

CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 2022-1
(Antioch Fire Protection and Emergency Response Services)

PETITION
(With Waivers)

To Create a Community Facilities District and Related Matters

This is a petition to the Contra Costa County Fire Protection District (the "CCCFPD") Board of Directors to create a community facilities district and related matters under the Mello-Roos Community Facilities Act of 1982 (the "Act").

1. Petitioner. This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land described in Exhibit A, which is attached (the "Property"). The Petitioner warrants to the CCCFPD that the Petitioner is the record owner or is legally authorized to execute this Petition for and on behalf of the record owner(s).

2. Proceedings Requested. This Petition asks that the CCCFPD Board of Directors undertake proceedings under the Act to create a community facilities district to be designated "Contra Costa County Fire Protection District Community Facilities District No. 2022-1 (Antioch Fire Protection and Emergency Response Services)" (the "Community Facilities District") to levy special taxes in the Community Facilities District.

3. Boundaries. This Petition asks that the territory to be included in the boundaries of the Community Facilities District consist of that territory shown on a map of the proposed boundaries of the Community Facilities District filed with the CCCFPD Clerk of the Board and attached as Exhibit B. The territory to be included in the boundaries of the Community Facilities District includes the Property.

4. Purpose. This Petition asks that the Community Facilities District be created and that the special taxes be levied to finance all or part of the (a) fire protection and suppression services and (b) ambulance and paramedic services authorized under the Act (the "Authorized Services")

5. Special Tax. The Petitioner agrees that the CCCFPD will, subject to the approval of the Petitioner in the proceedings for the Community Facilities District, be authorized to levy a special tax in the Community Facilities District to pay for the Authorized Services (the "Special Tax"), subject to the completion of all proceedings by the CCCFPD under the Act.

6. Election. The Petitioner asks that the special property-owner election to be held under the Act to authorize the Special Tax and to establish any appropriations limits for the Community

Facilities District be conducted by the CCCFPD and its officials, using a mailed or hand delivered ballot, and that the ballot be canvassed and the results certified at the same meeting of the CCCFPD Board of Directors as the public hearing on the Community Facilities District under the Act or as soon thereafter as possible.

7. Waivers. To expedite the completion of the proceedings for the Community Facilities District, the Petitioner waives all notices of hearing, notices regarding the establishment of the Community Facilities District, notices of election, applicable waiting periods under the Act for the holding of any public hearing and for election, and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all the referenced notices and waiting periods are for the benefit of the Petitioner and may be waived.

8. Authority Warranted. The Petitioner warrants to the CCCFPD that the presentation of this Petition, any waivers made by Petitioner, casting of ballots at the property owner election, and other actions mandated by the CCCFPD for the formation of the Community Facilities District shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the CCCFPD, the Petitioner agrees, at its expense, to supply to the CCCFPD current title evidence so that the CCCFPD may supply any notice and ballot required under the Act for the establishment of the Community Facilities District.

9. Due Diligence and Disclosures. The Petitioner agrees to cooperate with the CCCFPD, its attorneys and consultants, and to provide all information and disclosures required by the CCCFPD about the Special Tax to purchasers of the Property or any part of it.

10. Agreements. The Petitioner further agrees to execute any additional or supplemental agreements as may be required by the CCCFPD and acceptable to the Petitioner to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the CCCFPD's costs in establishing the Community Facilities District, not to exceed \$50,000.00. Petitioner agrees that this Petition shall not be considered as filed with the CCCFPD for purposes of commencing proceedings for the Community Facilities District under the Act unless and until deemed filed by the CCCFPD in its discretion.

DATED: March 2, 2022

The Petitioner (record owner) is:

American Superior Land, LLC,
a Delaware limited liability company

EPC Holdings 820 LLC,
a Washington limited liability company

By: 
John C. Troutman, Vice President


By: 
John C. Troutman, Vice President

EXHIBIT A

DESCRIPTION OF THE PROPERTY

(see attached)

EXHIBIT A

LEGAL DESCRIPTION

Real property in the City of Antioch , County of Contra Costa, State of California, described as follows:

PARCEL ONE:

THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING FROM PARCEL ONE:

1- THAT 2.25 ACRE PARCEL OF LAND DESCRIBED IN THE DEED TO M.J. ALEXANDER, RECORDED FEBRUARY 4, 1928 IN BOOK 111 OF OFFICIAL RECORDS, PAGE 455.

