Recording Requested by

CITY OF ROSEVILLE

When Recorded Mail to:

City Clerk City of Roseville 2000 Hilltop Circle Roseville, CA 95747

Exempt from recording fees pursuant to Govt. Code 27383

PLACER, County Recorder
JIM MCCAULEY Co Recorder Office
DOC- 2001-0064302

Wednesday, JUN 27, 2001 14:10:41 Noc \$0.00

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Nbr-0000470987

Title: FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND RICHLAND MEADOWLAND, LTD. RELATIVE TO THE DEVELOPMENT KNOWN AS WOODCREEK EAST

Note: This document being recorded concurrently with Memorandum of Transfer Memorializing the Transfer of the Obligation to Reserve Affordable Units from the Woodcreek East Property to NCRSP Parcel 21B. Please record this document first.

CF: 0401-03-09 15
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Fond Use Elevert / Avenuts
North Central Coseville 5P

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CITY OF ROSEVILLE

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FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND RICHLAND MEADOWLAND, LTD. RELATIVE TO THE DEVELOPMENT KNOWN AS WOODCREEK EAST

THIS FIRST AMENDMENT to the Development Agreement By and Between the City of Roseville and Richland meadowland, Ltd. Relative to the Development Known As Woodcreek East, is entered into on the date set forth below, by and between the City of Roseville, a municipal corporation ("City"), and Richland Meadowland, Ltd. a Texas limited partnership ("Landowner"), pursuant to the authority of Sections 65864 through 65869.5 of the Government Code of the State of California.

RECITALS

- A. The City and Landowner entered into a Development Agreement regarding certain property known as Woodcreek East (the "Development Agreement"), which was approved by the City Council of City on January 5, 2000, and which was recorded on February 17, 2000, in the Official Records of Placer County as Instrument No. 2000-0010030.
- B. The Woodcreek East property subject to this First Amendment is described in Exhibit A-1 and shown in Exhibit A-2, attached hereto and incorporated by reference. The Woodcreek East property is owned by Landowner.
- C. This Amendment is authorized by Section 1.4 of the Development Agreement and Section 65868 of the Government Code of the State of California.

AGREEMENT

NOW, THEREFORE, CITY AND LANDOWNER AGREE AS FOLLOWS:

- 1. The prior Section 2.5.1 of the Development Agreement, page 7 of 33, is superseded and is amended by substitution herewith, and Section 2.5.1, as set forth below, is substituted therefore:
 - 2.5.1 <u>Affordable Purchase Residential Units.</u> Landowner agrees that nine (9) single family residential units shall be reserved for participation in the City's middle income affordable purchase program. Such units shall be reasonable distributed within the Woodcreek East project. Landowner shall make the nine (9) reserved units available to middle income households without City subsidy.

At the request of Landowner and with the consent of City, the nine (9) unit middle income affordable unit reservation for which provision is made in this Section 2.5.1 may be transferred as a middle or low income affordable unit reservation to any residentially zoned parcel within the North Central Roseville Specific Plan (NCRSP), including multi-family parcels, with the resulting transferred obligation thereafter applied to rental housing on such property. No such transfer shall require an amendment to the NCRSP or to this Agreement, but City and Landowner shall execute an instrument memorializing such transfer of obligation which shall be recorded against the affected parcels, with reference to this Agreement. Upon the City approval of such transfer, the middle income unit reservation pursuant to this Section 2.5.1 shall be deemed satisfied for the Woodcreek East property.

- The property subject to this First Amendment shall be as described in Exhibit A-1 and shown on Exhibit A-2 and no other property.
- All provisions of the Development Agreement not otherwise inconsistent with this First Amendment, are and shall remain in full force and effect. Such provisions are herewith reenacted, readopted, and approved and ratified as if fully set forth herein. Adoption of this First Amendment and the readoption and ratification are consistent with the Roseville General Plan and the negative declaration ratified by the City of Roseville on December 15, 1999.

