

Recording Requested By
City of Roseville and Roseville 150 Center
And When Recorded, Return to
City Clerk
City of Roseville
311 Vernon Street, Office 208
Roseville, CA 95678

92-013943 | Total .00
Recorded
Official Records
County of
Placer
Mary Ann Hulse
Recorder
2:37pm 20-Feb-92 | 3-12-92 SG 8

AMENDMENT NO. 1
TO DEVELOPMENT AGREEMENT

RECITALS

WHEREAS on February 10, 1992 the CITY OF ROSEVILLE, a municipal corporation, (hereinafter "City") and ROSEVILLE 150 CENTER, a joint venture (hereinafter "Landowner") have entered into a Development Agreement (hereinafter the "Agreement"), recorded in the Official Records of Sacramento County, Instrument No. 90-067301, on October 16, 1990; and

WHEREAS City and Landowner now desire to amend certain terms and conditions of the Agreement;

NOW THEREFORE, in consideration of the mutual covenants and promises contained in this Amendment No. 1 to the Agreement, City and Landowner agree to amend the Agreement as follows:

1. Section 2, Paragraph 2.E.1.a. shall be amended to read as follows:

"Landowner is in the process of preparing an application to obtain from the U.S. Army Corps of Engineers (the "Corps") a permit to fill wetlands (the "404 Permit") in conjunction with development of the Property in accordance with this Agreement. Landowner intends to seek permission under the 404 Permit to provide mitigation outside the boundaries of the Property ("off-site mitigation") that will fully satisfy its wetlands mitigation obligations associated with such development. Landowner acknowledges that the 404 Permit and/or the City may require the preservation of wetlands within the Property in the area approximately shown as Parcels 95 and 96 on Exhibit B, or in some other area within the Property (the area within the Property ultimately required by the Corps and/or the City to be preserved as wetlands shall be referred to as the "Wetlands Preserves"). Landowner agrees that concurrently with its submittal to the Corps of any request for off-site mitigation as part of its 404 Permit, Landowner shall request the approval of such request from the Planning Commission and City Council of the City; as part of such request, if no Wetlands Preserves are proposed within the Property or the Wetlands Preserves will be less than the acreage described by Parcels 95 and/or 96, then Landowner

FILED

MAY 06 1992

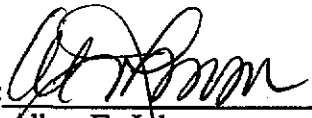
CITY OF ROSEVILLE
BY dd

CF10401-03-09

shall also apply for a rezoning and amendment of the land use map for the Specific Plan to add the portion(s) of such parcels not proposed for preservation as wetlands to Parcel 36 and/or 37, respectively, which amendment and rezoning will become effective (and such portion(s) of land will be granted the land use for and become a part of such adjacent Parcel(s) for purposes of this Agreement) upon approval of the permit application by the City and the Corps. If any significant modifications occur to the proposal during or as a result of the Corps review process, which conflict, in any material manner, with the plan approved by the City, the proposal shall be resubmitted to City for review. The City may approve or deny any request to locate any of the acreage shown for parcels 95 and 96 off-site, and the review of such projected modifications shall be made in accordance with the requirements of CEQA."

Except as specifically amended hereto, the terms and conditions of the Development Agreement remain in full force and effect.

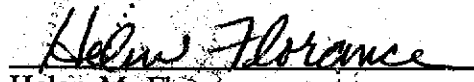
CITY OF ROSEVILLE
a municipal corporation

By: 
Allen E. Johnson
City Manager

APPROVED AS TO FORM


Michael F. Dean
City Attorney

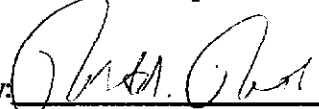
ATTEST


Helen M. Florance
City Clerk

ROSEVILLE 150 CENTER,
a joint venture

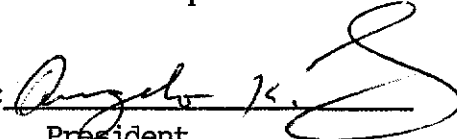
By: ROSEVILLE CREEKSIDE 147,
a joint venture,

By: Sacramento Savings Bank,
a California corporation

By: 

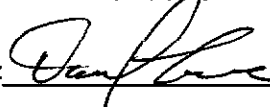
By: Roseville/Antelope Creek Investors,
a California limited partnership

By: AKT Development Corporation,
a California corporation

By: 
President

By: I-65 Associates,
a California general partnership

By: Roebbelen Land Company,
a California ~~general~~ ^{limited} partnership

By: 

STATE OF CALIFORNIA

COUNTY OF Placer

On this 10th day of February in the year of 1992,
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
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.

WITNESS my hand and official seal.




Notary Public in and for said State.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this 10th day of December, 1991, before me Sue Weston, a Notary Public in and for the State of California, personally appeared Angelo K. Tsakopoulos personally known to me (or proved 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.

