

91-07352

Total .00

RECORD AND WHEN
RECORDED RETURN TO:

Recorded
Official Records
County of
Placer
Mary Ann Hulse
Recorder
11:59am 26-Nov-91

FB 32

CITY ATTORNEY
CITY OF ROSEVILLE
311 Vernon Street
Roseville, California 95678

RECORDED
11:59 AM 1991
CITY ATTORNEY

FIRST AMENDMENT
TO
THE THIRD AMENDED AND RESTATED
DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF ROSEVILLE
AND
SOUTHFORK PARTNERSHIP
REGARDING A PORTION OF JOHNSON RANCH
SOUTHEAST ROSEVILLE SPECIFIC PLAN

AUGUST 1991

FILED
JAN 2 1992
DEC 31 1991
CITY OF ROSEVILLE
BY dlh

6/11/91

SF91037

cf: 0401-03-07
SERSP

0902 0000 0011 0098

FIRST AMENDMENT TO THE THIRD AMENDED AND RESTATED
DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF ROSEVILLE AND
SOUTHFORK PARTNERSHIP REGARDING
A PORTION OF JOHNSON RANCH
SOUTHEAST ROSEVILLE SPECIFIC PLAN

AUGUST 1991

This Amendment to the Third Amended and Restated Development Agreement is entered into by and between the City of Roseville (hereinafter "City") and Southfork Partnership (hereinafter "Southfork") on the date set forth below:

RECITAL

A. On August 16, 1989, City and Southfork entered into a Development Agreement regarding certain property included within the Southeast Roseville Specific Plan. The Agreement was recorded at Page 1, et seq., Book 3717 of the Official Records of Placer County on September 20, 1989.

B. On July 3, 1991, pursuant to Resolution No. 91-166 City amended the Southeast Roseville Specific Plan and, in accordance with CEQA (Section 21000 et seq. of the Public Resources Code), adopted a Negative Declaration with respect to any environmental impacts related thereto.

C. City and Southfork wish to amend the Development Agreement to conform to the Specific Plan, as amended.

D. Such an amendment is authorized pursuant to Section 1.E. of the Development Agreement and Section 65868 of the Government Code of the State of California.

6/11/91

SF91037

E. The Property subject to this Amendment is described in Exhibit A-1 and shown on Exhibit A-2, both attached hereto and incorporated by this reference. All such Property is owned by either Southfork or the City.

NOW, THEREFORE, City and Southfork agree as follows:

1. The prior Exhibit A-1, page 4 of 34, is superseded and is amended by substitution herewith and Exhibit A-1, page 4 of 34 (Revised 6/91), attached hereto, is substituted therefor.

2. The prior Exhibit A-1, page 29 of 34, is superseded and is amended by substitution herewith and Exhibit A-1, page 29 of 34 (Revised 6/91), attached hereto, is substituted therefor.

3. The prior Exhibit A-2, to the extent it describes the Property subject to this Agreement, is superseded and is amended by substitution herewith and Exhibit A-2 (Revised 8/91), attached hereto, is substituted therefor.

4. The prior Exhibit C is superseded and is amended by substitution herewith and Exhibit C (Revised 8/91), attached hereto, is substituted therefor.

5. The prior Exhibit D is superseded and is amended by substitution herewith and Exhibit D (Revised 8/91), attached hereto, is substituted therefor.

6. With respect to land subject to the Development Agreement which is not part of the Property subject to this Amendment, the Development Agreement shall continue to apply (except to the extent that portions of such land have been terminated as provided in Section 1.B.1 and 1.B.3 of such Agreement).

6/11/91

SF91037

7. All provisions of the Development Agreement not otherwise inconsistent with this Amendment, are and shall remain in full force and effect with respect to the Property. Such provisions are herewith re-enacted, adopted, approved and ratified herewith as if fully set forth herein. Adoption of this Amendment and the readoption and ratification are consistent with the Roseville General Plan, the Southeast Roseville Specific Plan as amended and the EIR certified by the City of Roseville on April 20, 1988.

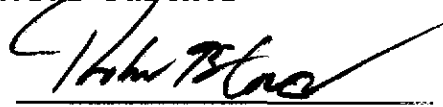
Approved and adopted pursuant to Ordinance No. 2449, this 7th day of November, 1991.

