special Tax, determined in accordance with Section C below, that can be levied in any Fiscal Year on any Assessor's Parcel of Taxable Property.

**"Maximum Special Tax Revenue"** means the revenue anticipated to be collected based on a group of Taxable Parcels, such as Development Areas, as shown in Attachment A.

**"Non-Residential Property"** means, in any Fiscal Year all Assessor's Parcels of Developed Property for which a building permit(s) was issued for a structure intended for non-residential use.

**"Open Space Property"** means property within the boundaries of Improvement Area No. 1 which (i) has been designated with specific boundaries and Acreage on a final subdivision map as open space, (ii) has been irrevocably offered for dedication as open space to the federal government, the State, the County, the County, or any other public agency, or (iii) is encumbered by an easement or other restriction required by the County limiting the use of such property to open space.

**"Outstanding Improvement Area No. 1 Bonds"** means all Improvement Area No. 1 Bonds which are outstanding under and in accordance with the provisions of the Indenture.

**"Pay-As-You-Go Expenditure"** means Special Tax revenue, which is used or set aside for Authorized Facilities, including for Authorized Facilities to be constructed or acquired by Improvement Area No. 1. Pay-As-You-Go Expenditures may be included in the Special Tax Requirement for 15 years, beginning in Fiscal Year 2024/25 and ending after Fiscal Year 2038/39.

**"Planned Residential Lots"** means the number of single family residential Assessor's Parcels for each Development Area as shown in Attachment A.

**"Property Owner's Association" or "POA"** means any duly constituted property owner's association. As used in this definition, a Property Owner's Association includes any home-owner's association, condominium owner's association, master or sub-association or non-residential owner's association.

**"Property Owner's Association Property"** means any property within the boundaries of Improvement Area No. 1 which is (a) owned by a Property Owner's Association or (b) designated with specific boundaries and acreage on a final subdivision map as Property Owner Association Property.

**"Proportionately"** means, for Developed Property, Final Map Property, and Undeveloped Property, that the ratio of the actual Special Tax to the Maximum Special Tax is equal for each Assessor's Parcels of Developed Property, Final Map Property, and Undeveloped Property, respectively. The term "Proportionately" may similarly be applied to other categories of Taxable Property, as listed in Section C below.

**"Public Property"** means any property within the boundaries of Improvement Area No. 1 which (i) is owned by a public agency, (ii) has been irrevocably offered for dedication to a public agency, or (iii) is designated with specific boundaries and Acreage on a final subdivision map as property which will be

owned by a public agency. For purposes of this definition, a public agency includes the federal government, the State, the County, the County, school districts, or any other governmental agency.

**"Rate and Method of Apportionment"** means this Rate and Method of Apportionment of Special Taxes for Improvement Area No. 1.

**"Residential Lot"** means, an individual residential lot within a recorded Final Subdivision Map on which a Building Permit has been or is permitted to be issued for construction of one or more Units.

**"Residential Property"** means all Assessor's Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one or more residential Units.

**"Special Tax(es)"** means the special tax or special taxes to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property within Improvement Area No. 1 to fund the Annual Special Tax Requirement.

**"State"** means the State of California.

**"Taxable Property"** means all the Assessor's Parcels within the boundaries of Improvement Area No. 1 that are not exempt from the Special Tax pursuant to law or Section E below.

**"Taxable Property Owner Association Property"** means all Assessors Parcels of Property Owner Association Property that are not exempt pursuant to Section E herein.

**"Taxable Public Property"** means all Assessors Parcels of Public Property that are not exempt pursuant to Section E herein.

**"Tax Escalation Factor"** means a factor of two percent (2%) that will be applied annually after the Base Year to increase the Maximum Special Tax rates shown in Attachment A.

**"Trustee"** means the trustee or fiscal agent or paying agent acting as such under the applicable Indenture.

**"Undeveloped Property"** means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Final Map Property, Taxable Property Owner Association Property, or Taxable Public Property.

**"Unit"** means an individual single family detached residential unit or an individual residential unit within a duplex, triplex, fourplex, townhome or condominium structure. The number of Units assigned to each Assessor's Parcel may be determined by (i) referencing Assessor's Data, (ii) site surveys and physical unit counts, and/or (iii) other research by the CFD Administrator. An Accessory Dwelling Unit shall not be considered a Unit for the purposes of the Special Tax.

**"Welfare Exempt Property"** means, in any Fiscal Year, all Parcels within the boundaries of Improvement Area No. 1 that (a) have been granted a welfare exemption by the County under subdivision (g) of Section 214 of the Revenue and Taxation Code indicated in the Assessor's Data finalized as of January 1 of the previous Fiscal Year, and (b) are exempt from the Special Tax pursuant to Section 53340(c) of the Act. Pursuant to Section 53340(c) of the Act, after the issuance of the first series of Improvement Area No. 1 Bonds, as applicable, any Assessor's Parcels that receives a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code shall not be classified as Welfare Exempt Property and will be subject to the Special Tax.

