

CALIFORNIA ENERGY COMMISSION

REPORT OF CONVERSATION

Page 1 of 1

DOCKET

11-AFC-1

DATE AUG 02 2011

RECD. FEB 14 2012



**Siting, Transmission, and
Environmental Protection Division**

FILE: 11-AFC-01

PROJECT TITLE: Pio Pico Energy Center (PPEC)

| | | | |
|--|-------|--|----------------------|
| <input type="checkbox"/> Telephone | Email | <input type="checkbox"/> Meeting Location: | |
| NAME: Lisa Worrall | | DATE: August 2, 2011 | TIME: 5:26 pm |
| WITH: Warren Diven, Best Best & Krieger LLP | | | |
| SUBJECT: Notice of Special Tax Lien for APN 648-040-45, Pio Pico project site | | | |

On August 2, 2011, Warren Diven with Best Best & Krieger LLP emailed a copy of the Notice of Special Tax Lien for CFD No. 09-1 that was recorded in the office of the San Diego County Recorder.

Staff confirmed the Pio Pico project site parcel, APN 648-040-45, listed among those properties subject to the Special Tax Lien for CFD No. 09-1. For brevity purposes staff has limited the documentation of the Notice of Special Tax Lien to the Notice and the specific page listing the project site APN. The complete document is available through the San Diego County Recorder's office.

| | |
|------------|---------------------------|
| cc: | Signed: LW |
| | Name: Lisa Worrall |



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WHEN RECORDED, RETURN TO:

#3AI

JAN 11, 2010 10:57 AM

SECRETARY
 SAN DIEGO RURAL FIRE
 PROTECTION DISTRICT
 14145 HIGHWAY 94
 JAMUL, CA 91935

1 CON

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OFFICIAL RECORDS
 SAN DIEGO COUNTY RECORDER'S OFFICE
 DAVID L. BUTLER, COUNTY RECORDER
 FEES: 112.00

PAGES: 34



~~NOTICE~~ NOTICE OF SPECIAL TAX LIEN

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code, the undersigned Secretary of the San Diego Rural Fire Protection District ("District"), County of San Diego, State of California, acting on behalf of SAN DIEGO RURAL FIRE PROTECTION DISTRICT COMMUNITY FACILITIES DISTRICT NO. 09-1 (EAST OTAY MESA) (the "Community Facilities District"), HEREBY GIVES NOTICE that a lien is hereby imposed on taxable property within the Community Facilities District to secure payment of special taxes which the Board of Directors of the District, acting as the legislative body of the Community Facilities District, is authorized to annually levy for the following purpose:

To pay directly for the services and facilities described below, to pay debt service on bonds issued to finance the acquisition or construction of such facilities, to replenish any reserve fund established for such bonds, and to pay the costs of administering the bonds and the Community Facilities District.

The types of public services authorized to be financed include the following:

Fire suppression and prevention services, including the cost of personnel and professional contract services and services related thereto and of the operation and maintenance of a fire station to be located within the East Otay Mesa Specific Plan area.

The types of public facilities authorized to be financed include the following:

A fire station including site development; a temporary substation for the San Diego County Sheriff (the "Sheriff") including site development and site lease; and a permanent substation for the Sheriff including site acquisition and development.

The special taxes are defined in the Rate and Method (defined below) as "Special Tax A" and "Special Tax B" and are authorized to be levied within the Community Facilities District, which has now been officially established, and the lien of the special taxes is a continuing lien which shall secure each annual levy of the special taxes and which shall continue in force and effect as to Special Tax A until such special tax obligation is prepaid, permanently satisfied and canceled in accordance with law or, as to either Special Tax A or

Special Tax B, until such special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate and method of apportionment of the authorized special taxes is as shown on Exhibit A attached hereto and incorporated herein by this reference (the "Rate and Method"). The special taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes; provided, however, the Community Facilities District may utilize a direct billing procedure for any special taxes that cannot be collected on the County tax roll or may, by resolution, elect to collect the special taxes at a different time or in a different manner if necessary to meet its financial obligations. Conditions under which the obligation to pay Special Tax A may be prepaid and permanently satisfied and the lien of Special Tax A canceled are set forth in Exhibit A. Special Tax B is not subject to prepayment.

