

"*Agreement*" means this District Development, Financing Participation, Waiver and Intergovernmental Agreement (Monterra Heights Community Facilities District), dated as of _____ 1, 200_, by and among the Municipality, the District, the Owners, as amended from time to time.

"*Assessed Property*" means the real property included within the District and hereinafter described in an amendment to this Agreement upon terms determined by the District Board.

"*Assessment Bond Acquisition Construction Contracts*" means the Construction Contracts for the Work.

"*Assessment Bonds*" means the series of special assessment lien bonds of the District authorized to be sold and issued by the District as described in this Agreement, payable from amounts collected from, among other sources, the Assessments.

"*Assessment Diagram*" means the assessment diagram to be prepared by the District Engineer and the Superintendent of Streets showing estimated maximum dollar amounts of benefits derived from the Work to be for each parcel of the Assessed Property and assessing against each such parcel the maximum proportionate share of costs and expenses of the Work to be shown in an exhibit to be provided by an amendment to this Agreement upon terms determined by the District Board.

"*Assessments*" means, as to be originally levied and as thereafter reallocated as described herein, the "not to exceed" proportionate share of costs and expenses of the Work levied against each parcel of the Assessed Property pursuant to Title 48, Chapter 4, Article 2, Arizona Revised Statutes.

"*Bonds*" means, as applicable, the Assessment Bonds or the General Obligation Bonds.

"*Certificate of the Engineers*" means a certificate of the Owners Engineer and the District Engineer in substantially the form of Exhibit "C" hereto.

"*Construction Contract*" means a construction contract for a Project.

"*Conveyance*" means a conveyance for a Segment in substantially the form of Exhibit "D" hereto.

"*Deposit Amount*" means the dollar amount equal to maximum annual debt service for any fiscal year of the District (including the amount necessary for any mandatory redemption of related term General Obligation Bonds) for a series of the General Obligation Bonds.

"*Disclosure Statement*" means the disclosure statement substantially in the form of Exhibit "E" hereto.

"*District*" means Monterra Heights Community Facilities District, a community facilities district formed by the Municipality, and organized and existing, pursuant to the laws of the State.

"*District Board*" means the district board of the District.

"*District Budget*" means the budget of the District required for each Fiscal Year by the

Act.

"*District Engineer*" means _____.