

# Attachment I

## Petitions from Developers

## PETITION

A PETITION TO THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, REQUESTING ANNEXATION OF TRACT MAP 18980 TO THE VICTORVILLE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6

### RECITALS:

- A. WHEREAS, the undersigned petitioner, **Silica Homes LLC** (hereinafter referred to as the "Owner"), is the sole owner of certain real property (hereinafter referred to as the "Property") located in the City of Victorville, County of San Bernardino, State of California, (hereinafter referred to as the "City") more particularly described in Exhibit A attached hereto and made part hereof;
- B. WHEREAS, the Owner owns one (1) undeveloped parcel currently identified as: 3091-141-02-0000, which is intended for development into seventeen (17) single-family residential lots, which was approved as Tentative Tract Map 18980 (hereinafter referred to as the "Project"); and
- C. WHEREAS, for the purposes of this Petition, Ballot, and Waiver (hereinafter the "Petition"), the terms "Property" and "Project" are often used interchangeably; and
- D. WHEREAS, the City's conditions of approval for the Project require that certain areas be improved with landscaping, these areas (the "Improvement Areas") include all areas within lots "A," "B," and "C" and the public right-of-way of Miami Place and Second Avenue not improved with pavement, curbs, gutters, or sidewalks ("Landscape Improvements" or "Improvements") and that the Owner establish a maintenance assessment district or comparable means (such as annexing into a currently existing maintenance assessment district in the City) to ensure the continued maintenance, operation, and servicing of the Landscape Improvements to be installed in the Improvement Areas by Owner; and
- E. WHEREAS, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Section 22500 et seq. of the California Streets and Highways Code (the "Act"), the City may establish assessment districts and/or annex territory to an existing assessment district to provide for the continued maintenance, operations and servicing of improvements (as that term is defined in Section 22525 of said Act), and to provide for the payment of the costs and expenses incurred for such maintenance, operation, and servicing; and
- F. WHEREAS, on August 5, 2003, the Victorville City Council (the "City Council") adopted Resolution No. 03-53, authorizing the formation of Landscape Maintenance Assessment District No. 6 (the "District" or "LMAD No. 6") in accordance with the Act, following the noticing and balloting requirements and other applicable provisions of Article XIID of the California Constitution; and
- G. WHEREAS, the Engineer's Report prepared, adopted, and approved in connection with the formation of said District calculated and determined a uniform maximum assessment rate to be charged per Benefit Unit in the District, as well as the permitted cost inflation mechanism to be applied annually to adjust said maximum rate if needed, following the adoption by the City Council of an annual confirming the Consolidated Engineer's Report for each fiscal year; and

H. WHEREAS, the annual Consolidated Engineer's Report including LMAD No. 6 for Fiscal Year 2023/2024 (the "Annual Report") confirmed a maximum assessment rate of \$168.63 per Benefit Unit in the District (subject to future increases as more fully described in the Assessment Range Formula section of the Annual Report).

I. WHEREAS, the Owner of this Property is the sole owner or authorized representative of such real property identified in Paragraph B, and more fully described in Exhibit A, that benefit from the Improvements, and the maintenance, operation, and servicing thereof, the Owner hereby petitions the City Council to annex the Property to LMAD No. 6 to fund the costs of providing for the continued maintenance, operation, and servicing of the Improvement Areas at the expense of existing property owners and the undersigned Owner and its successors-in-interest, including the future owners of any and all parcels of land into which the Property is to be subdivided upon the recordation of the final tract map(s) for the Project; and;

NOW, THEREFORE, in furtherance of the foregoing recitals, the Owner does hereby petition the City as follows:

1. In order to assure the continued maintenance, operation, and servicing of the Improvements, and the payment of the cost and expenses incurred for such maintenance, the Owner hereby requests that the City annex the Property referenced in Paragraph B of the recitals herein above into the Victorville Landscape Maintenance Assessment District No. 6 pursuant to the 1972 Act.