Approved and adopted pursuanday of March , 2001.	t to Ordinance No. <u>3633</u> this <u>23m</u>
CITY:	LANDOWNER:
CITY OF ROSEVILLE, a municipal corporation	RICHLAND MEADOWLAND, LTD., a Texas limited partnership
By: Allen E. Johnson City Manager	By: RICHLAND PROPERTIES, INC., a Texas corpor ation General Partner
ATTEST: Carolin Parkinson	By: Stephen Thurtle Vice President
Carolyn Parkinson City Clerk	By: Jam/Byree
PARKS SO	Its: DANIEL B. GREEN SENIOR VICE PRESIDENT
First Amend. To D.A.	age 2 October 26, 2000

Page 2

Woodcreek East

October 26, 2000

APPROVEDAS TOFORM:

Mark J. Doane City Attorney

STATE	OF CALIFORNIA }	SS.		
COUN	TY OF SACRAMENTO }	33.		
On				, a Notary Public, personally
appeare				known to me (or proved to me on the
	-		3 7	ped to the within instrument and
	re(s) on the instrument the			zed capacity(ies), and that by his/her/thei the person(s) acted, executed the
WITNI	ESS my hand and official s	eal.		L. A. BLASQUEZ
Signatu	ire <u>lablas</u>	puly	S	Comm. # 1143539 WOTARY PUBLIC CALIFORNIA Sacramento County My Comm. Expires Aug. 22, 2001

STATE OF CALIFORNIA)
: ss. COUNTY OF PLACER)
On this 27th day of March in the year of 2001, 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/they 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.
Notary Public in and for said State ELLY ALLEN Commission # 1296954 Notary Public - Colifornia Placer County Ny Comm. Bales Mar 12, 2005
My CONTRIBUTION 12.2007
THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AS FOLLOWS:
Title or Type of Document First Amendment to the Development Agreement Relative to the Development Known as Woodcreek East
Date of Document March 23, 2001

Acknowledgment - All Purpose

Notary Acknowledgment

State of Florida				
County of Hillsborough				
On				
Witness my hand and official seal.				
Becky A. Ferrell MY COMMISSION # CC981603 EXPIRES August 4, 2002 Bonded THRU TROY FAIN INSURANCE INC. Becky A. FERRELL Signature of Motary BECKY A. FERRELL				
Optional Section				
CAPACITY CLAIMED BY SIGNER: IndividualCorporate Officer(s)LimitedGeneralPartner(s)LimitedGeneralAttorney-in-FactTrustee(s)Guardian/ConservatorOther				
SIGNER IS REPRESENTING:				
Richland Irvine Inc., a Florida corporation				
Optional Section				
THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW:				
TITLE OR TYPE OF DOCUMENT: NUMBER OF PAGES DATE OF DOCUMENT SIGNER(S) OTHER THAN NAMED ABOVE				

orne been between

EXHIBIT "A-1"

DEVELOPMENT AGREEMENT DESCRIPTION

FOR RICHLAND MEADOWLAND, Ltd.

All that certain real property situate in a portion of Sections 16 and 17, Township 11 North, Range 6 East, Mount Diablo Meridian, City of Roseville, County of Placer, State of California and as shown on Parcel Map and filed for Record in Book "20" of Maps at Page 126 of the Official Records of Placer County and being more particularly described as follows:

Parcel 2 as shown on that certain Parcel Map filed in Book 20 of Maps at Page 126, Placer County Records.

Excepting therefrom that certain Lot Line Adjustment recorded in Document No. 98-0048563 Official records of Placer County on June 24, 1998 containing 2.836 acres more or less.

Also Excepting therefrom that certain Public Road and Utility easement recorded in Document No. 98-0056983 Official records of Placer County on July 22, 1998.

Containing 187.99 acres more or less.

See Exhibit "A-2" attached hereto and made a part hereof.

END OF DESCRIPTION.

DESCRIPTION PREPARED BY:

MACKAY & SOMPS CIVIL ENGINEERS; INC.

