

**SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 94-01 (HESPERIA)**

WAIVER AND CONSENT RESPECTING CONDUCT OF MAILED-BALLOT, LANDOWNER ELECTION

The undersigned is the authorized representative of Plaza Street Fund 167, LLC (the "Owner"), the sole owner of land (the "Subject Property") identified as Assessor's Parcel Number(s) 3064-401-10-0000. Owner has submitted a petition to the Board of Directors (the "Board") of the San Bernardino County Fire Protection District ("SBCFPD") that requests annexation of the Subject Property into SBCFPD Community Facilities District No. 94-01 (Hesperia) ("CFD No. 94-01").

The undersigned is a person legally entitled and authorized to cast the ballots for the Owner in the mailed-ballot election to be conducted on June 22, 2021, or as soon thereafter as may be heard by the Board to determine whether the Subject Property shall be annexed to CFD No. 94-01 and thereby made subject to special tax of CFD No. 94-01 pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code).

The undersigned, on behalf of the Owner, hereby waives (and, with respect to Item 4, below, agrees to) each of the following:

1. Any and all minimum time periods relative to the landowner election to be held pursuant to Government Code section 53339.7;
2. The preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of Government Code section 53327(b);
3. The requirements regarding the time to mail ballots to the qualified electors under Elections Code section 4101, and agrees to accept either mailed service or personal service of the ballot;
4. The requirements regarding identification envelopes for the return of mailed ballots contained in Government Code section 53327.5; and
5. Any and all defects in notice or procedure in the proceedings for the annexation of the Subject Property to CFD No. 94-01, including, but not limited to, the conduct of the election, whether known or unknown (other than the right to have ballots accurately counted).

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The undersigned expressly acknowledges, represents and states that the election is being expedited by the San Bernardino County Fire Protection District, pursuant to this Waiver and Consent, at the particular instance and request of Owner.

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct and that this declaration is executed on _____, 20__.

Company

By: _____
Signature

Print Name and Title

In event this Waiver and Consent is executed in reliance upon an "Appointment of Representative to Execute Waiver and Consent and to Cast Ballot", a photocopy of the dated and signed appointment form must be attached hereto prior to submission of this Waiver and Consent and the related Special Election Ballot to the Secretary.

Standard California Notary Acknowledgment Form Attached