

RESOLUTION NO. 2023-05

RESOLUTION OF THE GOVERNING BOARD OF THE WESTERN HILLS WATER DISTRICT AUTHORIZING THE CREDIT BID OF THAT CERTAIN REAL PROPERTY OWNED BY ANGELS CROSSING LLC AND/OR WORLD INTERNATIONAL, LLC, AND LOCATED IN PATTERSON, CALIFORNIA, AT THE SHERIFF'S SALE SET FOR AUGUST 3, 2023, RELATED TO STANISLAUS SUPERIOR COURT CASE NO. CV-21-003177, AND FURTHER AUTHORIZING DAVID HOBBS, AS DESIGNEE, TO EXECUTE THE CERTIFICATE OF ACCEPTANCE TO COMPLETE THE FORECLOSURE SALE

WHEREAS, Western Hills Water District, is the current creditor under that certain Judgment in Judicial Foreclosure; Order of Sale Thereon entered on January 19, 2023, in the case of *Western Hills Water District v. Angels Crossing LLC, et al.*, Stanislaus Superior Court Case No. CV-21-003177, in the amount of \$13,761,812.19 concerning the parcels of real property listed in Exhibit "A" attached hereto.

WHEREAS, A Sheriff Sale Under Foreclosure Notice related to the above-referenced judgment was recorded on or about June 29, 2023, setting the foreclosure sale of the following subject delinquent parcels for August 3, 2023, at 10:00 a.m.: APNs 025-005-010-000 [No. 1], 025-038-001-000 [No. 2], 025-039-013-000 [No. 3], 025-039-015-000 [No. 4], 025-039-018-000 [No. 5], 025-039-020-000 [No. 6], APN 025-039-021-000 [No. 7], 025-040-003-000 [No. 8], 025-040-005-000 [No. 9], 025-040-016-000 [No. 10], 025-046-008-000 [No. 11], 025-046-014-000 [No. 12] and 025-048-001-000 [No. 15]. (Because APNs 025-047-003-000 [No. 13] and 025-047-010-000 [No. 14] contain a dwelling on them, they are being excluded from this initial foreclosure sale. They will be offered for sale at a subsequent and separate foreclosure sale once the requisite notice period has been satisfied after the notice of levy.)

WHEREAS, it is necessary to authorize David Hobbs, as Designee, to represent the Western Hills Water District at the foreclosure sale and credit bid the total amount due under the said judgment at the sale on behalf of the Western Hills Water District.

WHEREAS, it is further necessary to authorize David Hobbs, as Designee, to execute whatever documents are required, including the Certificate of Acceptance, for the completion of any conveyances of real property pursuant to the Western Hills Water District's credit bid and the recording of the Sheriff's Deed.

NOW, THEREFORE, the Governing Board of the Western Hills Water District for does hereby resolve:

SECTION 1. Incorporation of Recitals.

The Board finds and determines that the above-referenced recitals are true and correct and material to this Resolution.

8.	025-040-003-000	-	Angels Crossing LLC	Vineyard / site for hotel
9.	025-040-005-000	-	Angels Crossing LLC	Vineyard / golf course maintenance shed
10.	025-040-016-000	025-040-012-000; 025-040-013-000	Angels Crossing LLC	Undeveloped land / storage area / old runway
11.	025-046-008-000	025-046-001-000; 025-040-001-000	Angels Crossing LLC	Club house / part of Legends Golf Course
12.	025-046-014-000	025-046-004-000; 025-046-005-000	Angels Crossing LLC	Part of Legends Golf Course / undeveloped land
13.	[Intentionally blank]			
14.	[Intentionally blank]			
15.	025-048-001-000	-	Angels Crossing LLC	Undeveloped land (surrounded by Holes 3-15 of Ranch Course)

SECTION 2. Board Actions.

The Board hereby takes the following actions:

(a) The Board hereby authorizes David Hobbs, as Designee, to attend the Sheriff's Sale scheduled for August 3, 2023, and to credit bid the amount owed for each of the subject delinquent parcels.

(b) The Board hereby authorizes the David Hobbs, as Designee, to execute whatever documents are necessary, convenient or otherwise required by statute to complete the acquisition of the subject parcels of real property and the recording of the Sheriff's Deed, including the execution of the Certificate of Acceptance on behalf of the Western Hills Water District.

Moved by Director M. Kovich, second by Director Martin Gene Johnson, that the foregoing resolution be adopted. Upon roll call the following vote was had:

Ayes: M. Kovich, M. Davies, M. Gene Johnson, M. George Johnson, J. Frederick

Noes: _____

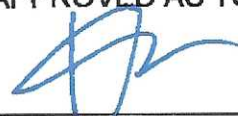
Abstain: _____

Absent: _____

I, Mary Davies, Secretary of the Board of Directors of the Western Hills Water District, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a duly noticed regular meeting of the said Board of Directors held on the 12th day of July, 2023.