**B. ASSIGNMENT TO LAND USE CATEGORIES**

Each Fiscal Year, all Assessor's Parcels within Improvement Area No. 1 shall be classified as follows:

1. Each Assessor's Parcel shall be determined to be Taxable Property or Exempt Property.
2. Each Assessor's Parcel of Taxable Property shall be further classified as Developed Property, Final Map Property, Undeveloped Property, Taxable Property Owner Association Property, or Taxable Public Property. Taxable Property shall be subject to Special Taxes in accordance with the rate and method of apportionment determined pursuant to Sections C and D below.

**C. MAXIMUM SPECIAL TAX RATES**

**1. Final Map Property**

Subject to adjustment as provided in subsection C.1.c below, the Base Year Maximum Special Tax that may be levied in any Fiscal Year for each Assessor's Parcel classified as Final Map Property is shown in Attachment A. The per Assessor's Parcel Maximum Special Tax shall be assigned to each Development Area as shown on Attachment A and Attachment B by using the following steps:

- a) Compare the total Maximum Special Tax Revenue for each Development Area resulting from a Final Subdivision Map to the planned total Maximum Special Tax Revenue for such Development Area as shown in Attachment A.
- b) If the total Maximum Special Tax Revenue resulting from the Final Subdivision Map for any Development Area is equal to or greater than the total Maximum Special Tax Revenue planned for such Development Area as shown in Attachment A, assign a Maximum Special Tax per Assessor's Parcel, as shown in Attachment A to all Taxable Property, adjusted by the Tax Escalation Factor, for the Development Area.
- c) If the total Maximum Special Tax Revenue resulting from the Final Subdivision Map for any Development Area is less than the total Maximum Special Tax Revenue planned for such Development Area as shown in Attachment A, perform the following procedures:
  - a. Proportionately increase the Maximum Special Tax for Final Map Property within the Development Area from the Maximum Special Tax shown in Attachment A until the Maximum Special Tax Revenue for the Development Area is equal to the total Maximum Special Tax Revenue planned for such Development Area as shown in Attachment A.
  - b. If the Maximum Special Tax for Final Map Property within the Development Area, as determined in the previous section, is greater than 2% of the Estimated Sales Price of the Final Map Property, the Maximum Special Tax shall be eliminated using the procedures in Section I.1, or reduced Proportionately using the steps in Section I.2 such that the Maximum Special Tax for the Final Map Property does not exceed 2% of the Estimated Sales Price.
  - c. There shall be no net loss of Maximum Special Tax Revenue as a result of the previous steps.
- d) Once the Maximum Special Tax is assigned to Final Map Property, the Maximum Special Tax shall be increased each Fiscal Year by the Tax Escalation Factor, but shall not otherwise be

subject to adjustment based on the recordation of other Final Subdivision Maps within the boundaries of Improvement Area No. 1.

## **2. Developed Property**

The Base Year Maximum Special Tax, as increased by the Tax Escalation Factor, is assigned to Taxable Parcels at such time as the Taxable Parcels are classified as Final Map Property. When a Taxable Parcel is subsequently classified as Developed Property, the Maximum Special Tax is equal to the Maximum Special Tax previously assigned to such Final Map Property in Section C.1, as increased by the Tax Escalation Factor.

The Maximum Special Tax for Developed Property shall increase, commencing on July 1, 2025 and on July 1 of each Fiscal Year thereafter, by an amount equal to the Tax Escalation Factor.

## **3. Undeveloped Property, Taxable Property Owner Association Property, and Taxable Public Property**

The Base Year Maximum Special Tax for Undeveloped Property, Taxable Property Owner Association Property, and Taxable Public Property shall be \$23,410 per Acre.

The Maximum Special Tax for Undeveloped Property, Taxable Property Owner Association Property, and Taxable Public Property shall increase, commencing on July 1, 2025 and on July 1 of each Fiscal Year thereafter, by an amount equal to the Tax Escalation Factor.

## **D. METHOD OF APPORTIONMENT OF THE SPECIAL TAXES**

Commencing with Fiscal Year 2024/25 and for each following Fiscal Year, the County or its designee shall determine the Annual Special Tax Requirement and shall levy the Special Tax until the total Special Tax levy equals the Annual Special Tax Requirement. The Special Tax shall be levied each Fiscal Year as follows:

First: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax for such Fiscal Year.

Second: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Final Map Property up to 100% of the Maximum Special Tax for Final Map Property;

Third: If additional monies are needed to satisfy the Special Tax Requirement after the first and second steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property at up to 100% of the Maximum Special Tax for Undeveloped Property;

Fourth: If additional monies are needed to satisfy the Special Tax Requirement after the first, second, and third steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Property Owner Association Property at up to 100% of the Maximum Special Tax for Taxable Property Owner Association Property;

Fifth: If additional monies are needed to satisfy the Special Tax Requirement after the first, second, third, and fourth steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property at up to 100% of the Maximum Special Tax for Taxable Public Property;

Under no circumstances will the Special Tax levied against any Assessor's Parcel of Residential Property be increased by more than 10% as a consequence of delinquency or default by the owner of any other Assessor's Parcel within Improvement Area No. 1.