FOR SOUTHFORK:

By: SOUTHFORK PARTNERSHIP, a California General Partnership

By: COKER-EWING COMPANY, L.P., a California Limited Partnership, General Partner

By: COKER DEVELOPMENT, INC., a California corporation, General Partner

By: 
ROBERT B. COKER, JR.,
President

By: EWING DEVELOPMENT, INC., a California corporation, General Partner

By: 
HARRY W. EWING,
President

6/11/91

SF91037

By: HOME CAPITAL CORPORATION,
a California corporation,
General Partner

By: Donald R. Faye
DONALD R. FAYE, SR. VICE PRESIDE

By: William A. Dani
WILLIAM A. DANI, CHIEF FINANCIAL OFFICER

FOR THE CITY OF ROSEVILLE:

By: Allen Johnson
ALLEN JOHNSON,
City Manager

ATTEST:

Helen Florance
HELEN FLORANCE,
City Clerk

APPROVED AS TO FORM:

Michael Dean
MICHAEL DEAN,
City Attorney

6/11/91

SF91037

0902 0000 0011 0102

5

STATE OF CALIFORNIA

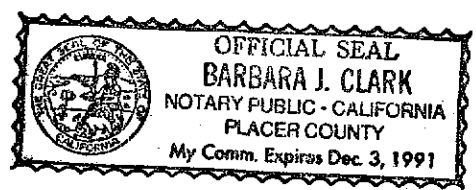
COUNTY OF Placer

On August 12, 1991, before me, the undersigned notary public, personally appeared ROBERT B. COKER, JR.,

personally known to me
 proved to me on the basis of satisfactory evidence

to be the persons who executed this instrument as President and Vice President on behalf of COKER DEVELOPMENT, INC., the corporation therein named, the corporation being one of the partners of COKER-EWING COMPANY, L.P., the limited partnership therein named, such limited partnership being one of the partners of SOUTHFORK PARTNERSHIP, the partnership that executed the within instrument, and acknowledged to me that COKER DEVELOPMENT, INC., executed it as the partner of COKER-EWING COMPANY, L.P., that COKER-EWING COMPANY, L.P. executed it as the partner of SOUTHFORK PARTNERSHIP, and that SOUTHFORK PARTNERSHIP executed it.

Barbara J Clark
NOTARY PUBLIC



STATE OF CALIFORNIA

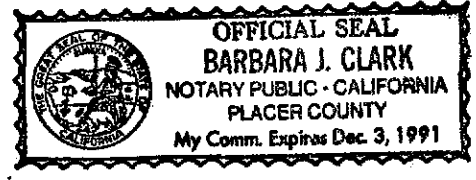
COUNTY OF Placer

On August 12, 1991, before me, the undersigned notary public, personally appeared HARRY W. EWING,

personally known to me
 proved to me on the basis of satisfactory evidence

to be the person who executed this instrument as President and Vice President on behalf of EWING DEVELOPMENT, INC., the corporation therein named, the corporation being one of the partners of COKER-EWING COMPANY, L.P., the limited partnership therein named, such limited partnership being one of the partners of SOUTHFORK PARTNERSHIP, the partnership that executed the within instrument, and acknowledged to me that EWING DEVELOPMENT, INC., executed it as the partner of COKER-EWING COMPANY, L.P., that COKER-EWING COMPANY, L.P. executed it as the partner of SOUTHFORK PARTNERSHIP, and that SOUTHFORK PARTNERSHIP executed it.

Barbara J Clark
NOTARY PUBLIC



6/11/91

SF91037

STATE OF CALIFORNIA

COUNTY OF San Diego

On August 9, 1991, before me, the undersigned notary public personally appeared Donald R. Faye and William A. Dani

personally known to me
 proved to me on the basis of satisfactory evidence

to be the persons who executed this instrument as Project Manager and Vice President on behalf of HOME CAPITAL CORPORATION, the corporation therein named, the corporation being one of the partners of SOUTHFORK PARTNERSHIP, the partnership that executed the within instrument, and acknowledged to me that HOME CAPITAL CORPORATION executed it as the partner of SOUTHFORK PARTNERSHIP, and that SOUTHFORK PARTNERSHIP executed it.

Connie M. Ybarondo
NOTARY PUBLIC



STATE OF CALIFORNIA

COUNTY OF Placer

On November 7, 1991, before me, the undersigned notary public, personally appeared ALLEN JOHNSON ,

personally known to me
 proved to me on the basis of satisfactory evidence

to be the person who executed it as City Manager on behalf of THE CITY OF ROSEVILLE, and acknowledged to me that he executed it, and that the CITY OF ROSEVILLE executed it.

Helen Florance
Notary Public



6/11/91

SF91037



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax: 916/567-0120

June 1991
85-0032

**SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 19**

All that certain real property situate in the City of Roseville,
County of Placer, State of California, described as follows:

Lot 19 as said lot is shown and so designated on that certain Plat
entitled "Johnson Ranch South Central" filed in Book 26 of
Maps, at Page 149, Official Records of said County.