2. The Owner acknowledges that the Property referenced in Paragraph B and Exhibit A herein, represents all parcels to be annexed into the District and that the total annual assessment for the District shall be apportioned and applied to all benefiting properties within the District, including the Owner's Property, in accordance with the special benefits received.

3. In consideration of the approval of the annexation by the City, the Owner hereby proposes as follows:

- a. Pay for the maintenance of Improvements or any additional Improvements to be installed in LMAD No. 6 along with other property owners in the District, including but not limited to all appurtenances as specified in the conditions of approval for the Project, and as otherwise required by the City's Municipal Code, and to bear all costs of constructing or otherwise installing said Improvements. The maintenance, operation, and servicing of said Improvements (as described more fully in the Conditions of Approval) are of special benefit to the Property and each lot or parcel to be created therein; and
- b. If additional Landscape Improvements are needed in the District in which the annexation is occurring the Owner is to install improvements for each tract within the Project The landscape improvement plan shall be completed prior to the first close of escrow for the sale of any lot in the contiguous tentative tract, or the Owner shall have plans approved for the entire subdivision and provide a bond satisfactory to the City that will ensure installation of the landscape improvements required for that landscape improvement plan; and

- c. To the levy of annual assessments against Property and each lot or parcel to be created therein in an amount not to exceed that set forth in Recital H hereinabove during each fiscal year the District remains in effect, commencing in the fiscal year during which construction on the Project begins. The Owner agrees that the amount of the annual assessment as specified hereinabove does not exceed the City's costs of maintaining, operating, and servicing the Improvements; and
- d. To consent to the annexation of territory into the District and to pay all costs related to the annexation of the Property into the District; and
- e. To consent to, and cast a ballot authorizing the levy of assessments against the Property in an amount reasonably determined by the City to cover all costs and expenses incurred for the continued maintenance and operation, of the Improvements; and

4. The Owner hereby requests that the Property be annexed into the District as set forth in this Petition to satisfy the City's conditions of approval for the Project and allow the recordation of the final tract map(s) for the Project; and

5. A public hearing on the Owner's ballot will be set concurrently with the City's hearing on the annexation of the Property to the District on April 16, 2024. The map can record earlier, but the Owner shall not convey or otherwise transfer title to the Property or any parcel therein, until annexation to LMAD No. 6 is finalized (including the completion of this summary ballot proceeding) and the assessments are authorized to be levied on all residential parcels in the Project. Additionally, the Owner shall not request, and City shall neither issue nor process, any building permits for any parcel or structure for the Project until the annexation of the Property to the District is finalized (including the completion of this summary ballot proceeding), and the assessments are authorized to be levied on all residential parcels in the Property; and

6. The undersigned Owner executes this Petition as Petition for annexation into the District, and

7. This Petition is binding upon Owner and shall be further binding upon the heirs, successors, assigns and transferees of said Property; and

8. Recitals A through I hereinabove are true and correct and are incorporated and made a part of this Petition by this reference.


ALL SIGNATURES TO BE NOTARIZED

THIS PETITION IS KNOWINGLY, INTELLIGENTLY AND VOLUNTARILY EXECUTED  
this 7<sup>th</sup> day of February, 2024 at Sherman Oaks, California.

OWNER:

Silica Homes, LLC  
14140 Ventura Blvd, Ste 308  
Sherman Oaks, CA 91423

By:



Printed Name:

Bobby Shokri

Title:

Managing Member

Address:

14140 Ventura Blvd. Ste 308  
Sherman Oaks, CA 91423

**SIGNATURE(S) TO BE NOTARIZED**

## ACKNOWLEDGMENT

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.

State of California  
County of Los Angeles )

On 02/07/2024 before me, Jason Annotti, Notary Public  
(insert name and title of the officer)

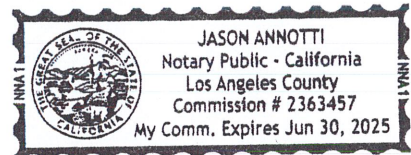
personally appeared Bobby Shokri,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) 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.

