

8
95-025364

Rec Fee .00
Total .00

COMPLETE THIS INFORMATION:
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CITY CLERK
CITY OF ROSEVILLE
311 VERNON STREET, OFFICE 208
ROSEVILLE, CA 95678

Recorded
Official Records
County of
Placer
Jim McCauley
Recorder
3:22pm 19-May-95

6-14-95 JE 7

THIS SPACE FOR RECORDERS USE

TITLE OF DOCUMENT: AMENDMENT TO DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF
ROSEVILLE AND WARMINGTON HOMES RELATIVE TO PARCEL 21 OF THE NORTHEAST ROSEVILLE SPECIFIC PLAN

REFERS TO DOCUMENT RECORDED IN BOOK 3221 PG 151
38200 - 7/6/87

EXEMPT PER GOVERNMENT CODE: 27383

FILED

JUL 19 1995

CITY OF ROSEVILLE
BY 122

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING
INFORMATION (Additional recording fee applies)

Also
~~Doc~~ Doc: Warmington Homes

+ Johnson Ranch Investors
NERSP Development Agt

CF: 0403-06-01
Olympus Ideights

+ 0401-03-06 #8

1199 0000 0055 0001

**AMENDMENT TO DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF ROSEVILLE AND
WARMINGTON HOMES RELATIVE TO
PARCEL 21 OF THE NORTHEAST ROSEVILLE SPECIFIC PLAN**

This Amendment to Development Agreement is entered into this 5th day of May, 1995 by and between the CITY OF ROSEVILLE, a municipal corporation (the "City") and WARMINGTON HOMES, a California corporation ("Landowner") pursuant to the authority of Sections 65864 through 65869.5 of the Government Code.

RECITALS

A. The City and Landowner's predecessor in interest entered into a Development Agreement ("Agreement") for the real property described in Exhibit "A" (the "Property") on October 2, 1987.

B. At the request of Landowner, the Planning Commission of the City held a public hearing on March 2, 1995, at which the Planning Commission recommended approval of an amendment to the City's General Plan, Northeast Roseville Specific Plan, Zoning Code and the Agreement for the Property.

C. The City Council of City held a public hearing on March 22, 1995, with respect to the approval of such amendments in accordance with Government Code Sections 65868 and 65867.5.

AGREEMENT

The parties agree as follows:

1. **Park Fees.** Landowner shall pay the following amounts to the City for park fees associated with the development of the Property:

Residential Construction Tax and	
Neighborhood Park Fees	\$240,084 or \$930.56 per unit
Ordinary Citywide Park Fee	\$231,168 or \$896.00 per unit
Extraordinary Citywide Park Fee	\$188,160 or \$729.30 per unit

which fees are based on the previous residential zoning of 468 multi-family units but which have been distributed over the number of single family units approved on the Property. Payment of the Residential Construction Tax, Neighborhood Park Fees, Ordinary Citywide Park Fee, and Extraordinary Citywide Fees shall be due and payable on a per unit basis upon the issuance of each building permit on the Property.

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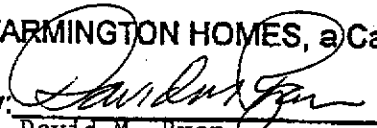
2. All other provisions of the Agreement shall remain in full force and effect.

EXECUTION

This Amendment to Development Agreement is executed on the date written below.

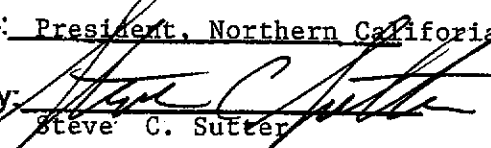
WARMINGTON HOMES, a California corporation

Date: March 9, 1995

By: 
David M. Ryan

Its: President, Northern California Division

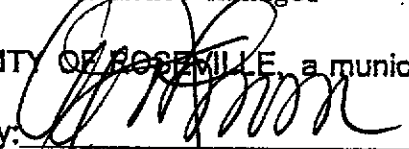
Date: March 9, 1995

By: 
Steve C. Sutter

Its: First Vice President, Northern California Region
Sacramento Manager

CITY OF ROSEVILLE, a municipal corporation

Date: May 8, 1995

By: 
Allen E. Johnson
City Manager

ATTEST:

Date: May 8, 1995

By: 
Carolyn Parkinson
City Clerk

APPROVED AS TO FORM:

Date: May 8, 1995

By: 
Mark Doane
City Attorney

APPROVED AS TO SUBSTANCE:

Date: _____

By: _____
Patty Dunn
Planning Director

(Single Form)
Effective 1/1/91

STATE OF CALIFORNIA

COUNTY OF CONTRA COSTA

} SS.

On MARCH 9, 1995 before me, the undersigned, a Notary Public in and for said State,
personally appeared DAVID M. RYAN AND STEVE C. SUTTER

personally known to me (or 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.

WITNESS my hand and official seal.

Signature

Name KARIN REITZ

(typed or printed)

FTG-3197



(This area for official notarial seal)

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STATE OF CALIFORNIA)

COUNTY OF PLACER)

ss.

On this 8 day of May in the year of 1995, 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.

Carolyn K. Parkinson

Notary Public in and for said State



THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AS FOLLOWS:

Title or Type of Document

Amendment to Develop. Hgmont. - Warmington

Date of Document

5.3.95

Homes

Acknowledgment - All Purpose

1199 0000 0055 0005

ORDINANCE NO. 2880

AN ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE
ADOPTING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT
FOR THE NORTHEAST ROSEVILLE SPECIFIC PLAN WITH WARMINGTON HOMES,
AND AUTHORIZING THE CITY MANAGER
TO EXECUTE IT ON BEHALF OF THE CITY OF ROSEVILLE

THE CITY COUNCIL OF THE CITY OF ROSEVILLE DOES ORDAIN AS
FOLLOWS:

SECTION ONE. FINDINGS. The City Council of the City of Roseville has reviewed the findings of the Planning Commission regarding the Amendment to the Development Agreement for the Northeast Roseville Specific Plan ("Development Agreement") with Warmington Homes, a California corporation, on file in the City Clerks Department, in conjunction with amending the land use map from Medium Density Residential to Low Density Residential on Parcel 21 thereof and makes the following findings:

1. The Amendment to the Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the City of Roseville General Plan and any applicable Specific Plan;
2. The Amendment to the Development Agreement is compatible with the uses authorized in and the regulations prescribed for the land use district in which the real property is located as amended this date;
3. The Amendment to the Development Agreement is in conformity with public convenience, general welfare and good land use practice;
4. The Amendment to the Development Agreement will not be detrimental to the health, safety and general welfare of residents in the City of Roseville;
5. The Amendment to the Development Agreement will not adversely affect the orderly development of property or the preservation of property values; and
6. The development permitted by the Amendment to the Development Agreement will provide sufficient benefit to the City of Roseville to justify entering into the Amendment to the Development Agreement.

SECTION 2. The Amendment to the Development Agreement for the Northeast Roseville Specific Plan, by and between Warmington Homes, a California corporation and the City of Roseville, as set forth on

Exhibit "A" hereto is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

SECTION 3. 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 4. This ordinance shall be effective at the expiration of 30 days from the date of its adoption.

SECTION 5. 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 5th day of April, 1995, by the following vote on roll call:

AYES COUNCILMEMBERS: Harry Crabb, Jr., Randolph Graham, Pauline Roccucci,
Mel Hamel

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: Claudia Gamar


MAYOR

ATTEST:


CITY CLERK