

# Municipal Secondary Market Disclosure Information Cover Sheet

This cover sheet should be sent with all submissions made to the Municipal Securities Rulemaking Board, Nationally Recognized Municipal Securities Information Repositories, and any applicable State Information Depository, whether the filing is voluntary or made pursuant to Securities and Exchange Commission rule 15c2-12 or any analogous state statute.

See [www.sec.gov/info/municipal/nrmsir.htm](http://www.sec.gov/info/municipal/nrmsir.htm) for list of current NRMSIRs and SIDs

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## IF THIS FILING RELATES TO A SINGLE BOND ISSUE:

Provide name of bond issue exactly as it appears on the cover of the Official Statement

(please include name of state where issuer is located):

\$5,125,000  
Poway Unified School District  
Community Facilities District No.10  
(Torrey Highlands - Subarea IV)  
Improvement Area D 2002 Special Tax Bonds  
(California)

Provide nine-digit CUSIP\* numbers if available, to which the information relates:

738855EF8	738855EG6	738855EH4	738855EZ4
738855EJ0	738855EK7	738855EL5	
738855EM3	738855EN1	738855EP6	
738855EQ4	738855ER2	738855ES0	
738855ET8	738855EU5	738855EV3	
738855EW1	738855EX9	738855EY7	

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## IF THIS FILING RELATES TO ALL SECURITIES ISSUED BY THE ISSUER OR ALL SECURITIES OF A SPECIFIC CREDIT OR ISSUED UNDER A SINGLE INDENTURE:

Issuer's Name (please include name of state where Issuer is located): Poway Unified School District, California

Other Obligated Person's Name (if any): N/A

(Exactly as it appears on the Official Statement Cover)

Provide six-digit CUSIP\* number(s), if available, of Issuer: 738855

\*(Contact CUSIP's Municipal Disclosure Assistance Line at 212.438.6518 for assistance with obtaining the proper CUSIP numbers.)

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## TYPE OF FILING:

Electronic (number of pages attached): 15

Paper (number of pages attached):

If information is also available on the Internet, give URL:

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**WHAT TYPE OF INFORMATION ARE YOU PROVIDING? (Check all that apply)**

**A. Financial Information and Operating Data pursuant to Rule 15c2-12**

(Financial information and operating data should not be filed with the MSRB.)

- Annual  
 Semi-annual  
 Quarterly

**Fiscal Period Covered:** July 1, 2003 – June 30, 2004

**B.  Audited Financial Statements or CAFR pursuant to Rule 15c2-12**

**Fiscal Period Covered:** July 1, 2003 – June 30, 2004

**C.  Notice of a Material Event pursuant to Rule 15c2-12** (Check as appropriate)

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Principal and interest payment delinquencies                                 | 6. <input type="checkbox"/> Adverse tax opinions or events affecting the tax-exempt status of the security   |
| 2. <input type="checkbox"/> Non-payment related defaults   | 7. <input type="checkbox"/> Modifications to the rights of security holders                                  |
| 3. <input type="checkbox"/> Unscheduled draws on debt service reserves reflecting financial difficulties | 8. <input type="checkbox"/> Bond calls   |
| 4. <input type="checkbox"/> Unscheduled draws on credit enhancements reflecting financial difficulties   | 9. <input type="checkbox"/> Defeasances  |
| 5. <input type="checkbox"/> Substitution of credit or liquidity providers, or their failure to perform   | 10. <input type="checkbox"/> Release, substitution, or sale of property securing repayment of the securities |
|  | 11. <input type="checkbox"/> Rating changes  |

**D.  Notice of Failure to Provide Annual Financial Information as Required**

**E.  Other Secondary Market Information** (Specify):

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**I hereby represent that I am authorized by the issuer or obligor or its agent to distribute this information publicly:**

**Issuer/Filer Contact:**

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Title: Deputy Superintendent

Employer: Poway Unified School District

Address: 13626 Twin Peaks Road

City: Poway

State: CA

Zip Code: 92064

Telephone: (858) 748-0010

Fax: (858) 668-2711

Email Address: [jcollins@powayusd.com](mailto:jcollins@powayusd.com)

Issuer Web Site Address: [www.powayusd.sdcoc.k12.ca.us](http://www.powayusd.sdcoc.k12.ca.us)

**Dissemination Agent Contact, if any:**

Name: Benjamin Dolinka

Title: President, School's Division

Employer: David Taussig and Associates, Inc.

