RESOLUTION NO. CFD EM1 RES 36

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EASTMARK COMMUNITY FACILITIES DISTRICT NO. 1 (CITY OF MESA, ARIZONA) LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE DISTRICT SUBJECT TO AD VALOREM TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNTS ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE, FOR THE PURPOSE OF PAYING FOR VARIOUS OPERATING AND DEBT SERVICE EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2017.

WHEREAS, the Eastmark Community Facilities District No. 1 (City of Mesa, Arizona) (the "District") Board of Directors adopted the fiscal year 2016-17 Final Budget on July 5, 2016; and

WHEREAS, Maricopa County, Arizona (the "County") is now the assessing and collecting authority for the District, and the District Clerk is hereby directed to transmit a certified copy of this Resolution to the Arizona Department of Revenue and to the Assessor and Board of Supervisors of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EASTMARK COMMUNITY FACILITIES DISTRICT NO. 1 (CITY OF MESA, ARIZONA), as follows:

Section 1. There is hereby levied on each one hundred dollars ($100.00) of the assessed value of all property, both real land and personal, within the corporate limits not exempt from taxation, (i) an ad valorem property tax rate equal to thirty cents ($.30) for the purpose of various operation expenses, provided, however, that such rate shall not exceed thirty cents ($0.30) and (ii) an ad valorem property tax rate equal to three dollars and eighty-five cents ($3.85) for the purpose of paying principal and interest on bond indebtedness, plus a reasonable tax delinquency factor, plus an amount necessary to correct prior year errors in the levy, if applicable, and any expenses and fees required in conjunction with the authorization pursuant to A.R.S. § 35-512. The combined tax rate is four dollars and fifteen cents ($4.15) for each one hundred dollars ($100.00) of assessed value, for the District for the fiscal year ending June 30, 2017. This Section may be revised to comply with a request by the County Treasurer if necessary to levy and collect the appropriate property tax.

Section 2. No failure by the County officials to properly return the delinquent list and no irregularity in the assessment or omission in the same, or irregularity of any kind in any proceedings shall invalidate such proceedings or invalidate any title conveyed by any tax deed; nor shall any failure or neglect of any officer or officers to perform any of the duties assigned to him or to them on the day within time specified work an invalidation of any proceedings or of any such deed or sale or affect the validity of this assessment and levy of taxes or of the

judgment or sale by which the collection of the same may be enforced or in any manner affect the lien of the District upon such property for the delinquent taxes or of costs shall invalidate any proceedings for collecting taxes or the foreclosure, and all acts of officers de facto shall be valid as if performed by officers de jure.

Section 3. All resolutions and parts of resolutions in conflict are hereby repealed.

PASSED AND ADOPTED by the Board of Directors of the Eastmark Community Facilities District No. 1 (City of Mesa, Arizona), on July 5, 2016.

Chairman, Board of Directors

ATTEST:

District Clerk

CITY OF MESA CORPORATE SEAL MARICOPA COUNTY, AZ

APPROVED AS TO FORM:

District Attorney

CERTIFICATION OF RECORDING OFFICER

I hereby certify that the above and foregoing Resolution No. CFD EM1 RES 36 was duly passed by the Board of Directors of the Eastmark Community Facilities District No. 1 (City of Mesa, Arizona) at a special meeting held on July 5, 2016, and that a quorum was present thereat and that the vote thereon was 4 ayes and 0 nays; 1 did not vote or were absent.

District Clerk

ZDS:ZDS 2683824.2 6/2/2016