**E. EXEMPTIONS**

1. No Special Tax shall be levied on up to 37.6 Acres of Property Owner Association Property and/or Public Property. Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which property becomes Property Owner Association Property, or Public Property.
2. Property Owner Association Property, that is not exempt from the Special Tax under this section, or pursuant to the Act, shall be classified as Taxable Property Owner Association Property. Taxable Property Owner Association Property shall be subject to the levy of the Special Tax and shall be taxed Proportionately as part of the fourth step in Section D above, at up to 100% of the applicable Maximum Special Tax for Taxable Property Owner Association Property.
3. Public Property, that is not exempt from the Special Tax under this section, or pursuant to the Act, shall be classified as Taxable Public Property. Taxable Public Property shall be subject to the levy of the Special Tax and shall be taxed Proportionately as part of the fifth step in Section D above, at up to 100% of the applicable Maximum Special Tax for Taxable Public Property.
4. No Special Tax shall be levied on any Assessor's Parcel in any Fiscal Year in which such Assessor's Parcel is classified as Welfare Exempt Property.

**F. APPEAL OF SPECIAL TAX LEVY**

Any property owner may file a written appeal of the Special Tax with the CFD Administrator claiming that the amount or application of the Special Tax is not correct with respect to one or more specific Assessor's Parcels. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of the Special Taxes theretofore levied on the Assessor's Parcel(s). In addition, during the term of the appeal process, all Special Tax levied must be paid for the subject Assessor's Parcel(s) prior to delinquency.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the Board of Supervisors whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the County requires the Special Tax to be modified or changed in favor of the property owner, then an adjustment shall be made to credit future Special Taxes.

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.



**G. INTERPRETATION OF RATE AND METHOD OF APPORTIONMENT**

The County may, by resolution or ordinance, interpret, clarify and/or revise this Rate and Method of Apportionment to correct any inconsistency, vagueness, or ambiguity as it relates to the Special Taxes, method of apportionment, classification of Assessor's Parcels, or any definition used herein, as long as once Improvement Area No. 1 Bonds have been issued such correction does not materially adversely affect the levy and collection of Special Taxes on any Assessor's Parcel needed to repay the Improvement Area No. 1 Bonds. In addition, the CFD Administrator may make minor, non-substantive administrative and technical changes that do not materially affect the rate, method of apportionment, and manner of collection of the Special Tax for purposes of administrative efficiency or convenience or to comply with new applicable federal, state, or local law. No resolution or ordinance shall be required for an amendment to Attachment A and/or B in order to adjust the planned Residential Property Units in each Development Area to conform to final map provided such amendment only affects land owned by the project developer and not individual homeowners.

**H. MANNER OF COLLECTION**

The Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, that the CFD Administrator may directly bill the Special Tax, may collect the Special Tax at a different time or in a different manner if needed to meet the financial obligations of Improvement Area No. 1. The County may covenant to foreclose and may actually foreclose or cause an action for foreclosure to be prosecuted in respect of Assessor's Parcels of Taxable Property that are delinquent in the payment of the Special Tax.

**I. PREPAYMENT OF SPECIAL TAX**

The following definitions apply to this Section I:

**"Authorized Facilities"** means the public facilities authorized to be financed, in whole or in part, by Improvement Area No. 1.

**"Buildout"** means the state of maximum development of Improvement Area No. 1, based on plans and anticipated development.

**"CFD Public Facilities Cost"** means \$15,000,000 million for Improvement Area No. 1, expressed in 2024 dollars, which shall increase by the annual percentage change in the Construction Inflation Index on July 1, 2025 and on each July 1 thereafter, or such lower number as (i) shall be determined by the CFD Administrator as sufficient to provide the public facilities to be provided by Improvement Area No. 1 under the authorized bonding program for Improvement Area No. 1, or (ii) shall be determined by the Board of Supervisors concurrently with a covenant that it will not issue any more Bonds to be supported by Special Taxes levied under this Rate and Method of Apportionment as described in Section D.

**"Construction Inflation Index"** means the annual percentage change in the Engineering News-Record Building Cost Index for the County of San Francisco, measured as of the calendar year which ends in the previous Fiscal Year, but not less than zero percent. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the County that is reasonably comparable to the Engineering News-Record Building Cost Index for the County of San Francisco.

**"Future Facilities Costs"** means, as of the date of prepayment, the CFD Public Facilities Costs minus the portion of the CFD Public Facilities Costs previously funded from (a) proceeds of all Previously Issued Improvement Area No. 1 Bonds, which were, at the time of issuance, available to the County for Authorized Facilities, (b) interest earnings on the Improvement Fund actually earned prior to the date of prepayment, and (c) proceeds of the Special Tax dedicated to Pay-As-You-Go Expenditures. In no case, shall the Future Facilities Costs be less than zero.

