

RESOLUTION NO. MCFD 2025-02

(MYSTIC AT LAKE PLEASANT HEIGHTS)

A RESOLUTION OF THE DISTRICT BOARD OF MYSTIC AT LAKE PLEASANT HEIGHTS COMMUNITY FACILITIES DISTRICT APPROVING A PROPOSED BUDGET AND SETTING A PUBLIC HEARING DATE ON SAID PROPOSED BUDGET FOR FISCAL YEAR 2026 PURSUANT TO A.R.S. §48-716; FILING STATEMENTS AND ESTIMATES OF THE OPERATION AND MAINTENANCE EXPENSES OF THE DISTRICT, THE COSTS OF CAPITAL IMPROVEMENTS TO BE FINANCED BY THE APPROVED AD VALOREM TAX LEVY, AND THE AMOUNT OF ALL OTHER EXPENDITURES FOR PUBLIC INFRASTRUCTURE PURPOSES PROPOSED TO BE PAID FROM THE TAX LEVY AND OF THE AMOUNT TO BE RAISED TO PAY GENERAL OBLIGATION BONDS OF THE DISTRICT, ALL OF WHICH SHALL BE PROVIDED FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES ON THE ASSESSED VALUE OF ALL THE REAL AND PERSONAL PROPERTY IN THE DISTRICT, AND PROVIDING FOR NOTICE OF FILING THE STATEMENTS AND ESTIMATES AND NOTICE OF A PUBLIC HEARING ON THE PORTIONS OF THE STATEMENTS AND ESTIMATES NOT RELATING TO DEBT SERVICE ON GENERAL OBLIGATION BONDS FOR FISCAL YEAR 2026 PURSUANT TO A.R.S. §48-723; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, Mystic at Lake Pleasant Heights Community Facilities District (the "District") is a special purpose district for purposes of Article IX, Section 19, Constitution of Arizona, a tax-levying public improvement district for the purposes of Article XIII, Section 7, Constitution of Arizona, and a municipal corporation for all purposes of Title 35, Chapter 3, Articles 3, 3.1., 3.2, 4 and 5, Arizona Revised Statutes, as amended, and [except as otherwise provided in §48-708(B), as amended] is considered to be a municipal corporation and political subdivision of the State of Arizona, separate and apart from the City of Peoria, Arizona; and

WHEREAS, the District was created to finance construction and maintenance of certain public infrastructure needed for the development of the project known as "Mystic at Lake Pleasant Heights", including through assessment of ad valorem taxes on all real and personal property within the District for such purpose; and

WHEREAS, in accordance with A.R.S. §§48-719 and 48-723, a special election was held on October 13, 2020 wherein the qualified electors of the District authorized the issuance of ad valorem tax supported general obligation bonds to cover costs of constructing required public infrastructure and the levy and collection of an annual ad valorem tax at a rate not to exceed thirty cents (30¢) per one hundred dollars (\$100) of assessed valuation for operation and maintenance expenses of the District; and

WHEREAS, BY Resolution Nos. MCFD 2021-03, MCFD 2023-01, and MCFD 2025-01 the District authorized the sale and issuance of \$56,571.49 aggregate principal amount of Bonds, Series 2021 (the "2021 Bonds"), \$3,625,000 aggregate principal amount of Bonds, Series 2023 (the "2023 Bonds"), and not to exceed \$2,500,000 aggregate principal amount of Bonds, Series 2025 (the "2025 Bonds") to fund certain public infrastructure for such development; and

WHEREAS, the District also entered into a District Development, Financing Participation and Intergovernmental Agreement, whereby annual payments will be made by the developer to the District in order to maintain the tax rate at no more than two dollars and sixty-five cents (\$2.65) per one hundred dollars (\$100) of limited assessed valuation for debt service and operation and maintenance expenses, given the tax base of the District in each tax year; and

WHEREAS, in accordance with A.R.S. §§ 48-716 and 48-723, there has been submitted a proposed budget for Fiscal Year 2026 which includes statements and estimates of the operation and maintenance expenses of the District, the cost of capital improvements to be financed, and the amount of all other expenditures for public infrastructure purposes proposed to be paid; and

WHEREAS, this Board desires now to approve said proposed budget for Fiscal Year 2026, to publish notice of having filed the required statements and estimates, and to set a date (and publish a notice thereof) for a public hearing to receive comment on the proposed budget and, particularly, on the portions of the statements and estimates not relating to debt service on general obligation bonds; and

WHEREAS, after said public hearing (and on or before October 1), this Board expects to adopt a final budget by resolution; and

WHEREAS, on or before the third Monday in August, this Board also expects to order the fixing, levying and assessment of required ad valorem taxes and to cause certified copies of the order providing for the same to be delivered to the Maricopa County Board of Supervisors and the Arizona Department of Revenue, and

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT BOARD OF THE MYSTIC AT LAKE PLEASANT HEIGHTS COMMUNITY FACILITIES DISTRICT, AS FOLLOWS:

1. That certain proposed budget for Fiscal Year 2026 for the District, attached hereto and expressly made a part hereof as Exhibit 1, is hereby tentatively approved.

2. That the statements and estimates of the operation and maintenance expenses of the District, the costs of capital improvements to be financed, and the amount of all other expenditures for public infrastructure purposes proposed to be paid from the tax levy and of the amount to be raised to pay general obligation bonds in Fiscal Year 2026 by the District are hereby filed in accordance with A.R.S. §§ 42-17101(3) and 48-723(C), and are attached hereto and expressly made a part hereof as Exhibit 2.

3. That a public hearing date of Tuesday, June 3, 2025, beginning at or after 3:00 p.m. at the City of Peoria Council Chambers at 8401 W. Monroe Street, Peoria, Arizona, is hereby set to consider said proposed budget (including, but expressly not lim-

ited to, consideration of those portions of the statements and estimates not relating to debt service on general obligation bonds), and said notice (attached hereto and expressly made a part hereof as Exhibit 3) shall be published at least once in the Peoria Times no later than ten (10) days prior to said hearing date.

4. That if any provision in this Resolution is held invalid by a court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

5. That this Resolution shall be effective after its passage and approval according to law.

RESOLVED by the District Board of the Mystic at Lake Pleasant Heights Community Facilities District this 13th day of May, 2025.

Jason Beck
Chairperson, District Board,
Mystic at Lake Pleasant Heights Community Facilities District

ATTEST:

Agnes Goodwine
District Clerk
Mystic at Lake Pleasant Heights Community Facilities District

APPROVED AS TO FORM:

Emily Jurmu
District Counsel
Mystic at Lake Pleasant Heights Community Facilities District

ATTACHMENTS: Exhibit 1 – Proposed FY 2026 Budget
Exhibit 2 - Statements and Estimates
Exhibit 3 – Notice of Public Hearing