

RESOLUTION NO. CFD EM1 RES 32

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EASTMARK COMMUNITY FACILITIES DISTRICT NO. 1 (CITY OF MESA, ARIZONA) APPROVING THE LEVYING OF AN ASSESSMENT AND ASSESSMENT DIAGRAM FOR ASSESSMENT DISTRICT NO. 5 WITHIN THE EASTMARK COMMUNITY FACILITIES DISTRICT NO. 1 (CITY OF MESA, ARIZONA)

WHEREAS, on November 12, 2015, the Board of Directors (this "*Board*") of the Eastmark Community Facilities District No. 1 (City of Mesa, Arizona) passed and adopted Resolution No. CFD EM1 RES30 (the "*Resolution of Intention*"), declaring its intention to acquire the Project (as defined in the Resolution of Intention), together with all appurtenances and adjuncts pertaining thereto; determining that the District's special assessment revenue bonds shall be issued to represent the costs and expenses thereof; declaring the Project to be of more than local or ordinary public benefit; declaring that the costs and expenses thereof shall be assessed upon the Assessment District No. 5; and providing that the Project shall be performed under the provisions of Title 48, Chapter 4, Article 6, Arizona Revised Statutes, and all amendments thereto; and

WHEREAS, the Eastmark Community Facilities District No. 1 (City of Mesa, Arizona) Waiver and Development Agreement Pertaining to a to-be-formed Assessment District No. 5 (the "*Waiver*") has been signed by all property owners in the Assessment District No. 5 and any other persons having an interest in the property within the Assessment District No. 5, waiving, among other things, all requirements for notice and time for protests against the Project and objections to the extent of the Assessment District No. 5; and

WHEREAS, a \$3,500 assessment has been levied against all lots shown on the assessment diagram within Assessment District No. 5 that have not prepaid such assessment; and

WHEREAS, this Board has thereby acquired jurisdiction to order the acquisition and performance of the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EASTMARK COMMUNITY FACILITIES DISTRICT NO. 1 (CITY OF MESA, ARIZONA) as follows:

Section 1. **Definitions.** In this resolution, terms defined in the Resolution of Intention shall have the same meanings herein as therein.

Section 2. **Project Cost.** The estimate of costs and expenses for the Project, Incidental Expenses and Debt Service Reserve is as set forth hereafter, and the Estimate (as defined in the Resolution of Intention) on file with the District is as follows:

PASSED, ADOPTED AND APPROVED by the Board of Directors of the Eastmark Community Facilities District No. 1 (City of Mesa, Arizona) on November 19, 2015.

ATTEST:

Dee Ann Mickelsen
Clerk

Joey Greer
Chairman

APPROVED AS TO FORM:

James T. Sil
Bond Counsel



CERTIFICATE

I hereby certify that the above and foregoing Resolution No. CFD EM1 RES~~31~~³² was duly passed by the Board of Directors of the Eastmark Community Facilities District No. 1 (City of Mesa, Arizona) at a special meeting held on November 19, 2015, and that a quorum was present thereat and that the vote thereon was 6 ayes and 0 nays. 1 did not vote or were absent.

Dee Ann Mickelsen
Clerk