**"Previously Issued Improvement Area No. 1 Bonds"** means all Outstanding Improvement Area No. 1 Bonds that have been issued for Improvement Area No. 1 prior to the date of prepayment.

**1. Prepayment in Full**

The Special Tax obligation of an Assessor's Parcel of Developed Property, Taxable Public Property, Final Map Property, or Undeveloped Property for which a Building Permit has been issued, may be prepaid and permanently satisfied as described herein; provided that there are no delinquent installments of the Special Tax with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 45 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel. Prepayment must be made not less than 75 days prior to the next occurring date that notice of redemption of Outstanding Improvement Area No. 1 Bonds, if any. Proceeds of such prepayment may be given to the Trustee pursuant to the Indenture. If a prepayment is made prior to the issuance of Improvement Area No. 1 Bonds, the Redemption Premium, Interest Amount, Reserve Fund Credit and Capitalized Interest Credit as calculated below, shall be zero. The CFD Administrator may charge the property owner requesting a prepayment calculation a fee for providing this service.

The Special Tax Prepayment Amount (defined below) shall be calculated as summarized below (capitalized terms as defined below):

Bond Redemption Amount	
Plus	Future Facilities Amount
plus	Redemption Premium
plus	Interest Amount
plus	Administrative Fees and Expenses
less	Reserve Fund Credit
<u>less</u>	<u>Capitalized Interest Credit</u>
Total: equals	Special Tax Prepayment Amount

As of the proposed date of prepayment, the Special Tax Prepayment Amount (defined below) shall be calculated by the CFD Administrator as follows:

**Step Number:**

1. Confirm that no Special Tax delinquency apply to such Assessor's Parcel, and if delinquencies are applicable compute all amounts due, including interest and penalties.
2. For Assessor's Parcels of Developed Property and Taxable Public Property compute the Maximum Special Tax. For Assessor's Parcels of Final Map Property and Undeveloped Property to be prepaid, compute the Maximum Special Tax for that Assessor's Parcel as though it was already designated as Developed Property, based upon the building permits issued for that Assessor's Parcel.
3. Divide the Maximum Special Tax computed pursuant to Step 2 by the total estimated Maximum Special Tax for Improvement Area No. 1 based on the Developed Property Special Tax which could be charged in the current Fiscal Year on all expected development through Buildout of Improvement Area No. 1 (the "Maximum Special Tax Percentage").
4. Multiply the Maximum Special Tax Percentage by the Outstanding Improvement Area No. 1 Bonds to compute the principal amount of Outstanding Improvement Area No. 1 Bonds to be redeemed (the "*Bond Redemption Amount*").
5. Compute the Future Facilities Costs.
6. Multiply the Maximum Special Tax Percentage by the total Future Facilities Costs to compute the Future Facilities amount to be prepaid (the "*Future Facilities Amount*").
7. Multiply the Bond Redemption Amount computed pursuant to Step 4 by the applicable redemption premium, if any, on the Outstanding Improvement Area No. 1 Bonds to be redeemed (the "*Redemption Premium*") determined by reference to the Indenture.
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Improvement Area No. 1 Bonds (the "*Interest Amount*").
9. Verify the administrative fees and expenses, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming the Outstanding Improvement Area No. 1 Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (the "*Administrative Fees and Expenses*").
10. If reserve funds for the Outstanding Improvement Area No. 1 Bonds held under the Indenture, if any, are at or above 100% of the then reserve requirement (as required by the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve requirement for the Outstanding Improvement Area No. 1 Bonds to be redeemed pursuant to the prepayment (the "*Reserve Fund Credit*"). No Reserve Fund Credit shall be granted if reserve funds are below 100% of the applicable reserve requirement on the prepayment date or if the Reserve Fund is satisfied by a credit instrument rather than cash funded.
11. If any capitalized interest for the Outstanding Improvement Area No. 1 Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the Maximum Special Tax Percentage by the expected balance in the capitalized interest fund after such first interest and/or principal payment (the "*Capitalized Interest Credit*").

12. The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 4, 6, 7, 8 and 9 less the amount computed pursuant to Steps 10 and 11 (the "*Prepayment Amount*").
13. From the Prepayment Amount, the amounts computed pursuant to Step 6 shall be used by the County to pay for Future Facilities Costs. The amounts computed pursuant to Steps 4, 6, 7 and 8 shall be deposited into the appropriate fund as established under the Indenture and be used to redeem Outstanding Improvement Area No. 1 Bonds or make Debt Service payments. The amount computed pursuant to Step 9 shall be retained by the County for the payment of Administrative Fees and Expenses.

The Special Tax Prepayment Amount may be sufficient to redeem other than a \$5,000 increment of Outstanding Improvement Area No. 1 Bonds. In such cases, the increment above \$5,000 or integral multiple thereof will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Outstanding Improvement Area No. 1 Bonds or to make Debt Service payments.