Exhibit A-1
Page 4 of 34
(Amended 6/91)



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax: 916/454-0120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 42A.

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 42A, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 15 of 34

0902 0000 0011 0106

9



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-1100
Fax 916/454-1120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 42B

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 42B, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 16 of 34

09:02 0000 0013 0107



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/452-0120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 43

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 43, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 17 of 34

0902 0000 0011 0108



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-0120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 44

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 44, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 18 of 34

July 25, 1989
85-0032

MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-0120

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 45

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 45, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 19 of 34

01802 0000 0001 0130

July 25, 1989
85-0032

MORTON & PITALO, INC.
Civil Engineering Planning Survey
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-0120

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 46

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 46, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

July 25, 1989
85-0032

MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax: 916/454-0120

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 47

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 47, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 21 of 34

FROM: COCKER-EWING COMPANY

TO:

9164893030

JUN 24, 1991

3:35PM

July 25, 1989
85-0032

MORTON & FINEBERG
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9000
Fax 916/454-0120

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 3A

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 3A, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-0120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 55

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 55, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-0120

July 25, 1985
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 64.

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 64, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1788 Tribute Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax: 916/567-0120

June 1991
85-0032

**SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 80**

All that certain real property situate in the City of Roseville,
County of Placer, State of California, described as follows:

Lot 80 as said lot is shown and so designated on that certain Plat
entitled "Johnson Ranch South Central" filed in Book 26 of
Maps, at Page 149, Official Records of said County.

Exhibit A-1
Page 29 of 34
(Amended 6/91)



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9200
Fax 916/454-0120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 81

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 81, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch South Central", filed in Book P of Maps, at Page 94 Office
Records of said County.



MORION & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax: 916/454-0120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 82

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 82, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 31 of 34



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-4120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 83

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 83, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 32 of 34

0902 0000 0011 0118

July 25, 1989
85-0032

II
MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-0120

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 84

All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 84, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 33 of 34

0902 0000 0011 0120

23



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1430 Alhambra Blvd., Suite 200
Sacramento, Ca 95816
916/454-9600
Fax 916/454-0120

July 25, 1989
85-0032

SOUTHEAST ROSEVILLE SPECIFIC PLAN
PARCEL 85

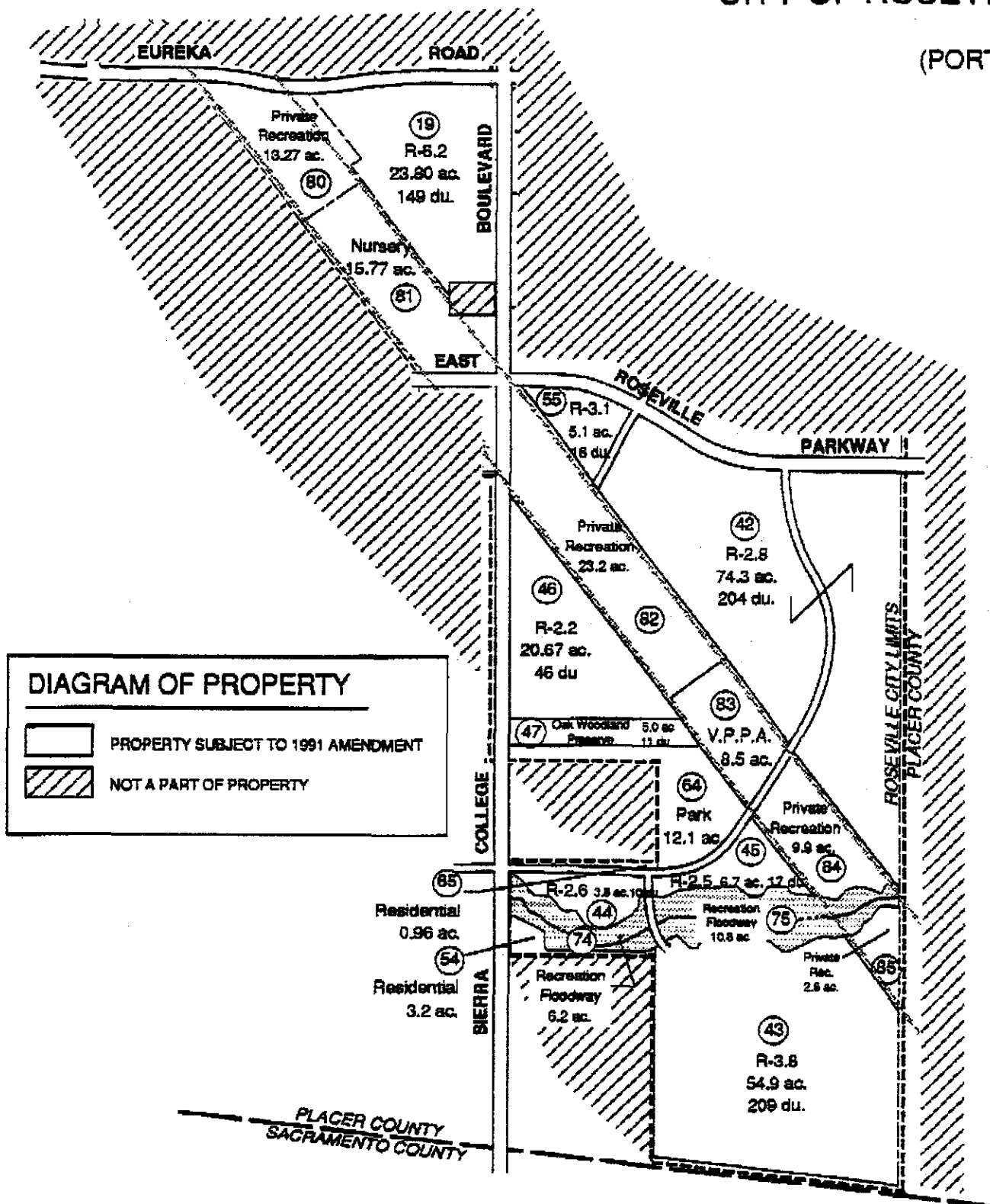
All that certain real property situate in the City of Roseville, County of Placer,
State of California, described as follows:

Lot 85, as said lot is shown and so designated on that certain plat entitled
"Johnson Ranch East Unit No. 2", filed in Book Q of Maps, at Page 13 Official
Records of said County.

Exhibit A-1
Page 34 of 34

SOUTHEAST ROSEVILLE SPECIFIC PLAN CITY OF ROSEVILLE

(PORTION)

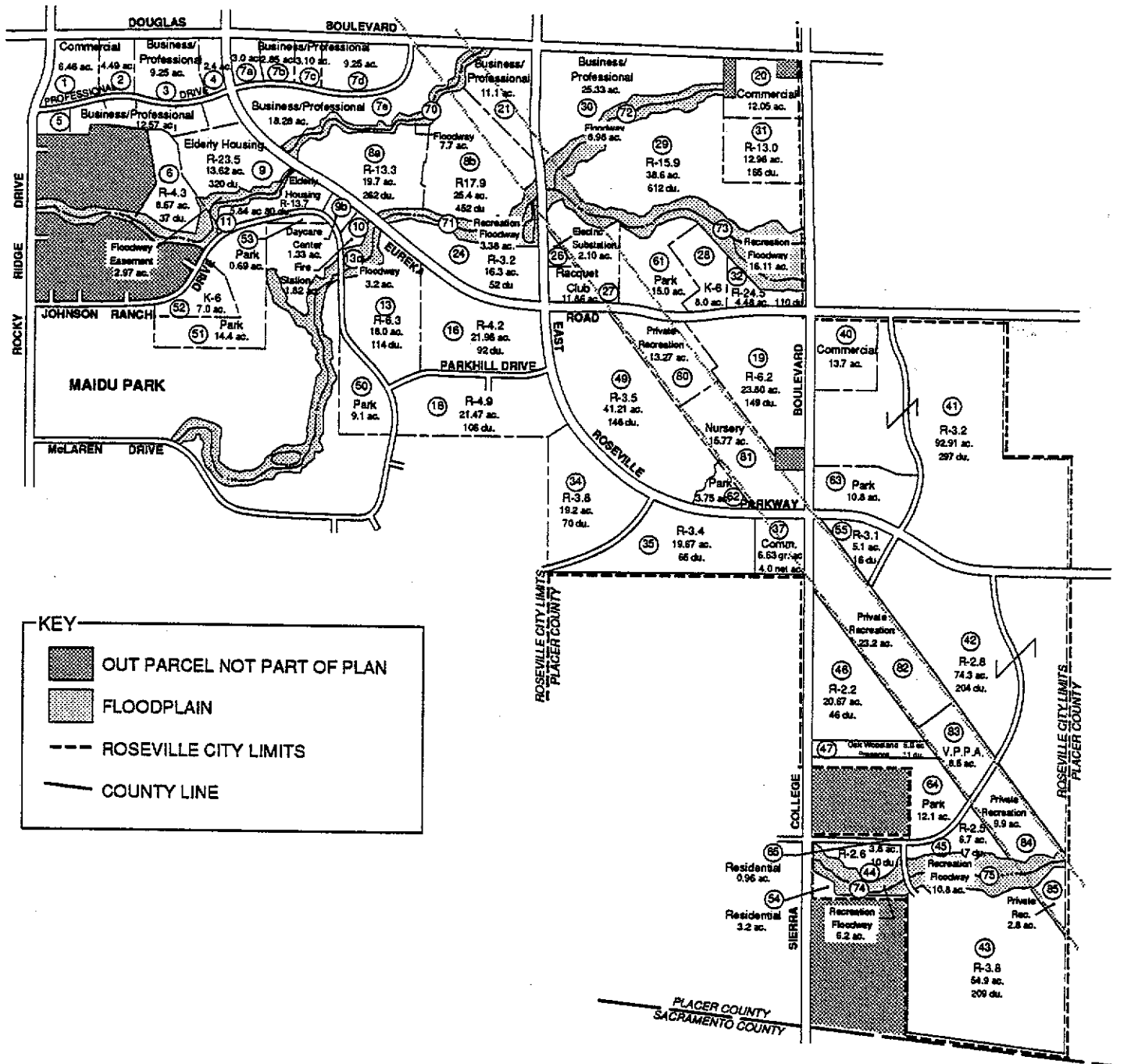


**EXHIBIT A-2
(AMENDED 8/91)**

SOUTHEAST ROSEVILLE SPECIFIC PLAN

CITY OF ROSEVILLE

1991 AMENDMENT



SCHEMATIC DEVELOPMENT PLAN EXHIBIT C (AMENDED 8/91)

Land Use
1991 Amendment

PARCEL	LAND USE	ACRES	UNITS	PARCEL	LAND USE	ACRES	UNITS
1	Commercial	6.46		40	Commercial	13.70	
2	Commercial	4.49		41	Residential	92.91	297
3	Business/Professional	9.25		42	Residential	74.30	204
4	Business/Professional	2.47		43	Residential	54.90	209
5	Business/Professional	12.57		44	Residential	3.80	10
6	Residential	8.67	37	45	Residential	6.70	17
7(a)	Business/Professional	3.00		46	Residential	20.67	46
7(b)	Business/Professional	2.85		47	Oak Reserve/Residential	5.00	11
7(c)	Business/Professional	3.10		49	Residential	41.21	146
7(d)	Business/Professional	9.25		50	Maidu Park Addition	9.10	
7(e)	Business/Professional	18.28		51	Maidu Park Addition	14.40	
8(a)	Residential	19.70	262	52	School (K-6)	7.00	
8(b)	Residential	25.40	452	53	Maidu Park Addition	0.69	
9	Elderly Housing	13.62	320	54	Residential	3.20	0
9(b)	Daycare Facility	1.33		55	Residential	5.10	16
