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Government Code Section 27383

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City Clerk
City of Roseville
311 Vernon Street
Roseville, CA 95678

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**FIRST AMENDMENT OF DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF ROSEVILLE AND MOURIER INVESTMENTS, LLC
RELATIVE TO THE SIERRA VISTA SPECIFIC PLAN**

This First Amendment of Development Agreement is entered into this ____ day of _____, 2021, by and between the CITY OF ROSEVILLE, a municipal corporation (“City”) and MOURIER INVESTMENTS, LLC, a California limited liability company (“Mourier”) pursuant to Sections 65864 through 65869.5 of the Government Code of California.

RECITALS

A. Mourier and City entered into a Development Agreement (the “Development Agreement”) which was approved by the City Council of City on May 19, 2010, and recorded on June 18, 2010, in the Official Records of Placer County as Document No. 2010-0045949-00.

B. Mourier and City entered into the Development Agreement relative to development within a portion of the Sierra Vista Specific Plan Area, as such is more precisely defined in Exhibits “A” and “B” of the Development Agreement (the “Property”). Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Development Agreement.

C. This First Amendment to the Development Agreement (the “First Amendment”) affects the Property, as such is again described in Exhibit “A” and depicted on Exhibit “B” attached to this First Amendment, and shall run with the land described in Exhibit “A” and depicted on Exhibit “B” hereto. Mourier and City intend for this First Amendment to document certain unit transfers within the Plan Area.

D. This First Amendment is authorized by Section 1.4 of the Development Agreement.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. AMENDMENT OF DEVELOPMENT AGREEMENT.

- a. The term “Entitlements” set forth in Recital F of the Development Agreement for the Property is hereby revised to include the Sierra Vista Specific Plan and Design Guidelines, as amended and adopted by Resolution No. ____-____.
- b. The land use designations, approximate acreages, and unit counts in Section 2.2 of the Development Agreement for the Property are hereby revised as follows:

Low Density Residential	308 units on 61.8 Net Acres;
Medium Density Residential	184 units on 22.0 Net Acres;
Community Commercial	0.1 Net Acres;
Park	1.0 Net Acres;
Open Space	37.1 Net Acres;
Open Space (paseo)	0.8 Net Acres;
Right of Way	17.3 Net Acres.

2. CONSISTENCY WITH GENERAL PLAN. The City Council has found and determined that this First Amendment of the Development Agreement is consistent with the General Plan and the Sierra Vista Specific Plan.

3. AMENDMENT. This First Amendment amends, but does not replace or supersede, the Development Agreement, except as specified herein. As amended hereby, the Development Agreement remains in full force and effect.

4. FORM OF AMENDMENT. This First Amendment is executed in two duplicate originals, each of which is deemed to be an original.

IN WITNESS WHEREOF, the City of Roseville, a municipal corporation, has authorized the execution of this First Amendment in duplicate by its City Manager and attested to by its City Clerk under the authority of Ordinance No. _____, adopted by the Council of the City of Roseville on the ____ day of _____, 2021.

CITY OF ROSEVILLE,
a municipal corporation

MOURIER INVESTMENTS, LLC, a
California limited liability company

By: _____
Dominick Casey
City Manager

By: _____
John L. Mourier, III
Managing Member

ATTEST:

By: _____
Sonia Orozco
City Clerk

APPROVED AS TO FORM;

By: _____
Robert R. Schmitt
City Attorney

APPROVED AS TO SUBSTANCE:

By: _____
Mike Isom
Development Services Director

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

All that real property situated in a portion of Sections 26, 27, 34 & 35, Township 11 North, Range 5 East, Mount Diablo Meridian, County of Placer, State of California, being more particularly described as follows:

Property No. 1 APN's 017-150-032 & 036

The West 801.43 feet of the South 1056.00 feet of said Section 26; the South 1056.00 feet of the East Half of the Southeast Quarter of said Section 27, EXCEPTING THEREFROM the West 471.43 feet thereof; the East Half of the Northeast Quarter of said Section 34, EXCEPTING THEREFROM the West 471.43 feet thereof; the West 801.43 feet of the North Half of said Section 35.

Containing 140.1 acres, more or less.