Current year Special Taxes that are not yet paid will remain outstanding and will be collected in the manner billed. With respect to any Assessor's Parcel that is prepaid, the CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate the prepayment of the Special Tax and the obligation of such Assessor's Parcel satisfied.

Notwithstanding the foregoing, no prepayment will be allowed unless the Maximum Special Tax that may be levied on Taxable Property both prior to and after the proposed prepayment is at least 1.1 times the annual Debt Service on all Outstanding Improvement Area No. 1 Bonds in each future Fiscal Year plus annual Administrative Expenses, as reasonably estimated by the CFD Administrator.

## **2. Prepayment in Part**

The Special Tax may be partially prepaid, provided that a partial prepayment may be made only after all authorized Improvement Area No. 1 Bonds have been issued and only for Assessor's Parcels of Developed Property, Final Map Property, Taxable Public Property and Undeveloped Property for which a Building Permit has been issued and only if there are no delinquent Annual Special Taxes with respect to such Assessor's Parcel at the time of partial prepayment. The amount of the prepayment shall be calculated as in Section I.1; except that a partial prepayment shall be calculated by the CFD Administrator according to the following formula:

$$PP = P_E \times F.$$

These terms have the following meaning:

PP = the partial prepayment

$P_E$  = the Special Tax Prepayment Amount calculated according to Section I.1

F = the Maximum Special Tax Percentage

The Special Tax partial prepayment amount must be sufficient to redeem at least a \$5,000 increment of Bonds.

The owner of any Assessor's Parcel who desires such partial prepayment shall notify the CFD Administrator of such owner's intent to partially prepay the Special Tax and the percentage by which the Special Tax shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax for an Assessor's Parcel within 45 days of the request and may charge a fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the prepayment funds remitted according to Section I.1, and (ii) indicate in the records of Improvement Area No. 1 that there has been a partial prepayment of the Special Tax and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage (1.00 - F) of the remaining Maximum Special Tax, shall continue to be levied on such Assessor's Parcel pursuant to Section D.

#### **J. SPECIAL TAX REDUCTION**

The following definitions apply to this Section J:

**"Appraisal"** means an appraisal or a letter updating a previous appraisal prepared by the MAI Appraiser which (a) sets forth the Plan Types constructed or expected to be constructed within Improvement Area No. 1, (b) sets forth the estimated number of constructed and expected residential dwelling units for each Plan Type, (c) sets forth such MAI Appraiser's estimate of the price point for each Plan Type and (d) uses a date for establishing such price point that is no earlier than 60 days and no later than 180 days prior to the date the Appraisal is delivered to the CFD Administrator pursuant to Section C herein.

**"Issuance Date"** means the date a bond purchase contract related to the sale of the Improvement Area No. 1 Bonds is entered into between the purchaser of the Improvement Area No. 1 Bonds and the County.

**"MAI Appraiser"** means an appraiser licensed or otherwise qualified to do business in the State or firm of such appraisers selected by the County that (a) has substantial experience in performing appraisals for residential units within community facilities districts or otherwise estimating or confirming pricing for residential units in community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the appraisal of residential units in community facilities districts, (c) is in fact independent and not under the control of Improvement Area No. 1 or the County, (d) does not have any substantial interest, direct or indirect, with or in (i) Improvement Area No. 1, (ii) the County, (iii) any owner of real property in Improvement Area No. 1, or (iv) any real property in Improvement Area No. 1, (e) is not connected with Improvement Area No. 1 or the County as an officer or employee thereof, but who may be regularly retained to make reports to Improvement Area No. 1 or the County, and (f) holds a American Institute of Real Estate Appraisers' MAI designation.

**"Plan Type"** means a discrete residential plan type (generally consisting of residential dwelling units that share a common product type (e.g., detached, condominium) and that have nearly identical amounts of living area) that is constructed or expected to be constructed within Improvement Area No. 1 as identified in the Appraisal or a Price Point Study.

**"Price Point Consultant"** means any consultant or firm of such consultants selected by the County that (a) has substantial experience in performing price point studies for residential units within community facilities districts or otherwise estimating or confirming pricing for residential units in community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the pricing

of residential units in community facilities districts, (c) is in fact independent and not under the control of Improvement Area No. 1 or the County, (d) does not have any substantial interest, direct or indirect, with or in (i) Improvement Area No. 1, (ii) the County, (iii) any owner of real property in Improvement Area No. 1, or (iv) any real property in Improvement Area No. 1, and (e) is not connected with Improvement Area No. 1 or the County as an officer or employee thereof, but who may be regularly retained to make reports to Improvement Area No. 1 or the County.

