COMPLETE THIS INFORMATION: RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO: CITY CLERK CITY OF ROSEVILLE 311 VERNON STREET, OFFICE 208 ROSEVILLE, CA 95678 95-022093 Rec Fee

Rec Fee Total .00

Recorded
Official Records
County of
Placer
Jim McCauley
Recorder

Recorder 1:01pm 1-May-95 | 3-25-95 RJ

THIS SPACE FOR RECORDERS USE

TITLE OF DOCUMENT: AMENDMENT TO DEVELOPMENT AGREEMENT RELATIVE TO THE NORTHWEST ROSEVILLE SPECIFIC PLAN (parcel 9)

FILED

MAY 26 1995

CITY OF ROSEVILLE

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION (Additional recording fee applies)

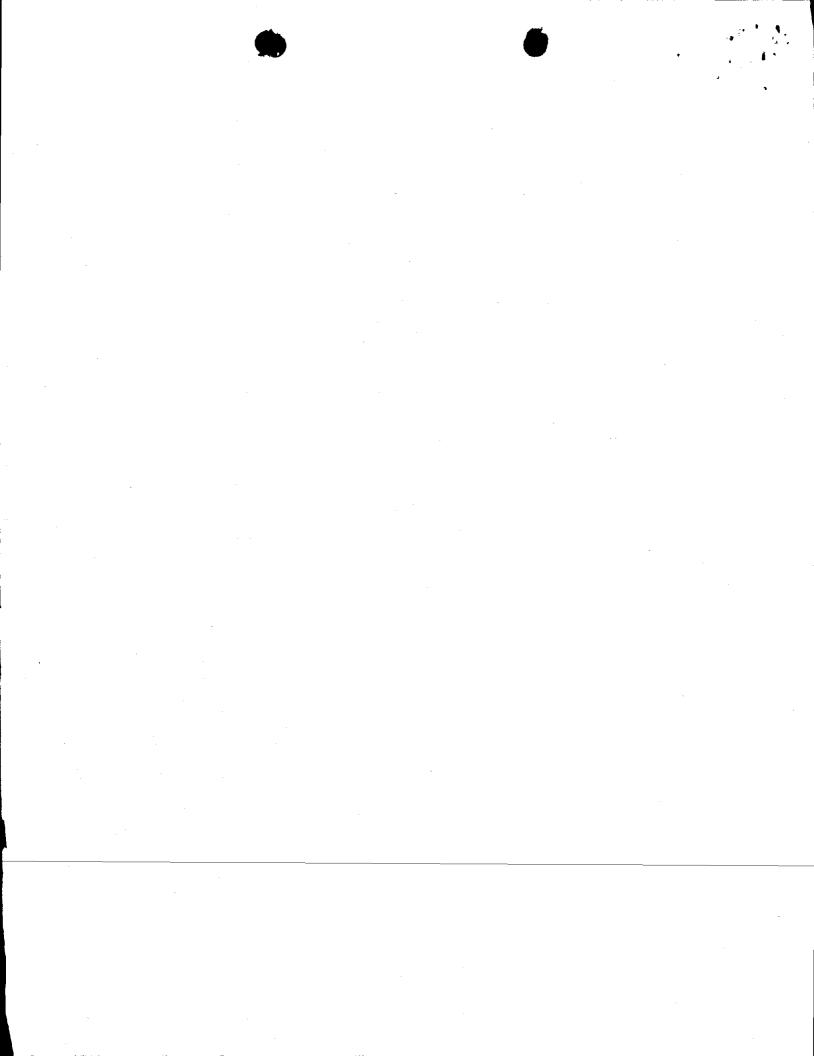
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AMENDMENT TO DEVELOPMENT AGREEMENT RELATIVE TO THE NORTHWEST ROSEVILLE SPECIFIC PLAN (PARCEL 9)

WITNESSETH:

WHEREAS, the City of Roseville ("CITY") and the Sammis Roseville Associates entered into a Development Agreement Relative to the Northwest Roseville Specific Plan ("Specific Plan"), recorded October 11, 1989 in Book 3732, commencing on Page 348 of the Placer County Official Records ("Development Agreement"), and

WHEREAS, Sammis Roseville Associates has transferred in fee their interests in the Parcel 9 of the Specific Plan, as more fully described in Exhibit "A" attached hereto and incorporated herein by reference, to The Bridges at Woodcreek Oaks, a California general partnership, ("LANDOWNER"), and

WHEREAS, the LANDOWNER has requested an amendment to CITY's General Plan from High Density Residential to Low Density Residential, an amendment to the Specific Plan from NWRSP High Density Residential to NWRSP Low Density Residential and a rezone from Planned Residential 14 units per acre to Planned Residential 5.2 units per acre, among other discretionary approvals, to permit Parcel 9 to be used for single family residential dwellings instead of multi-family residential, and