Notice is further given that upon the recording of this notice in the Office of the County Recorder, the obligation to pay the levy of the special taxes shall become a lien upon all non-exempt real property within the Community Facilities District in accordance with Section 3115.5 of the Streets and Highways Code.

The (a) names of the owner(s) of the real property included within the Community Facilities District as they appear on the last secured assessment roll as of the date of recording of this Notice and (b) the Assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included within the District are as set forth on the attached, referenced and incorporated Exhibit B.

Reference is made to the boundary map of the District, recorded at Book 42, Page 81, Document No. 2009-0490585 of Maps of Assessment and Community Facilities District in the Office of the County Recorder for the County of San Diego, State of California, which map is now the final boundary map of the Community Facilities District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the following designated person:

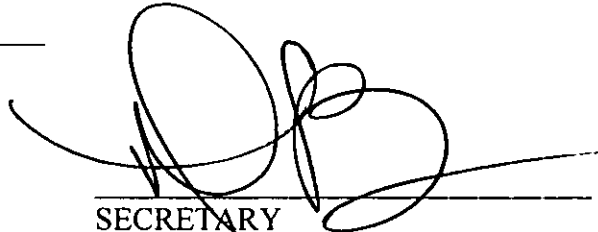
Secretary
San Diego Rural Fire Protection District
14145 Highway 94
Jamul, CA 91935

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This Notice of Special Tax Lien for San Diego Rural Fire Protection District Community Facilities District No. 09-1 (East Otay Mesa) was executed on the date set forth below.

DATED: 1-5-2010

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

SECRETARY
SAN DIEGO RURAL FIRE PROTECTION
DISTRICT
STATE OF CALIFORNIA

**SAN DIEGO RURAL FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 09-1
(EAST OTAY MESA)**

NOTICE OF SPECIAL TAX LIEN

LIST OF PROPERTY OWNERS

EXHIBIT B

| <u>Assessor's Parcel Number</u> | <u>Name of Property Owner</u> |
|---------------------------------|---|
| 648-040-41-00 | ALTA PARCELS L P |
| 648-040-42-00 | ALTA PARCELS L P |
| 648-040-43-00 | ALTA PARCELS L P |
| 648-011-03-00 | AMERICAN INTERNATIONAL RACING INC |
| 646-070-36-00 | CCA WESTERN PROPERTIES INC |
| 646-070-37-00 | CCA WESTERN PROPERTIES INC |
| 648-040-11-00 | CCA WESTERN PROPERTIES INC |
| 648-040-47-00 | D G E N L P |
| 648-011-02-00 | D&D LANDHOLDINGS |
| 648-040-39-00 | D&D LANDHOLDINGS |
| 648-040-40-00 | D&D LANDHOLDINGS |
| 648-080-13-00 | D&D LANDHOLDINGS |
| 648-080-14-00 | D&D LANDHOLDINGS |
| 648-080-25-00 | D&D LANDHOLDINGS |
| 648-080-26-00 | D&D LANDHOLDINGS |
| 648-040-45-00 | D&D LANDHOLDINGS |
| 648-040-46-00 | D&D LANDHOLDINGS |
| 648-040-48-00 | D&D LANDHOLDINGS |
| 646-070-07-00 | DANTE CORPORATION |
| 646-070-41-00 | EGGER ROBERT JR TR |
| 646-080-32-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-080-33-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-01-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-02-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-03-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-04-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-05-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-06-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-07-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-08-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-09-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-10-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |
| 646-310-11-00 | FIRST AMERICAN TRUST TR NO 1082-0284-00 |