EXHIBIT B DEPICTION OF PROPERTY

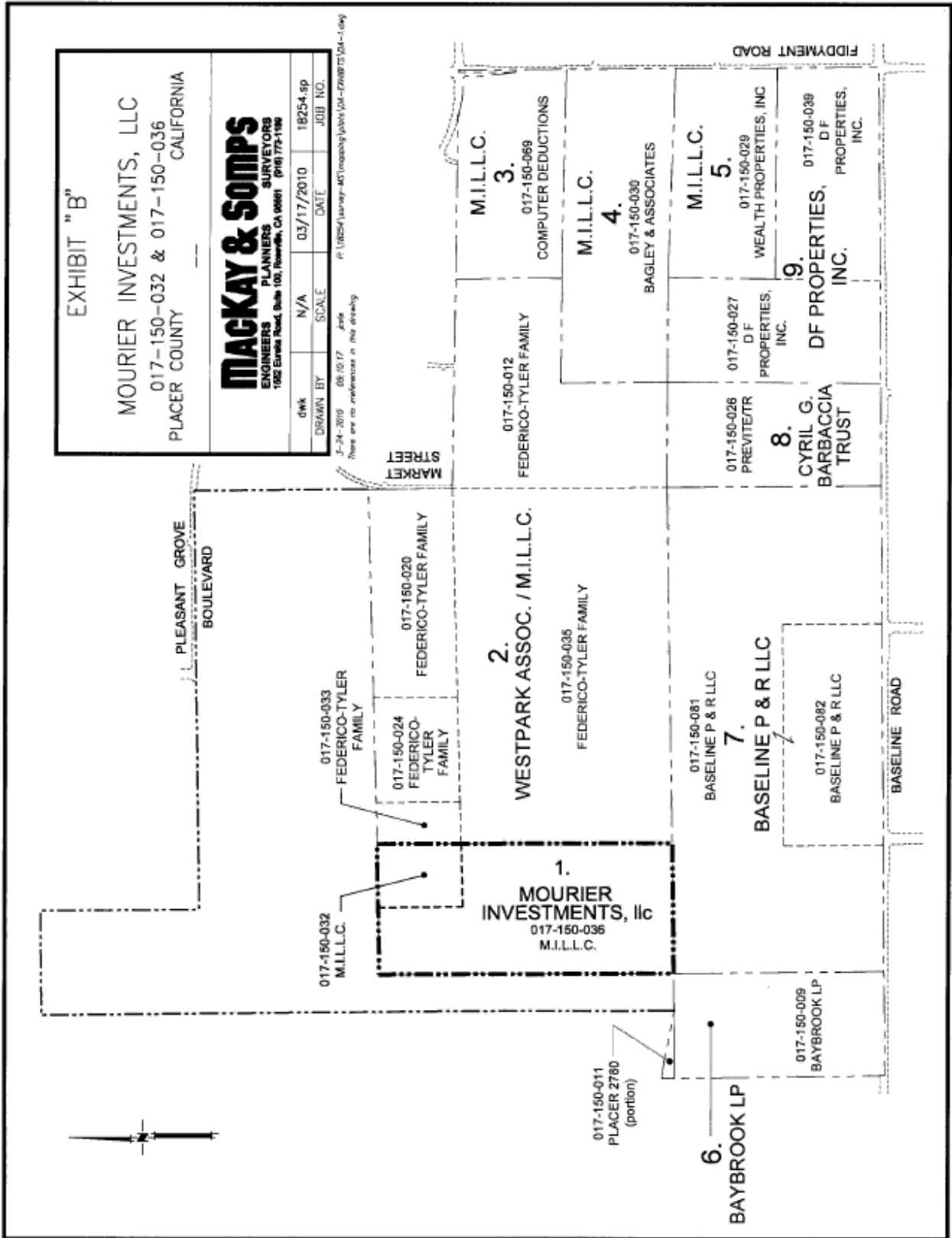


EXHIBIT "B"

MOURIER INVESTMENTS, LLC
017-150-032 & 017-150-036
PLACER COUNTY
CALIFORNIA

MACKAY & SOMPS
ENGINEERS PLANNERS SURVEYORS
1582 Eureka Road, Suite 100, Roseville, CA 95661 (916) 773-1199

DWG	BY	SCALE	N/A	DATE	JOB NO.
3-24-2010	08/10/17	as is		03/17/2010	18254.sp

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There are no references in this drawing.