Address: 1301 Dove Street, Suite 600

City: Newport Beach

State: CA

Zip Code: 92660

Telephone: (949) 955-1500

Fax: (949) 955-1590

Email Address: [ben@taussig.com](mailto:ben@taussig.com)

Relationship to Issuer: Special Tax Consultant

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**Obligor Contact, if any:**

Name \_\_\_\_\_ Title \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Email Address \_\_\_\_\_ Obligor Web site Address \_\_\_\_\_

**Investor Relations Contact, if any:**

Name \_\_\_\_\_ Title \_\_\_\_\_

Telephone \_\_\_\_\_ Email Address \_\_\_\_\_

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**ANNUAL REPORT  
FOR  
IMPROVEMENT AREA D OF  
COMMUNITY FACILITIES DISTRICT No. 10  
OF  
POWAY UNIFIED SCHOOL DISTRICT**

**January 31, 2005**

**FISCAL YEAR 2003-04  
ANNUAL REPORT**

**\$5,125,000**

**COMMUNITY FACILITIES DISTRICT NO. 10  
OF POWAY UNIFIED SCHOOL DISTRICT  
IMPROVEMENT AREA D 2002 SPECIAL TAX BONDS**

**Prepared for:**

**POWAY UNIFIED SCHOOL DISTRICT**  
13626 Twin Peaks Road  
Poway, California 92064-3098  
(858) 748-0010

**Prepared by:**

**DAVID TAUSSIG & ASSOCIATES, INC.**  
1301 Dove Street, Suite 600  
Newport Beach, California 92660  
(949) 955-1500

**January 31, 2005**

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## **EXHIBITS**

**Exhibit A** – Detailed Direct and Overlapping Debt Report

**Exhibit B** – Report to the California Debt and Investment Advisory Commission

## **INTRODUCTION**

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This Annual Report ("Report") has been prepared pursuant to the Continuing Disclosure Agreement ("Agreement") executed in connection with the issuance of the Improvement Area D 2002 Special Tax Bonds ("Bonds") by Improvement Area ("IA") D of Community Facilities District ("CFD") No. 10 of the Poway Unified School District ("School District") in the amount of \$5,125,000. The Bonds were issued under the Mello-Roos Community Facilities Act of 1982, as amended ("Act"), and pursuant to a Fiscal Agent Agreement, dated September 1, 2002, by and among the School District on behalf of CFD No. 10 and State Street Bank and Trust Company of California, N.A. as Fiscal Agent ("Fiscal Agent"). The Bonds were issued to fund (i) the acquisition and construction of certain road improvements ("Facilities"), (ii) a reserve fund for the Bonds, (iii) interest on the Bonds through September 1, 2003, (iv) administrative expenses and (iv) the costs of issuing the Bonds.

The following information is provided pursuant to Section 3 and 4 of the Agreement:

### **I. Audited Financial Statements**

For a copy of the School District's annual audited financial statements, please refer to the Continuing Disclosure Annual Report for the Election 2002, Series A, General Obligation Bonds of School Facilities Improvement District ("SFID") No. 2002-1 of the School District issued June 5, 2003.

### **II. Principal Amount of Bonds Outstanding**

As of January 1, 2005, the principal amount of Bonds outstanding was \$5,125,000.

### **III. Special Tax Fund and Bond Fund Balances**

As of January 1, 2005, the balances in the Special Tax Fund and Bond Fund were \$83,610.53 and \$0.00 respectively.

### **IV. Reserve Fund Balance**

The Reserve Requirement for the Bonds is equal to the lesser of (i) ten percent (10%) of the original principal amount of the Bonds, (ii) one hundred percent (100%) of the remaining maximum annual debt service on the Bonds, or (iii) one hundred and twenty-five percent (125%) of the remaining average annual debt service on the Bonds. As January 1, 2005 the Reserve Requirement for the Bonds was \$487,016.38. As of January 1, 2005, the balance in the Reserve Fund was \$487,286.02; therefore, the Reserve Requirement was satisfied as of this date.

### **V. Fund and Account Balances**

The balance in each fund, account, and subaccount of IA D of CFD No. 10 as of January 1, 2005 is listed in Table 1.

