Exen of from recording · ees pursuant to Government Code 27383 information: RECORDING REQUESTED BY:

> AND WHEN RECORDED MAIL TO: CITY CLERK CITY OF ROSEVILLE 311 VERNON STREET, OFFICE 208 ROSEVILLE, CA 95678

96-002013 Rec Fee .00 .00 Recorded Official Records County of Placer Jim McCauley Recorder JE 9 9:49am 12-Jan-96

THIS SPACE FOR RECORDERS USE

TITLE OF DOCUMENT: Amendment to Development Agreement By and Between The City of Roseville and The Owners of Northeast Roseville Specific Plan Parcel 8

FILED

FEB 12 1996

CITY OF ROSEVILLE

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

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# AMENDMENT TO DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND THE OWNER(S) OF NORTHEAST ROSEVILLE SPECIFIC PLAN PARCEL 8

This Amendment to Development Agreement is entered into this 8th day of January, 1996 by and between the City of Roseville, a municipal corporation ("City") and the owner(s) of Northeast Roseville Specific Plan Parcel 8, specifically listed on the signature block at the end of this document ("Landowner"). Parcel 8 is specifically described on Exhibit A attached hereto.

## **RECITALS**

- A. The City and Landowner's predecessors in interest entered into a Development Agreement relative to the Northeast Roseville Specific Plan ("Specific Plan") recorded July 6, 1987 in Book 3221, Page 151 of Placer County Official Records ("Development Agreement");
- B. At the request of the Landowner, the Planning Commission held a public hearing on October 12, 1995 in compliance with California Government Code Section 65867 and recommended approval of a General Plan Amendment, Specific Plan Amendment and Rezone to allow additional permissible uses on Parcel 8 and a corresponding amendment to the Development Agreement; and
- C. On November, 1995, the City Council held a public hearing in compliance with Government Code Section 65867 and approved execution of this Amendment.

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#### **AGREEMENT**

The parties agree as follows:

1. <u>School Fees</u>. Landowner shall pay school impact fees equal to double the "Sterling" fee in effect at the time of building permit issuance. This fee has been requested by the local school districts to provide for 100% of the costs to house new students.

Nothing in this Development Agreement Amendment shall prohibit Landowner from participating in alternative fee financing programs through the City's Business Assistance Program or through the inclusion of the Property in an assessment district to fund such fees.

- 2. <u>Permitted Land Uses</u>. The permitted land uses shall be those listed in the "Business Professional and Commercial Component," as defined in Chapter V(h) of the Northeast Roseville Specific Plan, adopted concurrently with this Development Agreement Amendment.
- 3. All other provisions of the Development Agreement shall remain in full force and effect.

amendop8.da

# **EXECUTION**

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

	LANDOWNER:
Date: 11/6/95	William C. Cummings
Date: 1/8/96	by:  Al Johnson
	City Manager  ATTEST:
Date: 1/8/96	by: <u>Carolyn Parkinson</u> City Clerk
	APPROVED AS TO FORM:
Date: 1/8/96	by: Mafk Doane City Attorney
	APPROVED AS TO SUBSTANCE:
Date: 1/8/96	by: Patty Dunn Planning Director

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# LEGAL DESCRIPTION OLYMPUS POINTE PARCEL 8

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF PLACER, AND IS DESCRIBED AS FOLLOWS:

PARCELS 1, 2, 3 AND 4 AS SHOWN AND DELINEATED ON THAT CERTAIN MAP FILED OCTOBER 18, 1991 IN BOOK 26 OF PARCEL MAPS AT PAGE 145, PLACER COUNTY RECORDS.

APN; 048-010-047, 048, 049, 050 AND 051

STATE OF CALIFORNIA SS. COUNTY OF SACRAMENTO

On this 6th day of November, 1995, before me, A. Brooke, a Notary Public in and for the State of California, personally appeared WILLIAM C. CUMMINGS, 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.

1100 COCO COST COIN

A. BRGOKE Comm. # 1052273 IOTARY PUBLIC - CALIFORNIA Secramento County My Comm. Expires Feb. 23, 1999

STATE OF CALIFORNIA	)			
COUNTY OF PLACER	; ss. )			
On this day of	e subscribed to the same in his/he	he within instructions their authorized	ry evidence) to be ment and acknowled	the ged to me
Notary Public in and for	(usor)		CAROLYN PARKINSON Commission #1061031 otary Public — California Placer County Comm. Expires Oct 8, 1999	
THIS CERTIFICATE MUST BE ATT	ACHED TO THE DOCU	MENT DESCRIBED A	S FOLLOWS:	
Title or Type of Document	[	,	esp Breel g	
Date of Document	6			

#### ORDINANCE NO. 2939

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE ADOPTING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT RELATIVE TO THE NORTHEAST ROSEVILLE SPECIFIC PLAN WITH OWNER(S) OF THE NORTHEAST ROSEVILLE SPECIFIC PLAN PARCEL 8, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THIS AMENDMENT ON BEHALF OF THE CITY OF ROSEVILLE

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

<u>SECTION 1.</u> 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 enter into an Amendment to the Development Agreement with Owner(s) of Olympus Pointe Parcel 8.

<u>SECTION 2.</u> The City Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the Amendment to the Development Agreement pertaining to Parcel 8 of the Northeast Roseville Specific Plan 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; and
- 2. The Amendment to the Development Agreement is compatible with the uses authorized in the regulations prescribed for the land use district in which the real property is located; and
- 3. The Amendment to the Development Agreement is in conformity with public convenience, general welfare and good land use practice; and
- 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; and
- 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 by and between Owner(s) of Northeast Roseville Specific Plan Parcel 8 and the City of Roseville, is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

<u>SECTION 3</u>. The Amendment to the Development Agreement by and between Owner(s) of Northeast Roseville Specific Plan Parcel 8 and the City of Roseville, is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

<u>SECTION 4.</u> The City Clerk is hereby 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.

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SECTION 5. This ordinance shall be effective at the expiration of thirty (30) days from the date of its 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 to December, 1995, by the following	by the Council of the City of Roseville this 6th day of ag vote on roll call:
AYES COUNCILMEMBERS:	Mel Hamel, Claudia Gamar, Randolph Graham, Pauline Roccucci, Harry Crabb
NOES COUNCILMEMBERS:	None
ABSENT COUNCILMEMBERS:	None MAYOR

ATTEST:

City Clerk

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

ATTEST:

City Corp. of the City of Rogerifle, California

DEPUTY CLERK