

RESOLUTION NO. 2020-33

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 (APNs: 195-111-03, 64) 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”) formed 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, on April 1, 2019, the City Council adopted Resolution No. 2019-18 authorizing the release the special tax lien on APN 195-111-56 (formerly APN: 195-111-34); and

WHEREAS, the City Council determines 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 releasing the special tax lien on APNs: 195-111-03, 64.

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 18th day of May, 2020.

Mayor

APPROVED AS TO FORM:

City Attorney *MW*

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

AMENDED 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 April 1, 2019, the City Council of the City, acting as the legislative body of the District, determined that special taxes shall cease to be levied on property in Improvement Area B (APN: 195-111-56, formerly 195-111-34) pursuant to Resolution No. 2019-18 entitled "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)" adopted by the City Council of the City, a copy of which is attached as Exhibit A hereto.

3. On April 10, 2019, 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) was recorded as document no. 2019000114966 in the records of the County Recorder of Orange County, State of California (the "Original Notice"), releasing the special tax lien on APN: 195-111-56 within Improvement Area B.

4. On May 18, 2020, City Council of the City adopted Resolution No. 2020-33, determining that special taxes shall cease to be levied against the remaining parcels in Improvement Area B.

5. This Amended Notice of Cessation of Special Tax amends the Original Notice to include all of the remaining parcels located within Improvement Area B upon which the special taxes shall cease to be levied.

6. The obligation of all of the 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 all of the Orange County Assessor's Parcels which are located in Improvement Area B.

7. 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 _____, 2020.

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	195-111-03, 64 (formerly known as 195-111- 03, 29, 34 [portion])

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

City Clerk, City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

AND WHEN RECORDED MAIL TO:

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

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder



* \$ R 0 0 1 0 7 5 5 8 1 5 \$ *

2019000114966 2:31 pm 04/10/19

48 401 R28 8

0.00 0.00 0.00 0.00 21.00 0.00 0.000.000.00 3.00

THIS SPACE FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT:

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)

This document is solely for the official
business of the City of Huntington Beach,
as contemplated under Government Code
Sec. 27383 and should be recorded free
of charge.

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 1st day of April, 2019.



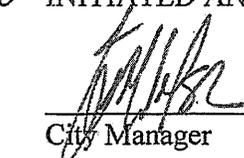
Mayor

APPROVED AS TO FORM:



City Attorney *MM*

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 April 1, 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 10th day of April, 2019.

By: *Rolinda Estanislau*
City Clerk,
City of Huntington Beach

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

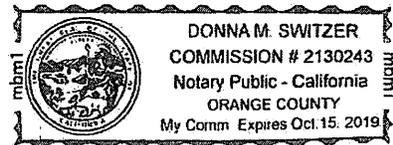
On April 10, 2019 before me, *Donna M. Switzer, Notary Public*, personally appeared **Robin Estanislau**, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Donna M. Switzer
(Notary Signature)

(Seal)



ATTACHMENT A

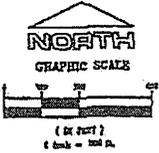
Improvement Area B of the City of Huntington Beach
Community Facilities District No. 2002-1
(McDonnell Centre Business Park)

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

Owner of Land	Orange County Assessor's Parcel Nos.
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])

PROPOSED BOUNDARIES OF IMPROVEMENT AREAS A AND B OF THE CITY OF HUNTINGTON BEACH COMMUNITY FACILITIES DISTRICT NO. 2002-1 (McDONNELL CENTRE BUSINESS PARK), COUNTY OF ORANGE, STATE OF CALIFORNIA.

SHEET 1 OF 4



LEGEND:

-  CFD NO. 2002-1 BOUNDARY
-  EXEMPT LAND
-  IMPROVEMENT AREA A
-  IMPROVEMENT AREA B

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE CENTERLINE OF BOLSA AVENUE, BEARING N88°25'20"W, PER PARCEL MAP NO. 97-180 FILED IN BOOK 269, PAGES 3 AND 4 OF PARCEL MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF HUNTINGTON BEACH, THIS 27TH DAY OF MAY, 2002.

BY: Lorrie Brockway
CORRIGEE BROCKWAY, THE CITY CLERK OF THE CITY OF HUNTINGTON BEACH

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF IMPROVEMENT AREAS A AND B OF THE CITY OF HUNTINGTON BEACH COMMUNITY FACILITIES DISTRICT NO. 2002-1 (McDONNELL CENTRE BUSINESS PARK), COUNTY OF ORANGE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AT A REGULAR MEETING THEREOF HELD ON THE 1ST DAY OF APRIL, 2002, BY ITS RESOLUTION NO. 2002-26.