**TABLE 1****FUND, ACCOUNT, AND SUBACCOUNT BALANCES (AS OF 01/01/05)**

<b>Fund, Account, or Subaccount</b>	<b>Balances</b>
Administrative Expense Fund	\$30,641.09
Special Tax Fund	\$83,610.53
Bond Fund	\$0.00
Reserve Fund	\$487,286.02
Interest Account	\$0.00
Principal Account	\$0.00
Improvement Fund	\$2,782.36
Letter of Credit Fund	\$0.00
Capitalized Interest Subaccount	\$0.00
Costs of Issuance Fund	\$0.00
Rebate Fund	\$0.00
Redemption Fund	\$0.00

**VI. Total Assessed Value and Value-to-Lien of all Parcels within IA D of CFD No. 10**

Table 2 shows the total assessed value, total direct and overlapping debt, and total value-to-lien ratio for all parcels within IA D of CFD No. 10 as of January 1, 2005.



**TABLE 2**

**ASSESSED VALUE-TO-LIEN**

<b>Unit Type/ Land Use</b>	<b>Building Square Footage</b>	<b>Fiscal Year 2003-04 Assessed Value<sup>1</sup></b>	<b>Total Direct and Overlapping Debt<sup>2</sup></b>	<b>Assessed Value-to-Lien</b>
Detached/Attached Unit	< 2,700	\$12,987,533.00	\$943,385.32	13.77:1
Detached/Attached Unit	2,701 – 3,100	\$30,928,748.00	\$2,246,300.13	13.77:1
Detached/Attached Unit	>3,100	\$16,235,690.00	\$1,194,881.66	13.59:1
Undeveloped Property	NA	\$5,353,099.00	\$762,052.93	7.02:1
Exempt Property <sup>3</sup>	NA	\$2,841,477.00	\$1,154.74	2,460.71:1
<b>Total<sup>4</sup></b>	<b>NA</b>	<b>\$68,346,547.00</b>	<b>\$5,147,774.78</b>	<b>13.28:1</b>

<sup>1</sup> Total assessed value reported on the County of San Diego Fiscal Year 2004-05 equalized tax roll.  
<sup>2</sup> Source: Detailed Direct and Overlapping Debt Report, National Tax Data, Inc. dated November 12, 2004 (attached as Exhibit A).  
<sup>3</sup> Exempt property is exempt from the IA D of CFD No. 10 Special Tax, however, properties may be subject to ad valorem taxes.  
<sup>4</sup> Numbers may not reflect the total amounts listed on the Detailed Direct and Overlapping Debt Report provided by National Tax Data, Inc. due to rounding.

**VII. Fiscal Year 2003-04 Special Tax Levies and Delinquencies**

There were no parcels delinquent in their payment of Special Taxes for Fiscal Year 2003-04. The Special Taxes levied in Fiscal Year 2003-04 totaled \$313,784.00. Therefore, the delinquency rate in IA D of CFD No. 10 for Fiscal Year 2003-04 was 0.00%.

**VIII. Foreclosure Proceedings**

Since no parcel is delinquent in the payment of Special Taxes in an amount greater than \$5,000 and the overall delinquency rate for Fiscal Year 2003-04 did not exceed five percent (5.00%), IA D of CFD No. 10 has not initiated any foreclosure proceedings to date.

**IX. Major Taxpayer Information**

"Major Taxpayers" are those property owners responsible for more than five percent (5.00%) of the Special Tax levy for Fiscal Year 2004-05. The Major Taxpayer's assessed value and their respective share of the Special Tax obligation for Fiscal Year 2004-05 is shown in Table 3.

**TABLE 3****MAJOR TAXPAYERS**

<b>Major Taxpayer</b>	<b>Fiscal Year 2004-05 Assessed Value<sup>1</sup></b>	<b>Percentage of Levy</b>
L S Torrey Highlands L.L.C.	\$2,468,616.00	16.89%
<sup>1</sup> Source: Total assessed value reported on the County of San Diego Fiscal Year 2004-05 equalized tax roll.		

**X. Report to the California Debt and Investment Advisory Commission**

A copy of the report prepared and filed with the California Debt and Investment Advisory Commission pursuant to Section 53359.5(b) of the Act is included as Exhibit B.

**XI. Changes to Rate and Method of Apportionment**

No changes have been made to the Rate and Method of Apportionment since the date of the Official Statement.