WITNESS my hand and official seal.

Sue Weston
(Notary Public)

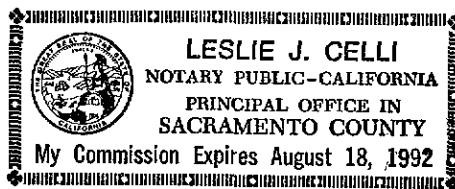


STATE OF CALIFORNIA

COUNTY OF Sacramento

On December 9, 1991, before me, the undersigned notary public, personally appeared Robert N. Riolo, known to me (or proved to me on the basis of satisfactory evidence), to be the Vice President of Sacramento Savings Bank, the corporation that executed the within instrument on behalf of Roseville Creekside 147, the joint venture that executed the within instrument on behalf of Roseville 150 Center, the joint venture that executed the within instrument, and acknowledged to me that Sacramento Savings Bank executed it as one of the venturers of Roseville Creekside 147, and that Roseville Creekside 147 executed it as one of the venturers of Roseville 150 Center, and that Roseville 150 Center executed it.

Leslie J. Celli
Notary Public



CONSENT

We, the undersigned, have reviewed the above Amendment No. 1 to the Development Agreement By and Between the City of Roseville 150 Center relative to the North Central Roseville Specific Plan and hereby consent to its recordation against the subject property defined therein.

By: I-65 ASSOCIATES, a general partnership
One of the Venturers

By: ROEBBELEN LAND COMPANY,
a limited partnership,
Managing General Partner

By: [Signature]
General Partner

ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF El Dorado

On 12/12, 1991, before me, the undersigned notary public, personally appeared DAVID THULEEN,

☒ personally known to me

☐ ~~proved to me on the basis of~~ satisfactory evidence

to be the person who executed it as GENERAL PARTNER on behalf of ROEBBELEN LAND COMPANY, the limited partnership therein named, such partnership being the managing general partner of I-65 ASSOCIATES, the partnership that executed the within instrument, and acknowledged to me that ROEBBELEN LAND COMPANY executed it as a general partner of I-65 ASSOCIATES, and that I-65 ASSOCIATES executed it.

Lisa Anne Webster
NOTARY PUBLIC



ORDINANCE NO. 2578

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE ADOPTING
AMENDMENT NO. 1 TO A DEVELOPMENT AGREEMENT WITH ROSEVILLE 150
CENTER FOR PROPERTY LOCATED WITHIN THE NORTH CENTRAL
ROSEVILLE SPECIFIC PLAN AREA AND AUTHORIZING
THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF
OF THE CITY OF ROSEVILLE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. The City of Roseville, on September 5, 1990 entered into a Development Agreement for property owned by Roseville 150 Center located within the North Central Roseville Specific Plan.

SECTION 2. In accordance with Article 30 of Ordinance No. 802, the Zoning Ordinance of the City of Roseville, the City Council has received the recommendation of the Planning Commission that the City of Roseville amend the Development Agreement for property owned by Roseville 150 Center located within the North Central Roseville Specific Plan Area.

SECTION 3. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the Amendment to the Development Agreement ("Amendment No. 1") for a portion of property known as the North Central Roseville Specific Plan Area, and makes the following findings:

1. Amendment No. 1 is consistent with the objectives, policies, general land uses and programs specified in the City of Roseville General Plan and the North Central Roseville Specific Plan;
2. Amendment No. 1 is compatible with the uses authorized in and the regulations prescribed for the land use district in which the real property is located;
3. Amendment No. 1 is in conformity with public convenience, general welfare and good land use practice;
4. Amendment No. 1 will not be detrimental to the health, safety and general welfare of residents in the City of Roseville;
5. Amendment No. 1 will not adversely affect the orderly development of property or the preservation of property values; and
6. The development permitted by Amendment No. 1 will provide sufficient benefit to the City of Roseville to justify entering into Amendment No. 1.

SECTION 4. Amendment No. 1 by and between Roseville 150 Center and the City of Roseville, relating to the North Central Roseville Specific Plan Area, is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

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

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 (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 8th day of January, 1992, by the following vote on roll call:

AYES COUNCILMEMBERS: Pauline Roccucci, Fred M. Jackson, Harry Crabb, Jr., Mel Hamel, Bill Santucci
NOES COUNCILMEMBERS: None
ABSENT COUNCILMEMBERS: None

None
None

Bill Santucci
MAYOR

ATTEST:

Helen Florence
City Clerk

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST:

City Clerk of the City of Roseville, California

DEPUTY CLERK

THIS INSTRUMENT IS THE ORIGINAL ORDINANCE,
BEING PUBLISHED BY POSTING IN THE FOLLOWING
PLACES: LOBBY OF CLERK'S OFFICE, CITY HALL
ENTRANCE, AND LIBRARY ENTRANCE.
AT 3 O'CLOCK January 10 1992
BY Elly Ortiz
CLERK, CITY OF ROSEVILLE, CALIF.