No Fees per Government Code 27383

RECORDING REQUESTED BY:
Ventura Local Agency Formation Commission
**WHEN RECORDED MAIL TO:**
**Ventura LAFCo**
**L# 1850**

20120131-00015256-0 1/10
Ventura County Clerk and Recorder
MARK A. LUNN
01/31/2012 08:32:12 AM
583886 $.00 MA

VENTURA
LOCAL AGENCY FORMATION COMMISSION
800 South Victoria Ave.
Ventura CA 93009-1850

## CERTIFICATE OF COMPLETION

Pursuant to Government Code Section 57200, this Certificate is issued by the Executive Officer of the Local Agency Formation Commission for Ventura County, California.

1. The short-term designation, as determined by LAFCo, is:

   LAFCo 11-07 Montalvo Municipal Improvement District Expedited Reorganization

2. The name of each district or city involved in this change of organization and the kind or type of change of organization ordered for each city or district is as follows:

   Montalvo Municipal Improvement District - Dissolution
   Montalvo Community Services District - Formation

3. APN Numbers: (See attached list)

4. The above listed district is located within the following county: Ventura

5. A description of the boundaries of the above cited change of organization is shown on the attached map, marked Exhibit "A", and by this reference incorporated herein.

6. The territory is inhabited.

7. This change of organization has been approved subject to the following terms and conditions, if any: None.

8. Resolution LAFCo 11-07 ordering this change of organization was adopted on November 16, 2011 by the Ventura Local Agency Formation Commission.

I hereby certify that the resolution cited above includes any terms and conditions, and the map. I declare under penalty of perjury that the foregoing is true and correct.

Dated: 1-30-12

Kim Uhlich, Executive Officer
Ventura LAFCo

APNs:

**LAFCo 11-07**

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LAFCO 11-07

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION APPROVING THE MONTALVO MUNICIPAL IMPROVEMENT DISTRICT EXPEDITED REORGANIZATION; DISSOLUTION OF THE MONTALVO MUNICIPAL IMPROVEMENT DISTRICT AND FORMATION OF THE MONTALVO COMMUNITY SERVICES DISTRICT**

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission (LAFCo or Commission) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Section 56000 et seq. of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the matter as required by law; and

WHEREAS, the proposal was duly considered on November 16, 2011; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCo Staff Report and recommendations; and

WHEREAS, no resolution of objection has been filed by the governing body of the subject agency; and

WHEREAS, the Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the Montalvo Municipal Improvement District and within the affected territory, and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

(1) The LAFCo Staff Report dated November 16, 2011 and the recommendations are adopted.

(2) The reorganization consisting of the dissolution of the Montalvo Municipal improvement District and the formation of the Montalvo Community Services District pursuant to Government code Section 56853.5, is hereby approved, and the boundaries are established as generally set forth in the attached Exhibit A.

(3) The boundaries of the proposal are found to be definite and certain as approved.

(4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 11-07 MONTALVO MUNICIPAL IMPROVEMENT DISTRICT EXPEDITED REORGANIZATION.**

(5) The Commission waives conducting authority proceedings pursuant to Government Code § 56853.5(a).

(6) The proposed community services district is declared to be, and shall be deemed a community services district as if the district had been formed pursuant to the Community Services District Law (Division 3 (commencing with Section 61000) of Title 6 of the Government Code). The exterior boundary and sphere of influence of the proposed community services district shall be the exterior boundary and sphere of influence of the district proposed to be dissolved.

(7) The proposed community services district succeeds to, and is vested with, the same powers, duties, responsibilities, obligations, liabilities, and jurisdiction of the district proposed to be dissolved.

(8) The status, position, and rights of any officer or employee of the district proposed to be dissolved shall not be affected by the transfer and shall be retained by the person as an officer or employee of the proposed community services district.