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## **EXHIBIT A**

### **DETAILED DIRECT AND OVERLAPPING DEBT REPORT**

**POWAY UNIFIED SCHOOL DISTRICT**  
**Community Facilities District No. 10**  
**Improvement Area D**  
**Special Tax Bonds**

**Detailed Direct and Overlapping Debt**

**Report Date: 11/12/2004**  
**Report Time: 12:00:00 PM**

**I. Assessed Value**

**2004-2005 Secured Roll Assessed Value** **\$68,346,547**

**II. Secured Property Taxes**

Description on Tax Bill	Type	Total Parcels	Total Levy	% Applicable	Parcels	Levy
All Ad Valorem Charges	AVALL	896,139	\$2,782,690,752.72	0.02371%	143	\$659,770.08
County of San Diego Mosquito/Rat Control A	VECTOR	505,198	\$1,414,140.00	0.03055%	144	\$432.00
Landscape Maintenance District (Torrey Highlands)	LMD	1,096	\$79,595.60	8.75893%	143	\$6,971.72
Metropolitan Water District of Southern California Standby Charge	STANDBY	330,625	\$4,157,928.54	0.04274%	144	\$1,777.08
Poway Unified School District CFD No. 10	CFD	1,149	\$2,053,111.04	11.74632%	115	\$225,252.88
Poway Unified School District CFD No. 10, Impv Area D	CFD	156	\$328,257.38	100.00000%	142	\$328,257.38
San Diego County Water Authority Standby Charge	STANDBY	336,949	\$3,618,309.38	0.04271%	144	\$1,545.20
<b>2004-2005 TOTAL PROPERTY TAX LIABILITY</b>						<b>\$1,224,006.34</b>
<b>TOTAL PROPERTY TAX LIABILITY AS A PERCENTAGE OF 2004-2005 ASSESSED VALUATION</b>						<b>1.79%</b>

**III. Land Secured Bond Indebtedness**

Outstanding Direct and Overlapping Bonded Debt	Type	Issued	Outstanding	% Applicable	Parcels	Amount
Poway Unified School District CFD No. 10	CFD	\$0	\$0	11.74632%	115	\$0
Poway Unified School District CFD No. 10, Impv Area D	CFD	\$5,125,000	\$5,120,000	100.00000%	142	\$5,120,000
<b>TOTAL LAND SECURED BOND INDEBTEDNESS (1)</b>						<b>\$5,120,000</b>
<b>TOTAL OUTSTANDING LAND SECURED BOND INDEBTEDNESS (1)</b>						<b>\$5,120,000</b>

**IV. General Obligation Bond Indebtedness**

Outstanding Direct and Overlapping Bonded Debt	Type	Issued	Outstanding	% Applicable	Parcels	Amount
City of San Diego Public Safety Communication System Debt Service	GO	\$25,500,000	\$13,010,000	0.05444%	143	\$7,083
Metropolitan Water District of Southern California Debt Service	GO	\$850,000,000	\$447,475,000	0.00462%	143	\$20,692
<b>TOTAL GENERAL OBLIGATION BOND INDEBTEDNESS (1)</b>						<b>\$27,775</b>
<b>TOTAL OUTSTANDING GENERAL OBLIGATION BOND INDEBTEDNESS (1)</b>						<b>\$27,775</b>

<b>TOTAL OF ALL OUTSTANDING AND OVERLAPPING BONDED DEBT</b>	<b>\$5,147,775</b>
<b>VALUE TO ALL OUTSTANDING DIRECT AND OVERLAPPING BONDED DEBT</b>	<b>13.28:1</b>

(1) Additional bonded indebtedness or available bond authorization may exist but are not shown because a tax was not levied for the referenced fiscal year.

Source: National Tax Data, Inc.

**EXHIBIT B**

**REPORT TO THE CALIFORNIA DEBT AND  
INVESTMENT ADVISORY COMMISSION**

**STATE OF CALIFORNIA  
MELLO ROOS/MARKS ROOS  
YEARLY STATUS FISCAL REPORT  
FOR LOCAL OBLIGATORS**

California Debt and Investment Advisory Commission  
915 Capitol Mall, room 400, Sacramento, CA 95814  
P.O. Box 942809, Sacramento, CA 94209-001  
(916) 653-3269 FAX (916) 654-7440

For Office Use Only	
CDIAC # _____	
Fiscal Year _____	

**I. General Information**

This issue is subject of the Mello-Roos Fiscal Status Reporting Requirements only      Yes       No   
 This issue is subject to the Marks-Roos Yearly Fiscal Status Reporting Requirements for local obligation/loan issues only      Yes       No   
 This issue is subject to both Marks/Mello-Roos Yearly Fiscal Status Reporting Requirements      Yes       No