1376 Lead Hill; Suite 150

Roseville; California 95661-2944

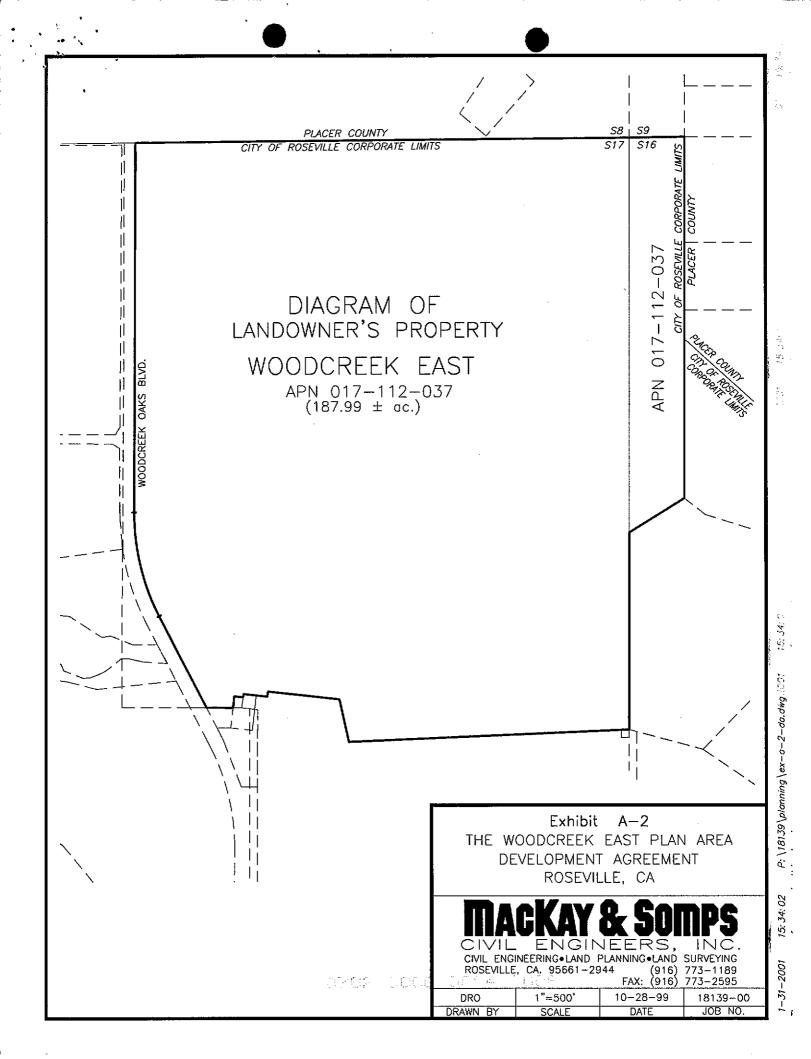
Dougla R. Dwyang; P.L.S. 60

o ober 28, 1999



Page 1 of 1

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ORDINANCE NO. 3633

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE
ADOPTING AN AMENDMENT TO DEVELOPMENT AGREEMENT REGARDING
WOODCREEK EAST PROJECT (RICHLAND MEADOWLAND, LTD.),
AND AUTHORIZING THE CITY MANAGER TO
EXECUTE IT ON BEHALF OF THE CITY OF ROSEVILLE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. In accordance with Chapter 19.84 of Title 19 of the Roseville Municipal Code (the Zoning Ordinance) of the City of Roseville, the City Council has received the recommendation of the Planning Commission that the City of Roseville enter into an Amendment to Development Agreement with Richland Meadowland, Ltd.

SECTION 2. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the Amendment to Development Agreement, and makes the following findings:

- 1. The Amendment to Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the City of Roseville General Plan;
- 2. The Amendment to Development Agreement is consistent with the City of Roseville Zoning Ordinance and Zoning Map;
- 3. The Amendment to Development Agreement is in conformance with the public healthy, safety and welfare;
- 4. The Amendment to Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
- 5. The Amendment to Development Agreement will provide sufficient benefit to the City to justify entering into said Agreement;

SECTION 3. The Amendment to Development Agreement by and between Richland Meadowland, Ltd. and the City of Roseville, a copy of which is on file in the City Clerk's Department and incorporated herein by reference, is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

SECTION 4. 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 5. This ordinance shall be effective at the expiration of thirty (30) days from the date of its adoption.

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SECTION 6. 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 21st day of Feb. , 2001, by the following vote on roll call:

AYES

COUNCILMEMBERS:

Earl Rush, Richard Roccucci, Rocky Rockholm, Claudia Gemar

NOES

COUNCILMEMBERS:

None

ABSENT

COUNCILMEMBERS:

None

Claudia Lamas

ATTEST:

The foregoing instrument is a correct copy of the original on file in the City Clerks Department.

ATTEST:

City Clark of the City of Hoseville, California

DEPUTY CLERK

MCC ICLA JOSE 1 Ord 3633 11