



County of San Diego, Planning & Development Services
**APPLICATION FOR THE ESTABLISHMENT OF
COMMUNITY FACILITIES DISTRICT (CFD)**
ADVANCE PLANNING DIVISION

This is the initial CFD application form. The Applicant will be required to provide updates to any and all of the information upon request by the County during the CFD formation and financing processes. Acceptance of this application does not obligate the County to form the CFD or to issue Bonds. The County will inform the Applicant if and when the application is accepted, if the information is complete and fits the County's goals and policies for formation, and when to submit a petition to begin the formation process. Please attach any additional relevant information not explicitly asked for in the form below.

A. APPLICANT/OWNERSHIP INFORMATION

1. Project Information

a) Name(s) under which the project is known or processed by the County: _____
Previous names if any: _____

b) Project Location: _____
City: _____ State: _____ Zip: _____

c) Do you intend to develop the property yourself? YES NO

d) Number of acres proposed for development including all land use, open space, and public utilities _____

e) Number of acres developed to date, if any: _____

f) **Please attach a copy of a business plan or development perform for the development proposed on the property.**

2. Applicant

a) Name: _____

b) Is the Property Owner also the Applicant? YES NO
If NO, please explain the relationship to the Property Owner(s): _____

c) Mailing Address: _____
City: _____ State: _____ Zip: _____

d) Contact Person: _____
Telephone: _____
Email: _____

3. Form of Organization

- Corporation
- Partnership
- Sole Proprietorship
- Limited Liability Corporation
- Other (Please explain): _____

Was the organization formed in California? YES NO

Check the following items that apply, **and attach a copy of relevant formation documents evidencing its authority to conduct business in the State of California** such as:

- Partnership Agreements
- Articles of Incorporation
- Bylaws
- Other (Please explain): _____

4. Major Property Owner(s): List major property owners and their contact information (other property owners are addressed separately in this application)

a) Name: _____

b) Mailing Address: _____
City: _____ State: _____ Zip: _____

c) Contact Person: _____
Telephone: _____
Email: _____

d) How long have you owned the property? _____

e) What was the purchase price you paid for the property? _____

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5. Description of Legal Structure

Please identify the type of legal ownership below:

- Individuals
- Family Trust
- Partnership
- Corporation
- Other (Please Explain):

Please attach evidence of legal title.

6. Past Formation and Bond Issuance Experience

Is this CFD proposed to issue bonds? YES NO
Please complete Table 1 in Section E.

a) Any current or recently completed developments undertaken by the Property Owner:

b) Please attach corporate literature and sales brochures, if available.

7. Other Property Owners

Provide a list of the property owners in the proposed district. Briefly describe the overall level of support/opposition for the proposed CFD.
Attach a map that identifies all property owners including Assessor Parcel Numbers.

Note: It is recommended that the Applicant obtain signatures of 100% of property owners prior to filing a petition to request initiation of formation proceedings (these signatures should be attached to the petition).

B. DISTRICT INFORMATION

1. District Boundaries

a) Define the boundaries of the proposed CFD, **please attach map with a list of Assessor Parcel Numbers and ownership information for each parcel:**

b) Number of gross acres proposed to be developed:

c) Number of gross acres owned by the property owner(s):

2. Scope of CFD

- a) The proposed CFD will include:
- Public Infrastructure Facilities
 - Ongoing operations/maintenance/services

b) If the proposed CFD includes Public Infrastructure Facilities, please complete Table 2 in Section E, and **attach an exhibit showing proposed public infrastructure facilities.**

c) If the proposed CFD includes Operations/Maintenance/Services, please complete Table 3 in Section E and **provide a letter/memo indicating the public agencies acceptance and knowledge that the Proposed CFD will be a funding source for those services.** The letters will be required to be submitted prior to CFD approvals.

Scope of CFD continued

d) Will the proposed CFD include or affect surrounding property owners? YES NO

If YES, please explain:

3. Regional Public Benefit

Examples of public benefits include, without limitation:

- a) Regional improvements that benefit a population beyond the immediate impact area of the project (e.g. libraries, fire stations)
- b) Low/very low income housing
- c) Environmental benefits such as preservation of wetlands or construction of stormwater treatment facilities
- d) Additional public improvements (e.g. improvements beyond those required by the County as a condition of project's approval)

Please identify the regional public benefit of the proposed financing:

4. Impact Fee Requirements

Are any impact fees owed to the County as a condition to develop the property? YES NO

5. Public Entity Acquisition Agreements

Does this section apply? YES NO

If YES, please complete Table 4 in Section E (*a signed memo/letter printed on agency letterhead stating the agencies' intent to acquire property may be attached for application purposes*).

