



PLACER, County Recorder  
 RYAN RONCO  
 DOC- 2022-0074187-00

Recording Requested by: City of Roseville  
 When Recorded  
 Mail to and Mail Tax  
 Statements to:

THURSDAY, SEP 29, 2022 02:06 PM  
 MIC \$0.00 | AUT \$0.00 | SBS \$0.00  
 ERD \$0.00 | SB2 \$0.00 | \* \$0.00  
 ADD \$0.00

Ttl Pd \$0.00 Rcpt # 03193207  
 CLK6BFTJ93/KA/1-11

City of Roseville  
 City Clerk's Department  
 311 Vernon Street  
 Roseville, CA 95678

Exempt from recording fees  
 Pursuant to Govt. Code 27383

(THIS SPACE RESERVED FOR RECORDER'S USE)

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**THIRD AMENDMENT OF DEVELOPMENT AGREEMENT – SIERRA VISTA SPECIFIC  
 PLAN**

OFFICIAL BUSINESS  
Document entitled to free recording  
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)

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

This Third Amendment of Development Agreement is entered into this 17 day of August, 2022, by and between the CITY OF ROSEVILLE, a municipal corporation ("City") and SVC1, LLC, a California limited liability company ("SVC1" or "Landowner") pursuant to Sections 65864 through 65869.5 of the Government Code of California.

**RECITALS**

A. Mourier Investments, LLC, a California limited liability company ("Mourier"), Computer Deductions, Inc., a California corporation ("Computer"), and City entered into a Development Agreement (the "Original 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. 2010-0045931-00.

B. Mourier, Computer, and City entered into the Original 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 Original Development Agreement (the "Property"). Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Original Development Agreement.

C. Computer assigned its interest in the Original Development Agreement to Mourier pursuant to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated January 13, 2012, and recorded January 31, 2012, as Document No. 2012-0008251-00, in the Official Records of Placer County, California.

D. Mourier transferred a portion of its interest in the Original Development Agreement to John Mourier Construction, Inc., a California corporation ("JMC") pursuant

to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated as of November 7, 2019, and recorded November 8, 2019, as Document No. 2019-0089192-00, in the Official Records of Placer County, California.

E. City, Mourier, and JMC entered into a First Amendment to the Original Development Agreement (the "First Amendment") which was approved by the City Council of City on March 4, 2020, and recorded on April 13, 2020, in the Official Records of Placer County as Document No. 2020-0032964-00.

F. City and Mourier entered into a Second Amendment to the Original Development Agreement (the "Second Amendment") which was approved by the City Council of City on February 3, 2021, and recorded on April 16, 2021, in the Official Records of Placer County as Document No. 2021-0052864-00. The Original Development Agreement, the First Amendment, and the Second Amendment are hereinafter collectively referred to as the "Development Agreement."

G. Mourier assigned a portion of its interest in the Development Agreement to SCV1, LLC pursuant to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated as of December 17, 2021, and recorded December 23, 2021, as Document No. 2021-0154747-00, in the Official Records of Placer County, California.

H. This Third Amendment to the Development Agreement (the "Third Amendment") affects certain portions of the Property owned by SVC1 (the "Third Amendment Property"), as described in Exhibit "A" and depicted in Exhibit "B" attached to this Third Amendment and shall run with the land described in Exhibit "A" hereto. SVC1 and City intend for this Third Amendment to document certain density increases within the Plan Area.

I. This Third 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 land use designations, approximate acreages, and unit counts in Section 2.2 of the Development Agreement for the Third Amendment Property are hereby revised as follows:

High Density Residential	176 units on 7.1 Net Acres;
Community Commercial	13.9 Net Acres;
Right of Way	0 Net Acres.

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

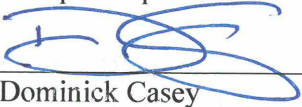
3. **AMENDMENT LIMITED TO THIRD AMENDMENT PROPERTY.** This Third Amendment is limited to and applies only to development of the Third Amendment Property and does not affect or apply in any manner with respect to the development of any other property within the Sierra Vista Specific Plan Area, including without limitation, any other portion of the Property.

4. **AMENDMENT.** This Third Amendment amends, but does not replace or supersede, the Development Agreement, except as specified herein. As amended hereby with respect to the Third Amendment Property, the Development Agreement remains in full force and effect.

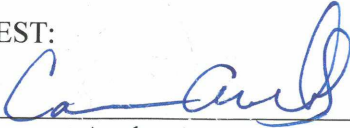
5. **FORM OF AMENDMENT.** This Third Amendment is executed in two duplicate originals, each of which is deemed to be an original.

**IN WITNESS WHEREOF**, the City of Roseville, a municipal corporation, has authorized the execution of this Third Amendment in duplicate by its City Manager and attested to by its City Clerk under the authority of Ordinance No. 6543, adopted by the Council of the City of Roseville on the 17 day of August 2022.