(9) The proposed community services district shall have ownership, possession, and control of all books, records, papers, offices, equipment, supplies, moneys, funds, appropriations, licenses, permits, entitlements, agreements, contracts, claims, judgments, land, and other assets and property, real or personal, owned or leased by, connected with the administration of, or held for the benefit or use of, the district proposed to be dissolved.

(10) The unexpended balance as of the effective date of the expedited reorganization of any funds available for use by the district proposed to be dissolved shall be available for use by the proposed community services district.

(11) No payment for the use, or right of use, of any property, real or personal, acquired or constructed by the district proposed to be dissolved shall be required by reason of the succession pursuant to the expedited reorganization, nor shall any payment for the proposed community

services district's acquisition of the powers, duties, responsibilities, obligations, liabilities and jurisdiction be required by reason of that succession.

(12) All ordinances, rules, and regulations adopted by the district proposed to be dissolved in effect immediately preceding the effective date of the expedited reorganization, shall remain in effect and shall be fully enforceable unless amended or repealed by the proposed community services district, or until they expire by their own terms. Any statute, law, rule, or regulation in force as of the effective date of the expedited reorganization, or that may be enacted or adopted with reference to the district proposed to be dissolved shall mean the proposed community services district.

(13) All allocations of shares of property tax revenue pursuant to Part 0.5 (commencing with Section 50) of the Revenue and Taxation Code, special taxes, benefit assessments, fees, charges, or any other impositions of the district proposed to be dissolved shall remain in effect unless amended or repealed by the proposed community services district, or until they expire by their own terms.

(14) The appropriations limit established pursuant to Division 9 (commencing with Section 7900) of Title 1 of the Government Code of the district proposed to be dissolved shall be the appropriations limit of the proposed community services district.

(15) Any action by or against the district proposed to be dissolved shall not abate, but shall continue in the name of the proposed community services district, and the proposed community services district shall be substituted for the district proposed to be dissolved by the court in which the action is pending. The substitution shall not in any way affect the rights of the parties to the actions.

(16) No contract, lease, license, permit, entitlement, bond, or any other agreement to which the district proposed to be dissolved is a party shall be void or voidable by reason of the enactment of the expedited reorganization, but shall continue in effect, with the proposed community services district assuming all of the rights, obligations, liabilities, and duties of the district proposed to be dissolved.

(17) Any obligations, including, but not limited to, bonds and other indebtedness, of the district proposed to be dissolved shall be the obligations of the proposed community services district. Any continuing obligations or responsibilities of the district proposed to be dissolved for managing and maintaining bond issuances shall be transferred to the proposed community services district without impairment to any security contained in the bond instrument.

This resolution was adopted on November 16, 2011.

| | AYE | NO | ABSTAIN | ABSENT |
|---|---|---|---|---|
| Commissioner Cunningham | ☑ | ☐ | ☐ | ☐ |
| Commissioner Long | ☑ | ☐ | ☐ | ☐ |
| Commissioner Freeman | ☑ | ☐ | ☐ | ☐ |
| Commissioner Morehouse | ☑ | ☐ | ☐ | ☐ |
| Commissioner Parks | ☑ | ☐ | ☐ | ☐ |
| Commissioner Parvin | ☑ | ☐ | ☐ | ☐ |
| Commissioner Pringle | ☑ | ☐ | ☐ | ☐ |
| Alternate Commissioner Bennett | ☐ | ☐ | ☐ | ☐ |
| Alternate Commissioner Dandy | ☐ | ☐ | ☐ | ☑ |
| Alternate Commissioner Smith | ☐ | ☐ | ☐ | ☑ |