BY: Lorrie Brockway
CORRIGEE BROCKWAY, THE CITY CLERK OF THE CITY OF HUNTINGTON BEACH

RECORDING REQUESTED BY: CITY OF HUNTINGTON BEACH
FILED THIS 3RD DAY OF APRIL, 2002, AT THE HOUR OF 1:01 O'CLOCK P.M., IN BOOK 85 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 2-6 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF ORANGE,

STATE OF CALIFORNIA
FEE EXEMPT
INSTRUMENT NO. 20020218385

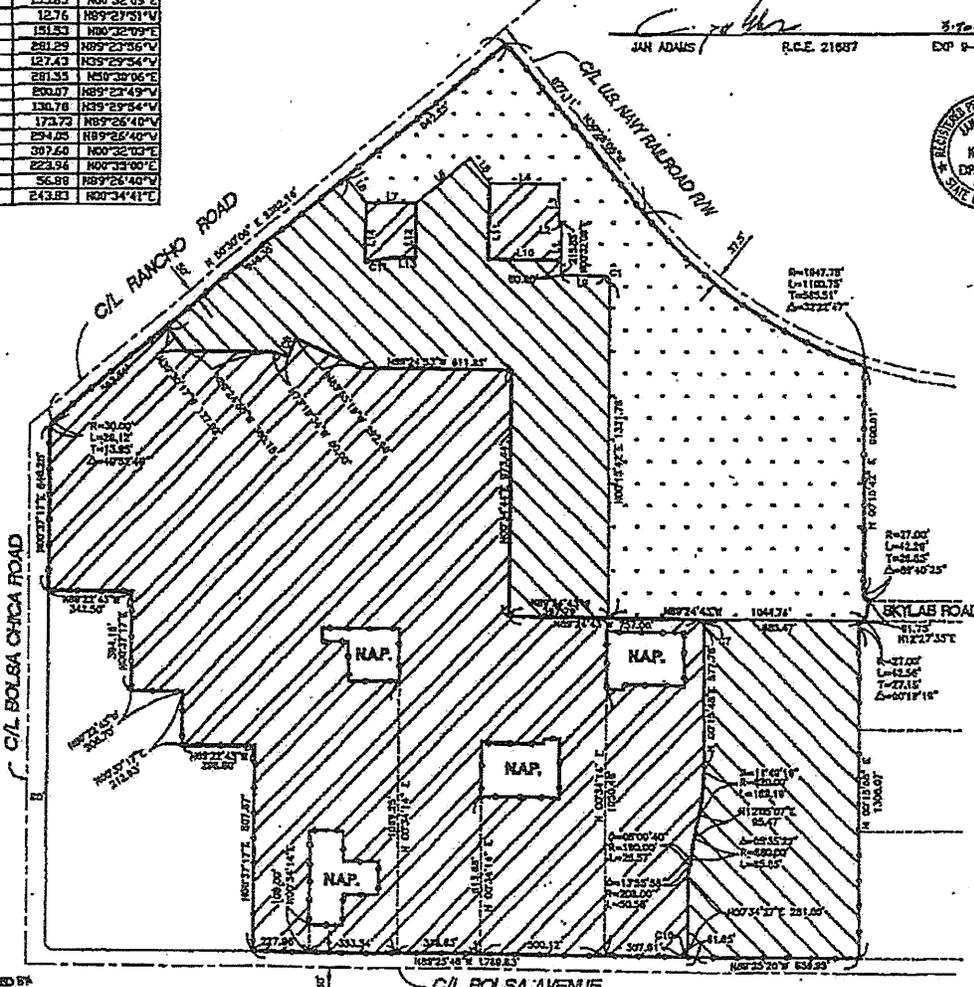
BY: Darlene J. Bloom
DARLENE J. BLOOM, INTERIM COUNTY RECORDER OF COUNTY OF ORANGE

NOTE:
SEE SHEET 4 FOR "N.A.P." DETAILS AND DIMENSIONS.

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	89°42'22"	25.00	33.14
C6	09°37'32"	470.00	79.00
C7	89°49'31"	27.00	42.26
C10	89°59'47"	27.00	42.41
C11	15°40'24"	520.00	144.99

LINE TABLE		
LINE	LENGTH	BEARING
L1	153.85	N00°32'09"E
L2	12.76	N89°27'51"W
L3	151.53	N00°32'09"E
L4	281.25	N89°23'55"W
L5	127.43	N39°23'54"W
L6	281.35	N50°20'06"E
L7	200.07	N89°22'49"W
L8	130.78	N39°29'54"W
L9	173.72	N89°26'40"W
L10	294.05	N89°26'40"W
L11	307.60	N00°32'00"E
L12	223.94	N00°33'00"E
L13	56.88	N89°26'40"W
L14	243.83	N00°34'41"E

JAN ADAMS P.C.E. 21687 EXP 8-30-2005



PLANS PREPARED BY
 ADAMS & ESTREETER
CIVIL ENGINEERS, INC.
30000 Park, Irvine, CA 92618
Tel: 949-262-7400 Fax: 949-262-7401

J.H. 02/04

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, ROBIN ESTANISLAU, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **Regular** meeting thereof held on **April 1, 2019** by the following vote:

AYES: Brenden, Carr, Semeta, Peterson, Posey, Delgleize, Hardy
NOES: None
ABSENT: None
RECUSE: None



City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California