CITY OF ROSEVILLE,  
a municipal corporation

By:   
Dominick Casey  
City Manager

ATTEST:

By:   
Carmen Avalos  
City Clerk


APPROVED AS TO FORM;

By:   
Michele Sheidenberger  
City Attorney

APPROVED AS TO SUBSTANCE:

By:   
Mike Isom  
Development Services Director

SVC1, LLC, a  
California limited liability company

By:   
John L. Mourier, III  
President

  
Rod Yamamoto  
VP & CFO

  
Karen Headley  
Secretary

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

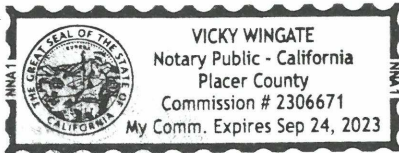
State of California
County of Placer

On July 20, 2022 before me, Vicky Wingate, Notary Public,
personally appeared Rod Yamataka & Karen Headley

who proved to me on the basis of satisfactory evidence to be the 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(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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Third Amend. of Development Agmt. By & Between The City of Roseville and Mourier Investments, LLC - Relative to The sv specific Plan
Document Date: July 20, 2022 Number of Pages: 6

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Rod Yamataka
Corporate Officer - Title(s): VP + CFO
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

Signer's Name: Karen Headley
Corporate Officer - Title(s): Secretary
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

Signer is Representing: SVC1, LLC a California limited liability co.

Signer is Representing: SVC1, LLC, a California limited liability company

**CALIFORNIA ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

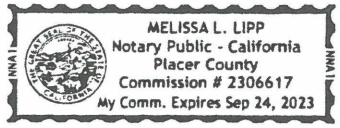
State of California }  
County of Placer

On September 22, 2022 before me, Melissa L. Lipp, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Dominick Casey  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the 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(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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]  
Signature of Notary Public

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_  
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_  
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_  
 Corporate Officer – Title(s): \_\_\_\_\_  Corporate Officer – Title(s): \_\_\_\_\_  
 Partner –  Limited  General  Partner –  Limited  General  
 Individual  Attorney in Fact  Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  Other: \_\_\_\_\_  
Signer is Representing: \_\_\_\_\_ Signer is Representing: \_\_\_\_\_

## **Exhibit 'A'**

### **Legal Description**

#### Development Agreement

#### Sierra Vista Specific Plan Lots JM-30 and JM-41

All that real property situate in the City of Roseville, County of Placer, State of California located in Section 36, Township 11 North, Range 5 East, M.D.M. and being all of Lots 1 and 2 as said Lots are shown on that certain Large Lot Final Map entitled, "The Villages at Sierra Vista", filed for record in the office of the Recorder on July 29, 2015, in Book 'DD' of Maps, at Page 26, Official Records of said County.

# EXHIBIT 'B'



BAKER WILLIAMS  
ENGINEERING GROUP

SCALE: 1" = 200'

JOB #: 21-06-017

DATE: JUNE, 2022

SIERRA VISTA SPECIFIC PLAN  
Lots JM-30 and JM-41

CITY OF ROSEVILLE, CALIFORNIA

ORDINANCE NO. 6543

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE  
ADOPTING A THIRD AMENDMENT OF THE DEVELOPMENT AGREEMENT BY AND  
BETWEEN THE CITY OF ROSEVILLE AND SVC1, LLC RELATIVE TO THE SIERRA  
VISTA SPECIFIC PLAN 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 a Third Amendment of the Development Agreement by and between the City of Roseville and SVC1, LLC, a California limited liability company (“SVC1”), pertaining to the property located within the Sierra Vista Specific Plan area.

SECTION 2. Prior to considering the proposed Third Amendment to Development Agreement, the City Council considered the Addendum to the Sierra Vista Specific Plan Environmental Impact Report (EIR) certified on May 5, 2010, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.*

SECTION 3. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the Third Amendment to Development Agreement, and makes the following findings:

1. The Third Amendment to Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan and the Sierra Vista Specific Plan;
2. The Third Amendment to Development Agreement is consistent with the City of Roseville Zoning Ordinance;
3. The Third Amendment to Development Agreement is in conformance with the public health, safety and welfare;
4. The Third Amendment to Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
5. The provisions of the Third Amendment to Development Agreement will provide sufficient benefit to the City to justify entering into said Amendment;

SECTION 4. The Third Amendment to Development Agreement, by and between the City of Roseville and SVC1, LLC relative to the Sierra Vista Specific Plan, 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 5. The City Clerk is directed to record the executed Development Agreement Amendment 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 6. This ordinance shall be effective at the expiration of thirty (30) days from the date of its adoption.

SECTION 7. 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 (3) 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 17<sup>th</sup> day of August, 2022, by the following vote on roll call:

AYES COUNCILMEMBERS: Houdesheldt, Alvord, Roccucci, Mendonsa, Bernasconi

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: None



\_\_\_\_\_  
MAYOR

ATTEST:



\_\_\_\_\_  
City Clerk

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

ATTEST: \_\_\_\_\_  
City Clerk of the City of Roseville, California

  
DEPUTY CLERK