



PLACER, County Recorder
 RYAN RONCO
 DOC- 2021-0085265-00

OFFICIAL BUSINESS
 Document entitled to free recording
 Government Code Section 27383

THURSDAY, JUL 1, 2021 10:22 AM
 MIC \$0.00 | AUT \$0.00 | SBS \$0.00
 ERD \$0.00 | SB2 \$0.00 | * \$0.00
 ADD \$0.00

RECORDING REQUESTED BY
 AND WHEN RECORDED MAIL TO:

Ttl Pd \$0.00 Rcpt # 03054917
 CLK6B8XJ93/DB/1-9

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 21st day of April, 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. 21 - 126
- 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.

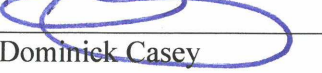
2. CONSISTENCY WITH GENERAL PLAN. The City Council has found and determined that this First Amendment of the Development Agreement is consistent with the General Plan and the Sierra Vista Specific Plan.

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. 6392, adopted by the Council of the City of Roseville on the 21st day of April, 2021.

CITY OF ROSEVILLE,
a municipal corporation

By: 

Dominick Casey
City Manager

MOURIER INVESTMENTS, LLC, a
California limited liability company

By: 

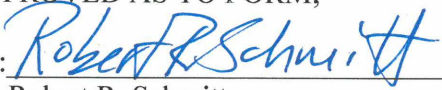
John L. Mourier, III
Managing Member

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

CALIFORNIA ALL-PURPOSE 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 March 2, 2021 before me, Karen Headley, a notary public
Date Here Insert Name and Title of the Officer

personally appeared John L. Mourie III
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.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is 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: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

ACKNOWLEDGMENT

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 5.24, 2021 before me, CARY CAMILLERI, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Dominick Casey,
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.

Signature Cary Camilleri (Seal)

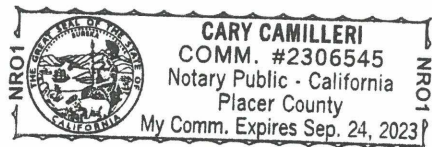


EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

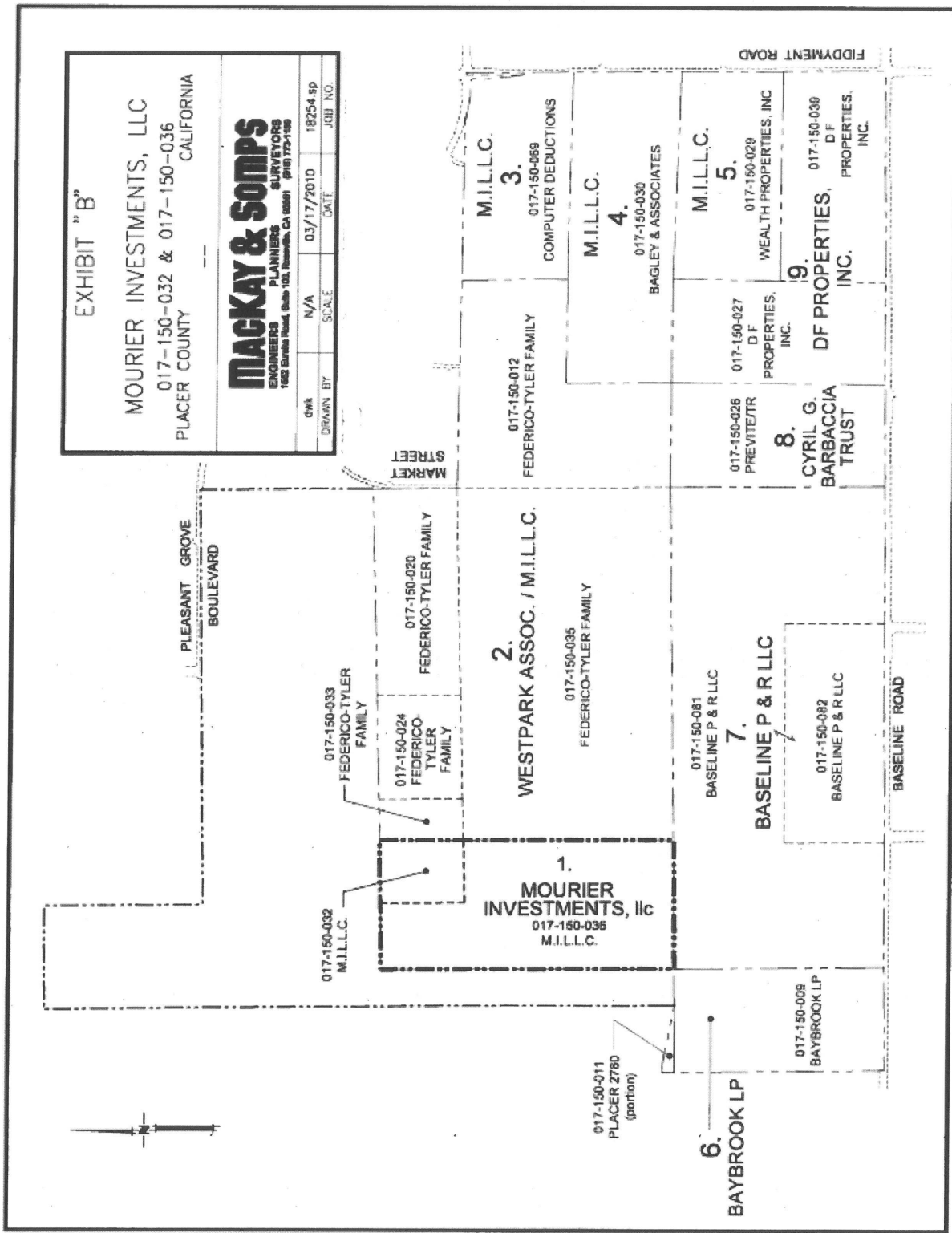
All that real property situated in a portion of Sections 26, 27, 34 & 35, Township 11 North, Range 5 East, Mount Diablo Meridian, County of Placer, State of California, being more particularly described as follows:

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**



ORDINANCE NO. 6352

ADOPTING A FIRST AMENDMENT OF THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND MOURIER INVESTMENTS, LLC (“MOURIER AGREEMENT”) 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 First Amendment of the Development Agreement by and between the City of Roseville and Mourier Investments, LLC, pertaining to property located within the Sierra Vista Specific Plan area.

SECTION 2. Prior to considering the proposed First Amendment to Development Agreement, the City Council considered the 4th Addendum to the Sierra Vista Specific Plan Environmental Impact Report (EIR) (SCH #2008032115, certified 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 First Amendment to Development Agreement, and makes the following findings:

1. The First Amendment to the 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 First Amendment to the Development Agreement is consistent with the City of Roseville Zoning Ordinance;
3. The First Amendment to the Development Agreement is in conformance with the public health, safety and welfare;
4. The First Amendment to the Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
5. The provisions of the First Amendment to the Development Agreement will provide sufficient benefit to the City to justify entering into said Amendment.

SECTION 4. The First Amendment to Development Agreement, by and between the City of Roseville and Mourier Investments, LLC, 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 21st day of April, 2021, by the following vote on roll call:

AYES COUNCILMEMBERS: Houdesheldt, Alvord, Mendonsa, Bernasconi

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: Roccucci



MAYOR

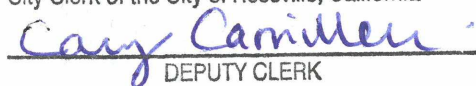
ATTEST:



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