**“Price Point Study”** means a price point study or a letter updating a previous price point study prepared by the Price Point Consultant which (a) sets forth the Plan Types constructed or expected to be constructed within Improvement Area No. 1, (b) sets forth the estimated number of constructed and expected residential dwelling units for each Plan Type, (c) sets forth such Price Point Consultant’s estimate of the price point for each Plan Type and (d) uses a date for establishing such price points that is no earlier than 60 days and no later than 180 days prior to the date the Price Point Study is delivered to the CFD Administrator pursuant to Section C herein.

**“Total Effective Tax Rate”** means, for a Plan Type, the quotient of (a) the Total Tax Burden for such Plan Type divided by (b) the Price Point for such Plan Type, converted to a percentage.

**“Total Tax Burden”** means, for any Unit of Residential Property, the sum of the Maximum Special Tax, together with ad valorem property taxes, special assessments, special taxes for any overlapping community facilities district, and any other taxes, fees and charges, and excluding services charges such as sewer and trash, which are collected by the County via property tax bills and which are payable from and secured by the property, assuming such Unit of Residential Property has been completed, sold and subject to such levies and impositions.

#### **Special Tax Reduction Calculation**

Prior to the issuance of the first series of Improvement Area No. 1 Bonds, the following steps shall be taken for each Development Area of Residential Property in Improvement Area No. 1:

At least 60 days prior to the expected Issuance Date of the first series of Improvement Area No. 1 Bonds, the County, on behalf of Improvement Area No. 1, shall determine, based on an Appraisal or a Price Point Study, whether or not the Total Effective Tax Rate for all Plan Types in a Development Area as calculated by the CFD Administrator separately for each Development Area of Residential Property, is less than or equal to 1.65%.

1. The County shall cause an Appraisal or Price Point Study to be delivered to the CFD Administrator.
  - a. If the Total Effective Tax Rate for all Plan Types in a Lands Use Class is less than or equal to 1.65%, then there shall be no change in the Maximum Special Tax for such Development Area.
  - b. If the Total Effective Tax Rate for any Plan Type in a Development Area is greater than 1.65%, the CFD Administrator shall calculate a revised Maximum Special Tax for such Development Area which revised Maximum Special Tax shall be the highest amount (rounded to the nearest whole dollar) that will not cause the Total Effective Tax Rate for any Plan Type in such Development Area to exceed 1.65%.

2. If the Maximum Special Tax for any Development Area is revised pursuant to step 1.b. above, the CFD Administrator shall prepare and execute a Certificate of Reduction in Special Taxes substantially in the form of Attachment C hereto and shall deliver such Certificate of Reduction in Special Taxes to Improvement Area No. 1. The Certificate of Reduction in Special Taxes shall be completed for all Development Areas and shall set forth, as applicable, either (i) the reduced Maximum Special Tax for a Development Area as calculated pursuant to step 1.b. or (ii) the Maximum Special Tax as identified in Section C for a Development Area that was not revised as determined pursuant to step 1.a
3. If the Issuance Date of the first series of Improvement Area No. 1 Bonds is within 120 days of the date of receipt of the Appraisal or a Price Point Study by the CFD Administrator, the County shall execute the acknowledgement on such Certificate of Reduction in Special Taxes, dated as of the closing date of such Bonds, and upon the closing of such first series of Bonds, the Maximum Special Tax for each Development Area shall be, for all purposes, as set forth in such Certificate of Reduction in Special Taxes. If the Issuance Date of the first series of Bonds is not within 120 days of the date of receipt of the Appraisal or a Price Point Study by the CFD Administrator, such Certificate of Reduction in Special Taxes shall not be acknowledged by the County and shall, as of such date, be void and of no further force and effect. In such case, if subsequently a first series of Improvement Area No. 1 Bonds is expected to be issued, at least 30 days prior to the expected Issuance Date of such first series of Improvement Area No. 1 Bonds, the CFD Administrator shall cause a new Appraisal or a Price Point Study to be delivered to the CFD Administrator and, following such delivery, steps 2 through 5 of this section shall be performed based on such new Appraisal or a Price Point Study.
4. As soon as practicable after the execution by the County of the acknowledgement on the Certificate of Reduction in Special Taxes, the County shall cause to be recorded in the records of the County Recorder an Amended Notice of Special Tax Lien for Improvement Area No. 1 reflecting the Maximum Special Tax set forth in such Certificate of Reduction in Special Taxes.
5. If the Maximum Special Tax is not required to be changed for any Development Area based on the calculations performed under step 1 above, there shall be no reduction in the Maximum Special Tax, and no Certificate of Reduction in Special Taxes shall be required. However, the CFD Administrator shall prepare and deliver to the County a Certificate of No Reduction in Special Taxes substantially in the form of Attachment D hereto dated as of the closing date of the first series of Bonds that states that the calculations required pursuant to this Section J have been made and that no changes to the Maximum Special Tax are necessary.

The County and the CFD Administrator shall take no further actions under this Section J upon the earlier to occur of the following: (i) the execution of the acknowledgement by the County on a Certificate of Reduction in Special Taxes pursuant to step 4; or (ii) the delivery by the CFD Administrator of a Certificate of No Reduction in Special Taxes pursuant to step 6.

