

**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 CRP/NC Hesperia Owner LLC  
(the "Owner"), the sole owner of land (the "Subject Property") identified as Assessor's Parcel  
Number(s) 3064-581-06-0-000

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 \_\_\_\_\_, 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 October 31, 2024.

CRP/NC Hesperia Owner, LLC  
Company

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

Signature

Dennis D. Higgs, Manager  
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**

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 SAN FRANCISCO

On October 31, 2024, before me, Danielle Barlett, Notary Public, personally appeared Dennis D. Higgs, 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: Daniel Barlett

(Seal)