WHEREAS, said approvals will require amendment of the Development Agreement, and

WHEREAS, on November 10, 1994, the Planning Commission held a public hearing in compliance with Government Code Section 65867 and on February 1 and March 8, 1995, the City Council held a public hearing in compliance with Government Code Section 65867 and approved execution of this Amendment,

NOW, THEREFORE, IT IS HEREBY agreed by the Parties Signatory Hereto:

1. Section 3(A)(2) of the Development Agreement shall be amended to add the following:

The following provision shall apply as to parcel 9:

2

In lieu of payment of fees pursuant to Roseville City Code Chapters 4.36, 4.37 and 4.38 or as otherwise required by this Development Agreement, LANDOWNER shall pay to the CITY fees in the sum of \$2,302 per singlefamily dwelling unit at the time of issuance of building permit. In addition to the payment of said fees, LANDOWNER consents and agrees to, and waives any right of protest of, the annexation of all LANDOWNER's property within Parcel 9 into the NWRSP Landscape and Lighting District (NWRSP LLD), and at such time as the CITY may conduct its annual assessment hearings, consents and agrees to, and waives any right of protest of, the assessment of an annual landscape and lighting fee of \$100 per dwelling unit so long as the NWRSP LLD remains in existence. This agreement, consent and waiver shall bind all successors-in-interest as to any of the property within Parcel 9 as shown within Exhibit "A", and shall survive the expiration or termination of this Development Agreement.

2. Section 3(A)(4) of the Development Agreement shall be amended to add the following:

The following provision shall apply as to Parcel 9:

The terms and conditions of the School Mitigation Agreement (The Bridges at Woodcreek Oaks) by and between LANDOWNER and the Dry Creek School District dated November 16, 1994, shall amend LANDOWNER's obligations hereunder pertaining to the Dry Creek School District.

3. Section 10 of the Development Agreement shall be amended to add the following:

Notice required to be given to the LANDOWNER as to Parcel 9 shall be addressed as follows:

Mr. James Beard Beard and Hoshaw 4121 Westerly Place, Suite 105 Newport Beach, CA 92660

with a copy to:

Taylor and Hooper 1435 River Park Drive, Suite 300 Sacramento, CA 95815

4. All other terms and conditions of the Development Agreement, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Roseville, a municipal corporation, has authorized the execution of this Agreement in duplicate by its City Manager and attested to by its City Clerk under the authority of Ordinance No. 2874, adopted by the Council of the City of Roseville on the 22nd day of March,

19_95, and _____ has caused this Agreement to be executed. CITY OF ROSEVILLE, a municipal corporation JOHNSON City Marager ATTEST: N PARKINSO APPROVED AS TO FORM: pr City Attorney APPROVED AS TO SUBSTANCE:

PATTY DUNN

Planning Director

THE BRIDGES AT WOODCREEK OAKS a Calif. general partnership

General Partner 2/2/95

[DRAFT: Revision February 17, 1995]

. i.j

EXHIBIT A Legal Description of Subject Property

May 17, 1989 88-0237



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd.. Suite 200
Sacramento, Ca 95816
916/454-9600
Fax: 916/454-0120

DESCRIPTION

NORTHWEST ROSEVILLE SPECIFIC PLAN PARCEL 9

All that certain real property situate in the City of Roseville, County of Placer, State of California, described as follows:

All that portion of Parcel B, as said parcel is shown and so designated on that certain Parcel Map filed in Book 18 of Parcel Maps, Page 12, Placer County Records, being portions of Sections 21 and 28, Township 11 North, Range 6 East, M.D.M., described as follows:

BEGINNING at the intersection of the Northerly line of said Parcel 8 and the Westerly line of Foothills Boulevard as shown on said Parcel Map;

thence, along said Westerly line the following two (2) courses:

- (1) South 00°26'42" East 899.10 feet; and
- (2) Southerly along the arc of a tangent curve to the left, concave to the East, having a radius of 2065.17 feet and being subtended by a chord bearing South 01°27'51" East 73.47 feet to a point on the Northerly line of Misty Wood Drive, a public Street as shown on the plat of Pleasant Grove Unit No. 2, filed in Book P of Maps, Page 35 Placer County Records;

thence, along said Northerly line the following three (3) courses:

- (1) Southwesterly along the arc of a reverse curve to the right, concave to the Northwest, having a radius of 25.00 feet and being subtended by a chord bearing South 43^o32'09" West 35.98 feet:
- (2) South 89°33'18" West 188.12 feet; and
- (3) Westerly along the arc of a tangent curve to the right, concave to the Northeast, having a radius of 273.00 feet and being subtended by a chord bearing North 74051'29" West 146.71 feet:

thence, Northwesterly along the arc of a compound curve to the right, concave to the Northeast, having a radius of 223.00 feet and being subtended by a chord bearing North 51013'56" West 62.37 feet;

thence, North 51°56'00" East 130.09 feet;

thence, North 27015'05" West 230.52 feet;

thence, North 36°28'10" West 204.83 feet;

7.5

EXHIBIT A Legal Description of Subject Property (continued)

NWRSP Parcel 9 Page 2

thence, North 48°12'35" West 250.73 feet;
thence, North 71°32'18" West 180.07 feet;
thence, South 75°04'19" West 40.44 feet;
thence, North 01°15'38" West 120.84 feet;
thence, North 88°44'22" East 120.00 feet;
thence, North 01°15'38" West 158.50 feet;
thence, North 88°44'22" East 120.00 feet;
thence, North 88°44'22" East 120.00 feet;

thence, along said Northerly line the following three (3) courses:

- (1) South 65⁰49'39" East 300.60 feet;
- (2) South 01015'38" East 84.34 feet; and
- (3) North 88044'22" East 410.00 feet to the point of beginning; containing 13.805 acres, more or less.