Signature [Signature]

(Seal)



## **PETITION**

A PETITION TO THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, REQUESTING ANNEXATION OF TRACT MAP 18980 TO THE VICTORVILLE DRAINAGE FACILITIES ASSESSMENT DISTRICT NO. 1

### **RECITALS:**

- A. WHEREAS, the undersigned petitioner, **Silica Homes LLC** (hereinafter referred to as the "Owner"), is the sole owner of certain real property (hereinafter referred to as the "Property") located in the City of Victorville, County of San Bernardino, State of California, (hereinafter referred to as the "City") more particularly described in Exhibit A attached hereto and made part hereof;
- B. WHEREAS, the Owner owns one (1) undeveloped parcel currently identified as: 3091-141-02-0000, which are intended for development into seventeen (17) single-family residential lots, which was approved as Tentative Tract Map 18980 (hereinafter referred to as the "Project"); and
- C. WHEREAS, for the purposes of this Petition, Ballot, and Waiver (hereinafter the "Petition"), the terms "Property" and "Project" are often used interchangeably; and
- D. WHEREAS, the City's conditions of approval for the Project required that certain drainage basins/facilities that abut the public right-of-way not otherwise utilized as a recreational amenity (the "Improvement Areas") be maintained which consist of a 10-foot wide landscaping buffer between the drainage basin/facility and the public right-of-way, specifically those areas of lot "D" (the "Improvements") and that the Owner agrees to maintain the maintenance assessment district or comparable means (such as annexing into a currently existing maintenance assessment district in the City) to ensure the continued maintenance, operation, and servicing of the Improvements to be installed in the Improvement Areas by Owner; and
- E. WHEREAS, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Section 22500 et seq. of the California Streets and Highways Code (the "Act"), the City may establish assessment districts and/or annex territory to an existing assessment district to provide for the continued maintenance, operations and servicing of improvements (as that term is defined in Section 22525 of said Act), and to provide for the payment of the costs and expenses incurred for such maintenance, operation, and servicing; and
- F. WHEREAS, on February 15, 2005, the Victorville City Council (the "City Council") adopted Resolution No. 05-02, authorizing the formation of Drainage Facilities Assessment District No. 1 (the "District" or "DFAD No. 1") in accordance with the Act, following the noticing and balloting requirements and other applicable provisions of Article XIID of the California Constitution; and
- G. WHEREAS, the Engineer's Report prepared, adopted, and approved in connection with the formation of said District calculated and determined a uniform maximum assessment rate to be charged per Benefit Unit in the District, as well as the permitted cost inflation mechanism to be applied annually to adjust said maximum rate if needed, following the adoption by the City Council of an annual confirming Consolidated Engineer's Report for each fiscal year; and

H. WHEREAS, the annual Consolidated Engineer's Report including DFAD No. 1 for Fiscal Year 2023/2024 (the "Annual Report") confirmed a maximum assessment rate of \$238.01 per Benefit Unit in the District (subject to future increases as more fully described in the Assessment Range Formula section of the Consolidated Annual Engineer's Report).

I. WHEREAS, the Owner of this Property is the sole owner or authorized representative of such real property identified in Paragraph B, and more fully described in Exhibit A, that benefit from the Improvements, and the maintenance, operation, and servicing thereof, the Owner hereby petitions the City Council to annex the Property to DFAD No. 1 to fund the costs of providing for the continued maintenance, operation, and servicing of the Improvement Areas and the Improvements to be installed therein by the Owner, at the expense of the undersigned Owner and its successors-in-interest, including the future owners of any and all parcels of land into which the Property is to be subdivided upon the recordation of the final tract map(s) for the Project; and;

NOW, THEREFORE, in furtherance of the foregoing recitals, the Owner does hereby petition the City as follows:

1. In order to assure the continued maintenance, operation, and servicing of the Improvements, and the payment of the cost and expenses incurred for such maintenance, the Owner hereby requests that the City annex the Property referenced in Paragraph B of the recitals herein above into the Victorville Drainage Facility Assessment District No. 1 pursuant to the 1972 Act.