Has the Applicant and/or Property Owner entered into any option or other form of agreement to sell all or a portion of the property?

YES NO

If YES, please describe arrangement and **attach copies of any agreements describing arrangement:**

6. Land Use

Please complete Table 5 in Section E.

7. Land Use Approvals

What is the status of all applicable items below? Please include processing numbers, date of approval, and current processing status:

a) Land use approvals

b) Maps (i.e. tentative map, site plan, final map, etc.)

Land Use Approvals *continued*

c) Environmental review for the development of the property (i.e. describe the current zoning)

d) Development Agreements

e) Specific Plans

f) General Plan Amendment

8. Other Public Infrastructure Needs and Obligations Not Financed Through Proposed CFD

Does this section apply? YES NO

If YES, please complete Table 6 in Section E. If NO, please explain:

9. Taxes, Assessment, and Liens

List all:

a) Existing and proposed taxes

Taxes, Assessment and Liens continued

b) Assessments

c) Liens on properties in the proposed CFD

d) Other secured interests on the property

Please attach a recent preliminary title report and recent property tax bill.

10. Other Districts on the Property

Has the Applicant or Property Owner filed a petition with another public agency (e.g. school or water district) to form a separate Assessment or Mello-Roos District on this property? YES NO

If YES, please identify other public agencies:

11. Lenders

Name:

Business Address:

City:

State:

Zip:

Telephone:

Contact person of any lender with whom the Applicant is currently doing business in connection with the project:

Are there any deeds of trust on the property in the proposed District? YES NO

Is there any construction financing in place? YES NO

The following series of questions are directly related to the issuance of bonds; if this application is for the formation of an "Operations/Maintenance/Services" only CFD, this section may be skipped.

C. FINANCIAL SOLVENCY/CREDIT WORTHINESS

1. Financial Statements

Attach sufficient financial information, in the form of audited financial statements prepared in the ordinary course of business as listed below:

a) Applicant's financial statements for the past three years;

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Financial Statements continued

b) Financial status of the development including, but not limited to, the Applicant's assets, liabilities, and equity in the development, and income and expenditures for the development for the past three years. With respect to equity, this shall include, but not be limited to, the amount of cash equity invested in the project by the Applicant;

c) A current pro-forma cash flow analysis concerning the project that has been prepared by or for the Applicant and best reflects the Applicant's business plan for the project; and

d) Pro-forma cash flow analyses and any updates thereof given to lenders providing construction financing for the project, prepared no earlier than 90 days prior to the Applicant's application submittal date to the County. If the pro forma cash flow analyses or any updates thereof were prepared beyond the 90 day period, then provide it and the next one once completed.

Financial statements provided shall be audited and endorsed/certified by a Certified Public Accountant in accordance with generally accepted auditing standards such that the County may rely upon the Applicant's audited financial statements in the process of issuing bonds for the project. **The County may require additional financial information.**

2. Debt

Describe and discuss the facts and circumstances regarding the Applicant, in the past 10 years where the Applicant (indicate if not Applicable):

a) Failed to pay taxes or assessments (including penalties or interest), other similar payments or debts of any nature when due under the governing law or agreements **OR**

b) Failed to pay any loan, line of credit or other indebtedness when due (including penalty or interest)

3. Other Financial Issues

Describe and discuss the facts and circumstances regarding the Applicant and any non-owner principal participant of the Applicant, where, in the past 10 years, any or all of them (indicate if not applicable):

a) Participated in or owned all or a portion of a development that experienced a draw on a reserve for the payment of debt services on the bonds,

b) Participated in or owned all or a portion of a development that experienced a technical default according to the terms of the governing law or the bond documents,

c) Appointed a receiver to manage his or its business affairs,

Other Financial Issues continued

d) Made an assignment for the benefit of his or its creditors,

e) Took any action or suffered under any insolvency, bankruptcy, reorganization, moratorium or other debtor relief act or statute,

f) Filed any voluntary petition in bankruptcy, or any of his or its creditors filed any involuntary petition in bankruptcy,

g) Admitted in writing to his or its inability to pay its debts as they become due,

h) Filed any answer admitting to, or failed to timely contest, a material allegation of a petition filed against it in any legal proceeding seeking reorganization, arrangement, composition, readjustment, liquidation or dissolution or similar relief,

i) Experienced the attachment, lien, levy, encumbrance, execution or other judicial seizure of all or substantially all of his or its assets if such attachment, lien, levy encumbrance, execution or other seizure remained un-dismissed, un-discharged, or not released for a period of 10 business days after the attachment, lien, levy encumbrance, execution or other seizure thereof,

j) Offered a "deed in lieu of foreclosure" or reached any compromise with lenders in the settlement of debts,

k) Participated in or owned all or a portion of a project that was the subject of an inquiry, proceeding, enforcement action or lawsuit brought by the Securities and Exchange Commission, or

Other Financial Issues continued

l) Received a "Wells" letter from a securities regulator, either Securities Exchange Commission or NASD, regarding changes that the regulator intended to bring against the Applicant

4. Financial Issues Status

If any conditions above continue to exist, describe and discuss the status of such matters, including the likelihood and expected time of their resolution, please complete Table 7 in Section E.