2- THAT PORTION OF THE PREMISES LYING WITHIN SNODGRASS LANE.

3- THE INTEREST CONVEYED TO THE CITY OF ANTIOCH BY DEED RECORDED OCTOBER 21, 2002, INSTRUMENT NO. 2002-381492, OFFICIAL RECORDS.

PARCEL TWO:

THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN.

PARCEL THREE:

LOTS 1 AND 2 IN THE NORTHWEST ¼ AND THE NORTH ½ OF LOTS 1 AND 2 IN THE SOUTHWEST ¼ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN.

EXCEPTING FROM PARCEL THREE:

1. AS TO THE NORTHWEST ¼ OF SECTION 7:

(A) THAT PARCEL OF LAND "FOR ROAD PURPOSES" GRANTED IN THE DEED TO BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, RECORDED DECEMBER 8, 1875, IN BOOK 29 OF DEEDS, PAGE 304.

(B) THAT PARCEL OF LAND DESCRIBED IN THE DEED TO M.W. BELSHAW, ET AL, RECORDED MAY 5, 1877 IN BOOK 32 OF DEEDS, PAGE 460.

2. AS TO THE SOUTHWEST ¼ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, RIGHTS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED FEBRUARY 13, 1871, IN BOOK 1 OF PATENTS, PAGE 237, CONTRA COSTA COUNTY RECORDS, AS FOLLOWS:

"EXCLUDING AND EXCEPTING FROM THE TRANSFER BY THESE PRESENTS, ALL MINERAL LANDS SHOULD ANY SUCH BE FOUND TO EXIST IN THE TRACTS DESCRIBED IN THE FOREGOING, BUT THIS EXCEPTION AND EXCLUSION ACCORDING TO THE TERMS OF THE STATUTE SHALL NOT BE CONSTRUED TO INCLUDE IRON LAND."

EXCEPTING FROM PARCELS TWO AND THREE ABOVE:

AS TO THE NORTH ½ OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 EAST, RIGHTS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED APRIL 6, 1874, IN BOOK 2 OF PATENTS,

EXHIBIT A

PAGE 50, CONTRA COSTA COUNTY RECORDS, AS FOLLOWS:

"AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBONS AND MINERAL SUBSTANCES BELOW A POINT 500 FEET BELOW THE SURFACE OF SAID LAND, TOGETHER WITH THE RIGHT TO TAKE, REMOVE, MINE, PASS THROUGH AND DISPOSE OF OIL, GAS, CASINGHEAD GASOLINE AND OTHER HYDROCARBONS AND MINERAL SUBSTANCES, BUT WITHOUT ANY RIGHT EXCEPT AS IS HEREINAFTER RESERVED TO ENTER UPON THE SURFACE OF SAID LAND OR UPON ANY PART OF SAID LAND WITHIN THE UPPER 500 FEET OF THE SUBSURFACE OF SAID LAND."

APN: 057-021-003-9 (Parcel One), 057-010-003-2 (Parcel Two) and 057-010-002-4 (Parcel Three)

EXHIBIT B
BOUNDARY MAP

(see attached)

**PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)**

FILED IN THE OFFICE OF THE ADMINISTRATIVE OFFICER OF THE
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT THIS
DAY OF _____, 2022.

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE
PROPOSED BOUNDARIES AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1 (ANTIOCH FIRE
PROTECTION AND EMERGENCY RESPONSE SERVICES) COUNTY
OF CONTRA COSTA STATE OF CALIFORNIA WAS APPROVED BY
THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT AT REGULAR MEETING
THEREOF HELD ON THE _____ DAY OF _____, 2022 BY
ITS RESOLUTION NO(S) _____.