A. Issuer	Poway Unified School District		
B. Community Facilities District Number (Mello-Roos only)	Improvement Area D of Community Facilities District No. 10		
C. Name/Title/Series of Bond Issue	Improvement Area D 2002 Special Tax Bonds		
D. Indicate Credit Rating	Rating Agency	Rating	Not Rated
E. Date of Bond Issue	October 23, 2002		
F. Original Principal Amount of Bonds	\$ 5,125,000.00		
G. Reserve Fund Minimum Balance Required	Yes <input checked="" type="checkbox"/>	Amount \$ 487,016.38	No <input type="checkbox"/>
Percent of Authority Reserve Fund (Marks-Roos only)	Yes <input type="checkbox"/>	% of Reserve Fund _____	
H. Name of Authority that purchased debt (Marks-Roos only)	_____		
Was this a Senior/Subordinate Authority Bond?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	(If yes, list Senior and Subordinate below)

(Senior Authority bond issue)

(Subordinate Authority bond issue)

I. Date of Authority Bond(s) Issuance \_\_\_\_\_ (Marks-Roos only)

**II. FUND BALANCE FISCAL STATUS**

Balances Reported as of fiscal year ending		June 30, 2004	(Year)
A. Principal Amount of bonds Outstanding		\$ 5,125,000.00	
B. Bond Reserve Fund		\$ 487,964.82	
C. Capitalized Interest Fund		\$ 0.00	
D. Construction Fund(s) (Mello-Roos only)		\$ 856.56	

**III. ASSESSED VALUE OF ALL PARCELS IN CFD SUBJECT TO SPECIAL TAX (Mello-Roos only)**

A. Assessed Value Reported as of: \_\_\_\_\_ Fiscal Year 2004-2005 (Date) (Check one)  
 (Most recent tax roll)  From Tax Roll  
 From Appraisal of Property  
 (Use only in first year or before annual tax roll billing commences)

B. Total Assessed Value of All Parcels      \$ 68,346,547.00

**IV. TAX COLLECTION INFORMATION**

Reported as of fiscal year ending of:      June 30, 2004 (Year)

A. Total Amount of Taxes Due	\$ 313,784.00
B. Total Amount of Unpaid Taxes	\$ 0.00
C. Taxes are Paid Under the County's Teeter Plan	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**V. DELINQUENT REPORTING INFORMATION**

Delinquent Parcel Information Reported as of the current Tax Roll of      September 14, 2004 (Date)

A. Total Number of Delinquent Parcels	0
B. Total Amount of Taxes Due on Delinquent Parcels	\$ 0.00
C. Percent of Delinquency Rate	0.00%

(Percent)

**STATE OF CALIFORNIA  
YEARLY STATUS FISCAL REPORT**

(Continued)

**VI. FORECLOSURE INFORMATION FOR FISCAL YEAR** *(Mello-Roos only)*

*(Aggregate totals, if foreclosure commenced on the same date)*

<i>Date Foreclosure Commenced</i>	Total Number of Foreclosure Parcels	Total Amount of Tax Due on Foreclosure Parcels
NA	NA	\$ NA
		\$
		\$
		\$
		\$
		\$
		\$

*(Attach additional sheets if necessary)*

**VII. ISSUE RETIRED**

This issue is retired and no longer subject to the Yearly Fiscal Status filing requirements. *(Indicate reason for retirement.)*

- A. Matured:                      Yes                       No                       If yes, indicate final maturity date: \_\_\_\_\_
- B. Refunded Entirely:        Yes                       No                       If yes, state refunding bond title: \_\_\_\_\_  
and issue date: \_\_\_\_\_
- C. Other: \_\_\_\_\_

**VIII. NAME OF PARTY COMPLETING THIS FORM**

Name: Benjamin Dolinka  
 Title: President, Schools Division  
 Firm/Agency: David Taussig & Associates, Inc.  
 Address: 1301 Dove Street, Suite 600  
 City/State/Zip: Newport Beach, CA 92660  
 Phone No.: (949) 955-1500                      Date of Report: October 30, 2004

**Completion and submittal of this form to the California Debt and Investment Advisory Commission will assure your compliance with California State law. Section 53359.5 of the California Government code requires that all agencies issuing Mello-Roos Community Facilities bonds after January 1, 1993 to report specific information to the Commission by October 30th of each year.**

**Section 6599.1 of the California Government Code requires that all issuers selling Mark-Roos bonds, which is part of the Mark-Roos Local Bond Pooling Act of 1985, after January 1, 1996 are required to report specific information to the Commission by October 30th of the current year and each year thereafter.**