5. Litigation

Please complete Table 8 in Section E.

6. Absorption

Describe the:

a) Timing and/or absorption for the sale or lease of property in the proposed CFD

b) Has an absorption study been done for the proposed development of the property within the last two years? YES NO

If YES, **please attach a copy.**

c) Has an appraisal been done for the property within the last two years? YES NO

If YES, **please attach a copy.**

If NO, **please attach current year assessed value for all parcels.**

D. PAYMENT OF TAXES/ASSESSMENTS

Describe the source of funds that the Applicant and/or Property Owner will use to pay special taxes to be levied on the property in connection with the Community Facilities District (i.e. bank savings, land sale proceeds, loan proceeds, etc.)

Do you foresee any difficulty in your ability to make timely payment of the special taxes to be imposed? YES NO

If YES, please explain:

Signature for Application Conclusion: If we have additional questions regarding your property, who is the appropriate person to contact?

a) Name: Title:

b) Address:

City: State: Zip:

c) Phone Number:

Signature for Application Conclusion *continued*

PLEASE RETURN THE COMPLETED FORM AND ATTACHMENTS TO:

Planning & Development Services - Advance Planning Division
5510 Overland Ave, Suite 310
San Diego, CA 92123

The undersigned hereby certifies that the foregoing information is true and correct as of the date set forth below.

Landowner

Date: _____

By: _____

NOTICE REGARDING DISCLOSURE

Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 (the "Rule") relates to certain required disclosure information that must be made available to prospective purchasers of municipal bonds. Under the Rule and other federal and state securities laws, certain material information must be disclosed (i) in connection with the initial offering of bonds; and (ii) on an ongoing basis with respect to "obligated persons" as defined in the Rule.

Whether a property owner/developer might be an obligated person will depend on all of the facts and circumstances. If the information you provide in response to this Application indicates this might be the case, the financing team will review with you the information that may need to be disclosed to potential Bond investors in order to comply with the Rule and other state and federal securities laws. If information on the proposed development of your property is disclosed in connection with the sale of the Bonds, you will be required to certify at that time that the information is true and correct and does not omit to state any material fact.

E. TABLES

Please provide a supplemental attachment, with information completing the tables shown below.

Table 1: Describe the Applicant's experience with formation of Mello-Roos Districts or other public financing.

Project Name	Location	Size of the District	Role Played in Formation	Results of Formation			
				Year Formed	CFD NO.	Facilities Financed	Services Financed

Table 2: List Public Infrastructure Facilities proposed to be financed through CFD and their estimated cost, how these facilities are being funded and identify what those facilities are.

Proposed Infrastructure	Cost Breakdown	Construction Timetable	Fund Source	Required (R) or Conditioned (C)?

Table 3: Describe in detail and provide annual cost estimates for each within the proposed CFD. List the public agency that will own, operate, and maintain the improvements when completed.

Proposed Operations/Maintenance/Service	Estimate Annual Costs	Public Agency (will own, operate and maintain the improvements)

Table 4: Please list the agencies expected to accept infrastructure, and include a form of concurrence from those agencies that they are planning to accept the facilities.

Infrastructure	Agency	Form of Concurrence

Table 5: Describe the proposed land use of the property in the proposed CFD, including acreage devoted to each use and development square footage.

Land Use	Residential, Commercial, Mixed Use, or Other	Gross Acreage	Dwelling Units	Total Square Footage of Commercial Development

Table 6: List all other required public infrastructure not financed through the proposed CFD, but not limited to wastewater, flood control, school facilities, onsite or offsite highways or intersections, or public facilities requirements. Provide cost estimates and funding methods, as well as timing of such construction. Also, provide costs and additional information for any other obligation secured by or related to the property and/or development.

Public Infrastructure Facilities/Obligations	Estimated Cost	Funding Methods	Phasing of Improvement

Table 7: If any conditions above continue to exist, describe and discuss the status of such matters, including the likelihood and expected time of their resolution.

Item NO.	Status, Likelihood, and Expected Time of Resolution

Table 8: Identify by name, court, case number and date of filing of the complaint any pending, threatened or concluded litigation (except for small claims court actions) brought against the Applicant with respect to the failure to perform any obligations or to pay any debts when they became due.

Name	Court	Case No.	Date of Filing