**K. TERM**

The Special Tax shall be levied and collected as needed to fund the Annual Special Tax Requirement for up to 45 years from the initial levy of the Special Tax. In any event no Special Tax shall be levied for Improvement Area No. 1 after the 2069/70 Fiscal Year.

**ATTACHMENT A**

**COMMUNITY FACILITIES DISTRICT NO. 2024-1  
(CARSON CREEK HERITAGE VILLAGE 11)  
IMPROVEMENT AREA NO. 1**

**BASE YEAR MAXIMUM SPECIAL TAX RATES**

Development Area	Planned Residential Property Units/Lots	Base Year Maximum Special Tax <sup>(1)</sup>	Base Year Total Maximum Special Tax Revenue <sup>(1)</sup>
A - Roxbury	65	\$2,907	\$188,955
B - Mosaic	95	3,212	305,140
C - Legends	64	3,883	248,512
Total Base Year Maximum Special Tax Revenue			\$742,607

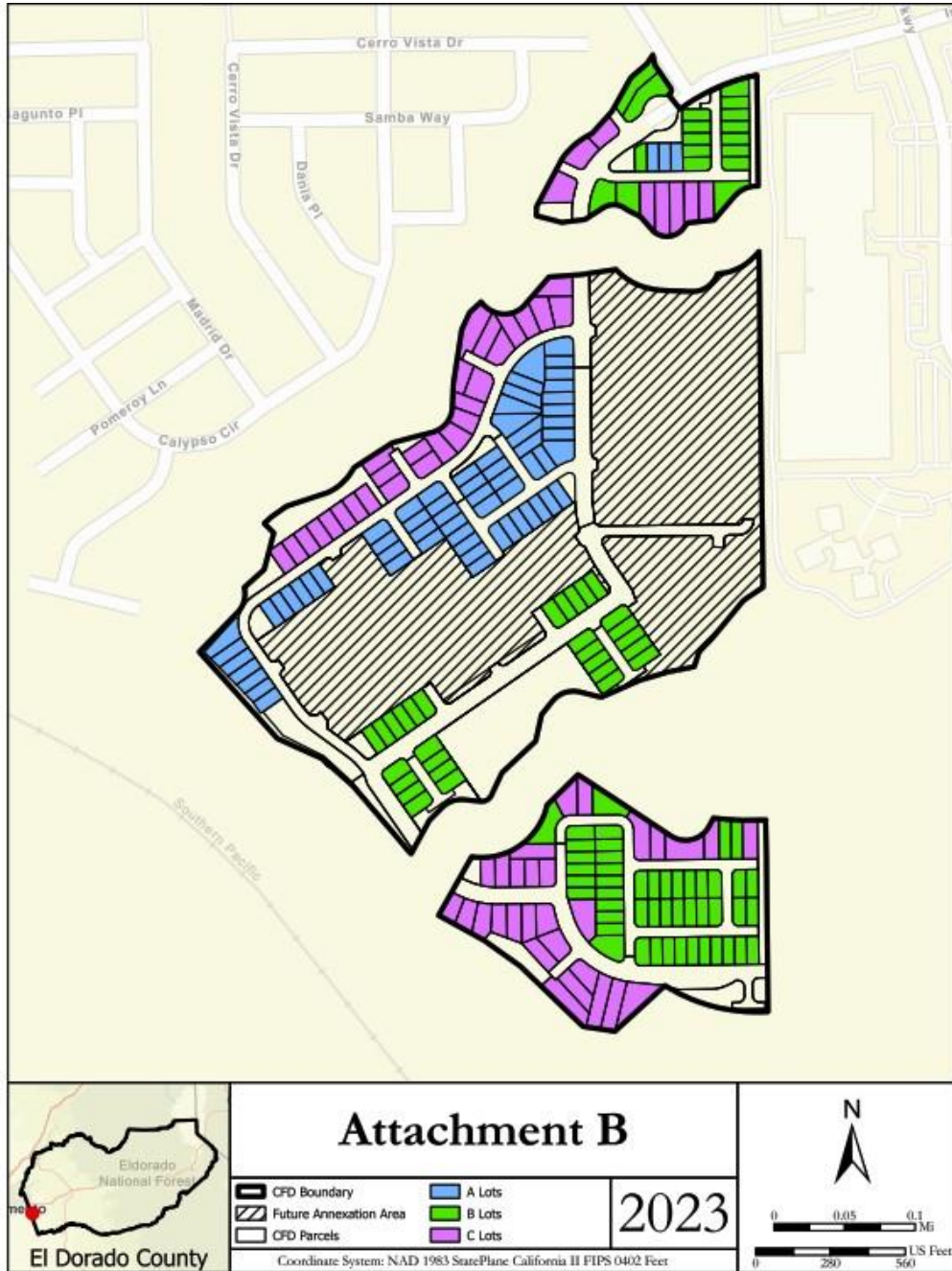
- (1) The Maximum Special Tax shall increase by the Tax Escalation Factor each year after the Base Year.