2. The Owner acknowledges that the Property referenced in Paragraph B and Exhibit A herein, represents all parcels to be annexed into the District and that the total annual assessment for the District shall be apportioned and applied to all benefiting properties within the District, including the Owner's Property, in accordance with the special benefits received.

3. In consideration of the approval of the annexation by the City, the Owner hereby proposes as follows:

- a. Pay for the maintenance of installed Improvements or any additional improvements installed in DFAD No. 1 along with other property owners in the District, improvements are not limited to appurtenances as specified in the conditions of approval for the Project, and as otherwise required by the City's Municipal Code, and to bear all costs of constructing or otherwise installing said Improvements. The maintenance, operation, and servicing of said Improvements (as described more fully in the Conditions of Approval) are of special benefit to the Property and each lot or parcel to be created therein; and
- b. If additional drainage landscape Improvements are needed in the District in which the annexation is occurring the Owner is to install improvements for each tract within the Project contiguous to new or existing drainage landscape improvements. The drainage landscape improvement plan shall be completed prior to the first close of escrow for the sale of any lot in the contiguous tentative tract, or the Owner shall have plans approved for the entire subdivision and provide a bond satisfactory to the City that will ensure installation of the drainage landscape improvements required for that drainage landscape improvement plan; and
- c. To the levy of annual assessments against Property and each lot or parcel to be



created therein in an amount not to exceed that set forth in Recital H hereinabove during each fiscal year the District remains in effect, commencing in the fiscal year during which construction on the Project begins. The Owner agrees that the amount of the annual assessment as specified hereinabove does not exceed the City's costs of maintaining, operating, and servicing the Improvements; and

- d. To consent to the annexation of territory into the District and to pay all costs related to the annexation of the Property into the District; and
- e. To consent to, and cast a ballot authorizing the levy of assessments against the Property in an amount reasonably determined by the City to cover all costs and expenses incurred for the continued maintenance and operation, of the Improvements; and

4. The Owner hereby requests that the Property be annexed into the District as set forth in this Petition to satisfy the City's conditions of approval for the Project and allow the recordation of the final tract map(s) for the Project; and

5. A public hearing on the Owner's ballot will be set concurrently with the City's hearing on the annexation of the Property to the District on April 16, 2024. The map can record earlier, but the Owner shall not convey or otherwise transfer title to the Property or any parcel therein, until annexation to DFAD No. 1 is finalized (including the completion of this summary ballot proceeding) and the assessments are authorized to be levied on all residential parcels in the Project. Additionally, the Owner shall not request, and City shall neither issue nor process, any building permits for any parcel or structure for the Project until the annexation of the Property to the District is finalized (including the completion of this summary ballot proceeding), and the assessments are authorized to be levied on all residential parcels in the Property; and

6. The undersigned Owner executes this Petition as Petition for annexation into the District, and

7. This Petition is binding upon Owner and shall be further binding upon the heirs, successors, assigns and transferees of said Property; and

8. Recitals A through I hereinabove are true and correct and are incorporated and made a part of this Petition by this reference.

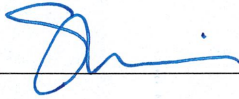
ALL SIGNATURES TO BE NOTARIZED

THIS PETITION IS KNOWINGLY, INTELLIGENTLY AND VOLUNTARILY EXECUTED  
this 7<sup>th</sup> day of February, 2024 at Sherman Oaks, California.

OWNER:

Silica Homes LLC  
14140 Ventura Blvd Ste. 308  
Sherman Oaks CA 91423

By: \_\_\_\_\_



Printed Name: Bobby Shokri

Title Managing Member

Address 14140 Ventura Blvd. Ste 308  
Sherman Oaks, CA 91423

**SIGNATURE(S) TO BE NOTARIZED**

## ACKNOWLEDGMENT

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.

State of California  
County of Los Angeles )

On 02/07/2024 before me, Jason Annotti, Notary Public  
(insert name and title of the officer)

personally appeared Bobby Shokri,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

Signature [Signature]

(Seal)