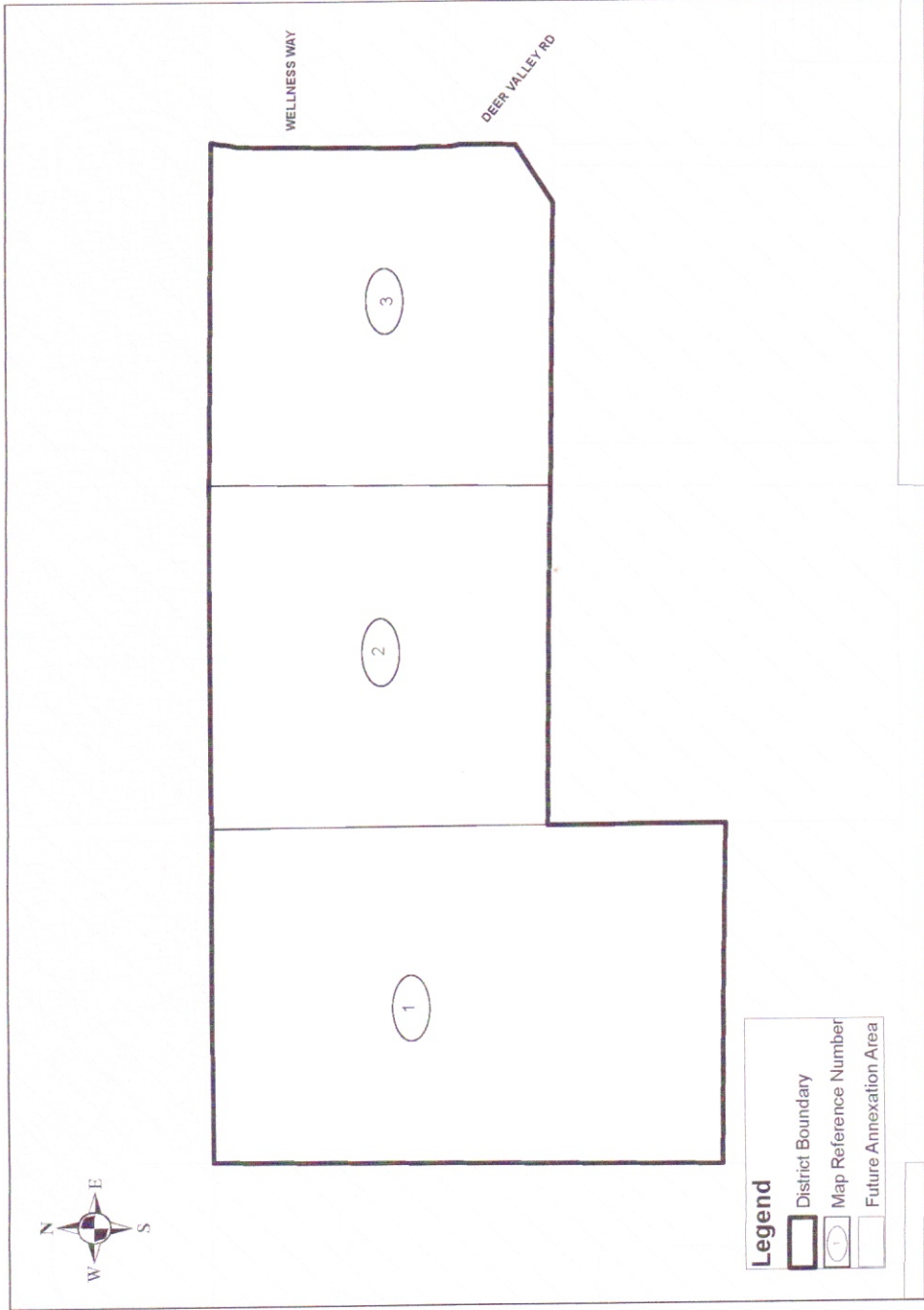
ADMINISTRATIVE OFFICER _____
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

FILED THIS _____ DAY OF _____, AT THE
HOUR OF _____ O'CLOCK _____ M. IN BOOK _____, PAGE _____
OF MAPS OF _____ AND _____ COMMUNITY
FACILITIES DISTRICT _____ AS INSTRUMENT NO. _____
IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

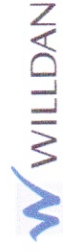
BY DEPUTY _____
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL
ENCOMPASSED BY THIS MAP SHALL BE THOSE LINES AND
DIMENSIONS AS SHOWN ON THE CONTRA COSTA COUNTY
ASSESSOR'S MAPS.

THE CONTRA COSTA COUNTY ASSESSOR'S MAPS SHALL GOVERN
FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF
SUCH LOTS OR PARCELS.



MAP REFERENCE	ASSESSOR'S
1	057-010-002
2	057-010-003
3	057-021-003



**PROPOSED BOUNDARY MAP AND FUTURE ANNEXATION AREA OF
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2022-1
(ANTIOCH FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES)**

COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