## ATTACHMENT B

### COMMUNITY FACILITIES DISTRICT NO. 2024-1 (CARSON CREEK HERITAGE VILLAGE 11) IMPROVEMENT AREA NO. 1

#### MAP OF DEVELOPMENT AREAS



**ATTACHMENT C**

**COMMUNITY FACILITIES DISTRICT NO. 2024-1  
(CARSON CREEK HERITAGE VILLAGE 11)  
IMPROVEMENT AREA NO. 1**

**CERTIFICATE OF REDUCTION IN SPECIAL TAXES**

1. Pursuant to Section J of the Rate and Method of Apportionment of Special Taxes attached to the Notice of Special Tax Lien recorded in the Official Records of the County of El Dorado as Document No. \_\_\_\_\_ on the \_\_ day of \_\_\_\_\_, 20\_\_, the CFD Administrator hereby reduces the Maximum Special Tax for [certain or all] Development Areas within Improvement Area No. 1.
2. The calculations made pursuant to Section J were based upon an Appraisal or a Price Point Study that was received by the CFD Administrator on \_\_\_\_\_.
3. Table A-1 below shows the Assigned Special Tax for each Development Area after such reduction:

**Table A-1**

**Reduced Assigned Special Taxes for Developed Property**

**Fiscal Year \_\_\_\_\_**

**\*INSERT TABLE HERE\***

4. The Maximum Special Tax that may be levied in any Fiscal Year for each Assessor's Parcel classified as Final Map Property is shown in Table A-1. The per Assessor's Parcel Maximum Special Tax shall be assigned to each Development Area as shown on Table A-1 by using the following steps:
  - a) Compare the total Maximum Special Tax Revenue for each Development Area resulting from a Final Map to the planned total Maximum Special Tax Revenue for such Development Area as shown in Table A-1.
  - b) If the total Maximum Special Tax Revenue resulting from the Final Map for any Development Area is equal to or greater than the total Maximum Special Tax Revenue planned for such Development Area as shown in Table A-1, assign a Maximum Special Tax per Assessor's Parcel, as shown in Table A-1 to all Taxable Property, adjusted by the Tax Escalation Factor, for the Development Area.
  - c) If the total Maximum Special Tax Revenue resulting from the Final Map for any Development Area is less than the total Maximum Special Tax Revenue planned for such Development Area as shown in Table A-1, perform the following procedures:
    - a. Proportionately increase the Maximum Special Tax for Final Map Property within the Development Area from the Maximum Special Tax shown in Table A-1 until the Maximum Special Tax Revenue for the Development Area is equal to the total Maximum Special Tax Revenue planned for such Area as shown in Table A-1.
    - b. If the Maximum Special Tax for Final Map Property within the Development Area, as determined in the previous section, is greater than 1.65% of the Estimated Sales Price of

the Final Map Property, the Maximum Special Tax shall be eliminated using the procedures in Section I.1, or reduced Proportionately using the steps in Section I.2 such that the Maximum Special Tax for the Final Map Property does not exceed 2% of the Estimated Sales Price.

c. There shall be no net loss of Maximum Special Tax Revenue as a result of the previous steps.

5. The Maximum Special Tax for each Assessor's Parcel of Undeveloped Property, Taxable Property Owner Association Property, and Taxable Public Property shall be \$\_\_\_\_\_per Acre.
6. Upon execution of the certificate by the County, the CFD Administrator shall cause an amended notice of special tax lien for Improvement Area No. 1 to be recorded reflecting the modifications set forth herein.
7. By execution hereof, the undersigned acknowledges, on behalf of the County and Improvement Area No. 1, receipt of this certificate and modification of the Rate and Method of Apportionment of Special Taxes as set forth in this certificate.

Submitted

CFD ADMINISTRATOR

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

Date: \_\_\_\_\_

Community Facilities District No. 2024-1 of the El Dorado County

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

Date as of : \_\_\_\_\_  
[closing date of Bonds]

**ATTACHMENT D**  
**COMMUNITY FACILITIES DISTRICT NO. 2024-1**  
**(CARSON CREEK HERITAGE VILLAGE 11)**  
**IMPROVEMENT AREA NO. 1**

**CERTIFICATE OF NO REDUCTION IN SPECIAL TAXES**

1. All calculations required pursuant to Section J of the Rate and Method of Apportionment have been made based upon an Appraisal or a Price Point Study that was received by the CFD Administrator on \_\_\_\_\_.
2. Total Effective Tax Rate for all Plan Types in all Development Areas is less than or equal to 1.65%.
3. The Maximum Special Tax for Developed Property and Final Map Property within Improvement Area No. 1 set forth in Section C.1.(b) of the Rate and Method of Apportionment, shall remain in effect and not be reduced.

Submitted

CFD ADMINISTRATOR

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

Date as of: \_\_\_\_\_  
[closing date of Bonds]