

RESOLUTION NUMBER R- 283094

ADOPTED ON NOV 30 1993

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, APPROVING A FIRST SUPPLEMENTAL BOND INDENTURE AND A SECOND AMENDMENT TO ACQUISITION AND FUNDING AGREEMENT.

(Community Facilities District No. 1 [Miramar Ranch North])

WHEREAS, the Council of The City of San Diego, California (the "Council") has undertaken proceedings to alter the types of authorized public facilities and the existing rate and method of apportionment of the special tax and to reduce the authorized bonded indebtedness within an existing community facilities district, being Community Facilities District No. 1 (Miramar Ranch North) of the City of San Diego (the "District"), pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), as amended; and

WHEREAS, the qualified electors within the District did approve the above-referenced alterations; and

WHEREAS, The City of San Diego (the "City"), on behalf of the District, did previously enter into a Bond Indenture dated as of June 1, 1991, with the Bank of America National Trust and Savings Association, as trustee (the "Trustee"), to establish the terms and conditions pertaining to the issuance of the City of San Diego Community Facilities District No. 1 (Miramar Ranch North) Special Tax Bonds, 1991 Series A (the "Indenture"); and

WHEREAS, the City and the District did previously enter into and subsequently amend an Acquisition and Funding Agreement dated

as of January 8, 1991, with McMillan-BCED/Miramar Ranch North, to establish certain terms and conditions pertaining to the acquisition of public facilities financed by and through the District (the "Acquisition and Funding Agreement"); and

WHEREAS, in order to implement the alterations approved by the qualified electors of the District, it is necessary to amend the Indenture and the Acquisition and Funding Agreement; and


WHEREAS, there has been presented to this Council a First Supplemental Bond Indenture dated as of November 30, 1993, by and between the City and Trustee (the "First Supplemental Bond Indenture") and a Second Amendment to Acquisition and Funding Agreement dated as of November 30, 1993, by and among the City, the District and Miramar Ranch North (as successor to McMillan-BCED/Miramar Ranch North) (the "Second Amendment"); NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the above recitals are all true and correct.
2. That the First Supplemental Bond Indenture is approved substantially in the form presented herein, subject to modifications as necessary and approved by the City Manager, with the concurrence of the City Attorney and Bond Counsel. Final approval of the First Supplemental Bond Indenture shall be conclusively evidenced by the signature of the City Manager or his designee.
3. That the Second Amendment is hereby approved substantially in the form presented herein, subject to

modifications as necessary and approved by the City Manager, with the concurrence of the City Attorney and Bond Counsel. Final approval of the Second Amendment shall be conclusively evidenced by the signature of the City Manager or his designee.

APPROVED: JOHN W. WITT, City Attorney

By   
C.M. Fitzpatrick  
Assistant City Attorney

CMF:pev  
11/19/93  
Or.Dept:E&D  
R-94-837  
Form=r+t

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NOV 30 1993

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Harley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

**SUSAN GOLDING**  
Mayor of The City of San Diego, California.

**CHARLES G. ABDELNOUR**  
City Clerk of The City of San Diego, California.

By *Linda Sugars*, Deputy.

Office of the City Clerk, San Diego, California

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CITY CLERKS OFFICE  
SAN DIEGO, CA