

RESOLUTION NO. 2019-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
DIRECTING THE EXECUTION OF A NOTICE OF CESSATION OF SPECIAL TAX –
IMPROVEMENT AREA B OF THE CITY OF HUNTINGTON BEACH COMMUNITY
FACILITIES DISTRICT NO. 2002-1 (MCDONNELL CENTRE BUSINESS PARK)

WHEREAS, the City Council of the City of Huntington Beach (the “City”) has conducted proceedings under and pursuant to the provisions of Chapter 3.56 (commencing with Section 3.56.010) of the Municipal Code of the City of Huntington Beach (the “Code”) and, as applicable under the Code, the Mello-Roos Community Facilities Act of 1982, as amended (the “Act,” and, together with the Code, the “Law”), to form the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park) (the “District”), and, pursuant to Resolution No. 2002-26 adopted by the City Council on April 1, 2002, the City designated a portion of the District as Improvement Area B of the District (“Improvement Area B”); and

WHEREAS, to date, the City has never levied special taxes for the District on property in Improvement Area B, and

WHEREAS, the owner of all of the land within Improvement Area B has requested that the City Council dissolve Improvement Area B by determining to cease levying special taxes (the “Special Taxes”) on property in Improvement Area B; and

WHEREAS, the City now desires to take the necessary actions to implement the request of the landowner and to release the special tax lien imposed on property in Improvement Area B to secure payment of the Special Taxes; and

WHEREAS, in order to release the special tax lien, it will be necessary for the City Clerk to record a Notice of Cessation of Special Tax (the “Notice”) in the Orange County Recorder’s Office, a copy of the form of which Notice is attached hereto as Exhibit A; and

WHEREAS, the City Council now desires to determine that the Special Taxes will never be levied on property in Improvement Area B and to direct the execution and recordation by the City Clerk of the Notice.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntington Beach as follows:

SECTION 1. The City Council of the City of Huntington Beach, as the legislative body for the District, hereby determines that the Special Tax never has been levied, and shall never be levied, on property in Improvement Area B.

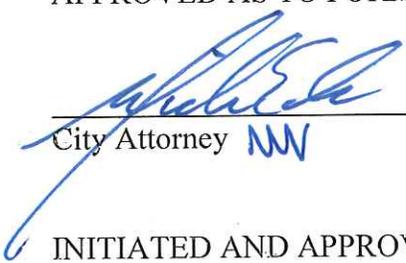
SECTION 2. The Notice, in the form attached hereto as Exhibit A, is hereby approved. The City Clerk is hereby authorized and directed to execute the Notice and to record, or cause to be recorded, the Notice in the Orange County Recorder’s Office.

SECTION 3. This Resolution shall take effect immediately upon its adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2019.

Mayor

APPROVED AS TO FORM:



City Attorney *NW*

INITIATED AND APPROVED:

City Manager

03003.07:J16040
3/14/19

EXHIBIT A

FORM OF NOTICE OF CESSATION OF SPECIAL TAX

RECORDING REQUESTED BY:
City Clerk, City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

WHEN RECORDED RETURN TO:
The Boeing Company
c/o Boeing Planning & Real Estate
153 James S. McDonnell Blvd., MC S221-1400
Hazelwood, MO 63042
Attention: Marc A. Poulin

NOTICE OF CESSATION OF SPECIAL TAX

Improvement Area B of the
City of Huntington Beach
Community Facilities District No. 2002-1
(McDonnell Centre Business Park)

The City of Huntington Beach (the "City"), County of Orange, State of California, with respect to Improvement Area B of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park) (the "Improvement Area"), hereby gives notice that:

1. The City Council of the City has established the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park) (the "District") under the provision of Chapter 3.56 (commencing with Section 3.56.010) of the Municipal Code of the City of Huntington Beach (the "Code") and, as applicable under the Code, the Mello-Roos Community Facilities Act of 1982, as amended, constituting Sections 53311 et seq. of the California Government Code, and has designated a portion of the District as Improvement Area B of the City of Huntington Beach Community Facilities District No. 2002-1 (McDonnell Centre Business Park) ("Improvement Area B") pursuant to Resolution No. 2002-26 adopted by the City Council of the City on April 1, 2002.

2. On _____, 2019, the City Council of the City, acting as the legislative body of the District, adopted a Resolution determining that special taxes shall cease to be levied on property in Improvement Area B.

3. The obligation of parcels in Improvement Area B to pay the special taxes has ceased and the lien imposed by the Notice of Special Tax Lien recorded on June 18, 2002 as document no. 20020509641 in the records of the County Recorder of Orange County, State of California, is extinguished as to the Orange County Assessor's Parcels which are located in Improvement Area B, which parcels are identified in Attachment A hereto.

4. The map of the boundaries of the District was recorded in Book 85 of Maps of Assessment and Community Facilities Districts at Pages 3-6 (Instrument No. 20020279386), in the office of the County Recorder for the County of Orange, State of California.

Dated this _____ day of _____, 2019.

By: _____
City Clerk,
City of Huntington Beach

ATTACHMENT A

Improvement Area B of the City of Huntington Beach
Community Facilities District No. 2002-1
(McDonnell Centre Business Park)

Orange County Assessor's Parcel Numbers and
Owner of Land Within Improvement Area B

<u>Owner of Land</u>	<u>Orange County Assessor's Parcel Nos.</u>
The Boeing Company c/o Boeing Planning & Real Estate 153 James S. McDonnell Blvd. MC S221-1400 Hazelwood, Missouri 63042 Attention: Marc A. Poulin	195-111-56 (formerly known as 195-111-34 [portion])