Dated: 11-16-2011

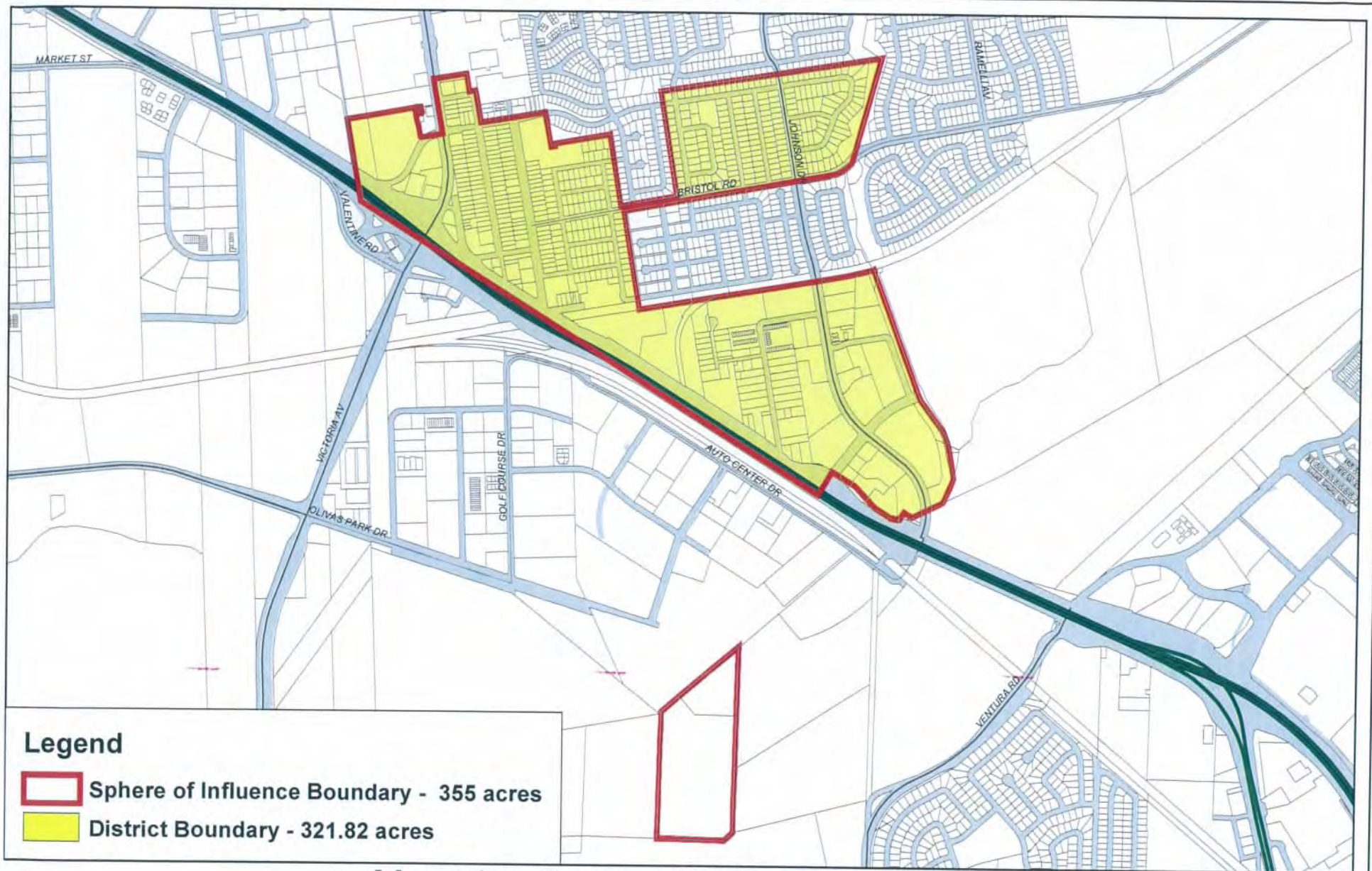
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies:

Montalvo Municipal Improvement District
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections – Registrar of Voters

EXHIBIT A




# Montalvo Community Services District

## Boundary and Sphere of Influence

0 750 1,500 3,000 Feet

Prepared by County of Ventura - IT Services Department - GIS Services

State Plane Coordinate System California Zone V - NAD 27

N W E S

This map was compiled from records and computations

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