Mary Davies, District Secretary

APPROVED AS TO FORM:



David Hobbs
Assistant General Counsel


Exhibit "A"
(Properties Subject to Credit Bid in Case No. CV-21-003177)

<u>No.</u>	<u>APN</u>	<u>Former APN</u>	<u>Judgment Debtor / Property Owner</u>	<u>Description of Property</u>
1.	025-005-010-000	025-005-009-000	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course / entrance to community
2.	025-038-001-000	-	Angels Crossing LLC	Holes 1-2 and 16-18 of Ranch Golf Course
3.	025-039-013-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land west of Ranch Golf Course
4.	025-039-015-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course
5.	025-039-018-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course
6.	025-039-020-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land east of Ranch Golf Course
7.	025-039-021-000	025-039-012-000 (part of)	World International, LLC	Holes 3-15 of Ranch Golf Course

CERTIFICATE OF ACCEPTANCE

This is to certify that all the rights, title, claim and interest of Judgment Debtors, ANGELS CROSSING LLC and WORLD INTERNATIONAL, LLC, in the real property listed in Exhibit "A" attached hereto, which was conveyed by the Sheriff's Deed Under Writ of Sale, dated August 3, 2023, to Judgment Creditor, WESTERN HILLS WATER DISTRICT ("WHWD"), on behalf of the Bondholders of Community Facilities District No. 1 Bonds, on a judgment entered on January 19, 2023, in the case of *Western Hills Water District v. Angels Crossing LLC, et al.*, Stanislaus Superior Court Case No. CV-21-003177, is hereby accepted by the undersigned officer, pursuant to the authority of the Board of Directors, the legislative body to WHWD, which in its official capacity, on July 12, 2023, agreed to acquire the said real property.

Dated: August 3, 2023

By: 
David Hobbs

APPROVED AS TO FORM:


By: 
David Hobbs
Assistant General Counsel

Exhibit "A"
(Property Conveyed at Sheriff's Sale in Case No. CV-21-003177)

<u>No.</u>	<u>APN</u>	<u>Former APN</u>	<u>Judgment Debtor / Property Owner</u>	<u>Description of Property</u>
1.	025-005-010-000	025-005-009-000	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course / entrance to community
2.	025-038-001-000	-	Angels Crossing LLC	Holes 1-2 and 16-18 of Ranch Golf Course
3.	025-039-013-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land west of Ranch Golf Course
4.	025-039-015-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course
5.	025-039-018-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course
6.	025-039-020-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land east of Ranch Golf Course
7.	025-039-021-000	025-039-012-000 (part of)	World International, LLC	Holes 3-15 of Ranch Golf Course

8.	025-040-003-000	-	Angels Crossing LLC	Vineyard / site for hotel
9.	025-040-005-000	-	Angels Crossing LLC	Vineyard / golf course maintenance shed
10.	025-040-016-000	025-040-012-000; 025-040-013-000	Angels Crossing LLC	Undeveloped land / storage area / old runway
11.	025-046-008-000	025-046-001-000; 025-040-001-000	Angels Crossing LLC	Club house / part of Legends Golf Course
12.	025-046-014-000	025-046-004-000; 025-046-005-000	Angels Crossing LLC	Part of Legends Golf Course / undeveloped land
13.	[Intentionally blank]			
14.	[Intentionally blank]			
15.	025-048-001-000	-	Angels Crossing LLC	Undeveloped land (surrounded by Holes 3-15 of Ranch Course)

INSTRUCTIONS FOR CREDITOR'S BID

To: Western Hills Water District

Property: See Exhibit "A" attached

Superior Court Case No: CV-21-003177
Levying Officer File No.: 2023001625

Sale Date: 08/03/2023

TOTAL DUE PER NOTICE OF SALE DATED 06/29/2023:

Minimum Bid:		\$ 12,649,053.24
	TOTAL DUE	<u>\$ 12,649,053.24</u>
	TOTAL FORECLOSURE COSTS AND EXPENSES WILL BE ADDED.	

BIDDING INSTRUCTIONS:

CREDITOR'S BID WILL BE MINIMUM BID AMOUNT
(FORECLOSURE FEES/COSTS WILL BE ADDED TO TOTAL CREDITOR'S BID)

OR

OPENING BID WILL BE \$ _____
(if under-bidding)

PLEASE ADD FORECLOSURE FEES AND COSTS

DO NOT ADD FORECLOSURE FEES AND COSTS

OTHER INSTRUCTIONS:

On July 12, 2023, 2023, the governing board of Judgment Creditor, Western Hills Water District, and acting in its official capacity, authorized David Hobbs, as Designee, to credit bid the property for the Minimum Bid Amount in the event there were no other bidders.

Date: August 1, 2023

Signature: 
Mark Kovich, WHWD President

Exhibit "A"
(Delinquent Properties in Case No. CV-21-003177)

<u>No.</u>	<u>APN</u>	<u>Former APN</u>	<u>Judgment Debtor / Property Owner</u>	<u>Description of Property</u>
1.	025-005-010-000	025-005-009-000	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course / entrance to community
2.	025-038-001-000	-	Angels Crossing LLC	Holes 1-2 and 16-18 of Ranch Golf Course
3.	025-039-013-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land west of Ranch Golf Course
4.	025-039-015-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course
5.	025-039-018-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land north of Ranch Golf Course
6.	025-039-020-000	025-039-012-000 (part of)	Angels Crossing LLC	Undeveloped land east of Ranch Golf Course
7.	025-039-021-000	025-039-012-000 (part of)	World International, LLC	Holes 3-15 of Ranch Golf Course

8.	025-040-003-000	-	Angels Crossing LLC	Vineyard / site for hotel
9.	025-040-005-000	-	Angels Crossing LLC	Vineyard / golf course maintenance shed
10.	025-040-016-000	025-040-012-000; 025-040-013-000	Angels Crossing LLC	Undeveloped land / storage area / old runway
11.	025-046-008-000	025-046-001-000; 025-040-001-000	Angels Crossing LLC	Club house / part of Legends Golf Course
12.	025-046-014-000	025-046-004-000; 025-046-005-000	Angels Crossing LLC	Part of Legends Golf Course / undeveloped land
13.	025-047-003-000	-	Angels Crossing LLC	Lot with house (surrounded by APN 025-047-010-000)
14.	025-047-010-000	025-047-004-000	Angels Crossing LLC	Part of Legends Golf Course / large lot with house
15.	025-048-001-000	-	Angels Crossing LLC	Undeveloped land (surrounded by Holes 3-15 of Ranch Course)