1	PITA Legal Desc	EXHIBIT A cription of Subject Proper (continued) DATE MAY 1969	OCEVITE	880237 SPECIFIC PLAN
MOI 15:30 LI 173.00 LI 173	SECTION 21	POINT OF BEGINNING GOTISTES ALCOO! 13.805 ACREG	ACCTEVALE FOOTHILLE BOULEVARD	1"= 200'
JBW/1541.4/D.A4	1151°56'C 130 130 130 1350°L 62.37~R=22 62.37~R=22	31 GENTS GENTS	73' 2' 2' 3D.	- 301'27'51"E 73.47'-R=2005.17' - 343'32'09'12 - 35.40'-2-25'

STATE OF CALIFORNIA)
COUNTY OF PLACER)
On this 27th day of April in the year of 19 95, before me, the undersigned, a Notary Public in and for said State, personally appeared Allen E. Johnson personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose names is/are subscribed to the within instrument and acknowledged to me that he/she/their executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. OFFICIAL SEAL CAROLYN K. PARKINSON NOTARY PUBLIC CALIFORMA PLACER COUNTY My Comm. Expires Oct. 8, 1995
THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AS FOLLOWS:
Title or Type of Document Amendment to Development Agreement
Date of Document April 27, 1995

Acknowledgment - All Purpose

State of California	
County of	
On Horas before me, Angels S. Mueller	9
Notary Public in and for said State, personally appeared:	a
JAMES C. BEARD	norconally
known to me (or proved to me on the basis of satisfactory evidence) to be person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(les), and that by his/her/their signature(s) on the inst the person(s), or the entity upon behalf of which the person(s) acted, executinstrument.	trumant
Notary F OR	ELA S. MUELLER MM. # 1013028 Public — Callfornia ANGE COUNTY 1. Expires JAN 9, 1998

ORDINANCE NO. 2874

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE ADOPTING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE NORTHWEST ROSEVILLE SPECIFIC PLAN WITH THE BRIDGES AT WOODCREEK OAKS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE IT ON BEHALF OF THE CITY OF ROSEVILLE

THE CITY COUNCIL OF THE CITY OF ROSEVILLE DOES ORDAIN AS FOLLOWS:

SECTION ONE. FINDINGS. The City Council of the City of Roseville has reviewed the findings of the Planning Commission regarding the Amendment to the Development Agreement for the Northwest Roseville Specific Plan ("Development Agreement") with the Bridges at Woodcreek Oaks, a California General Partnership, as set forth in Exhibit "A" hereto in conjunction with amending the land use map from High Density Residential to Low Density Residential on parcel 9 thereof and makes the following findings:

- 1. The Amendment to the Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the City of Roseville General Plan and any applicable Specific Plan;
- 2. The Amendment to the Development Agreement is compatible with the uses authorized in and the regulations prescribed for the land use district in which the real property is located as amended this date;
- 3. The Amendment to the Development Agreement is in conformity with public convenience, general welfare and good land use practice;
- 4. The Amendment to the Development Agreement will not be detrimental to the health, safety and general welfare of residents in the City of Roseville;
- 5. The Amendment to the Development Agreement will not adversely affect the orderly development of property or the preservation of property values; and
- 6. The development permitted by the Amendment to the Development Agreement will provide sufficient benefit to the City of Roseville to justify entering into the Amendment to the Development Agreement.

SECTION 2. The Amendment to the Development Agreement for the Northwest Roseville Specific Plan, by and between The Bridges at Woodcreek Oaks, a California General Partnership and the City of

Roseville, as set forth on Exhibit "A" hereto is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

SECTION 3. The City Clerk is directed to record the executed Amendment to Development Agreement within ten (10) days of the execution of the agreement by the City Manager with the County Recorder's office of the County of Placer.

SECTION 4. This ordinance shall be effective at the expiration of 30 days from the date of its adoption.

SECTION 5. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this 22nd day of March, 1995, by the following vote on roll call:

AYES COUNCILMEMBERS:

Harry Crabb, Jr., Claudia Gamar, Randolph Graham,

Pauline Roccucci, Mel Hamel

NOES

COUNCILMEMBERS:

None

ABSENT COUNCILMEMBERS:

None

MAYOR

ATTEST:

0902 0000 0003 0026

Ord #24