10	Fire Station 1	1.82		61	Park	15.00	
11	Elderly Housing	5.84	80	62	Park	3.75	
13	Residential	18.04	114	63	Park	10.80	
13(d)	Floodway	3.20		64	Park	12.10	
16	Residential	21.96	92	65	Residential	0.96	0
18	Residential	21.47	106	70	Floodway	7.76	
19	Residential	23.80	149	71	Recreation Floodway	3.38	
20	Commercial	12.05		72	Floodway	8.98	
21	Business/Professional	11.10		73	Recreation Floodway	16.11	
24	Residential	16.30	52	74	Recreation Floodway	6.20	
26	Electrical Substation	2.10		75	Recreation Floodway	10.80	
27	Racquet Club	11.86		80	Private Recreation	13.27	
28	School (K-6)	8.00		81	Whislie./Ret. Nursery	15.77	
29	Residential	38.60	612	82	Private Recreation	23.20	
30	Business/Professional	25.33		83	Vernal Pool Pres. Area	8.50	
31	Residential	12.69	165	84	Private Recreation	9.90	
32	Residential	4.48	110	85	Private Recreation	2.80	
34	Residential	19.25	70				
35	Residential	19.67	66				
37	Commercial	6.63			TOTAL	946.59	3,643

TABLE OF LAND USES
EXHIBIT D
(AMENDED 8/91)

0902 0000 0001 0124

CONSENT

We, the undersigned, have received the above First Amendment to Third Amended and Restated Development Agreement regarding Parcel 19 as described in Exhibit A-1 and as shown on Exhibit A-2 of such Amendment, and hereby consent to its recordation against the subject property defined therein.

Date: August 2, 1991

BANK OF AMERICA NT&SA

By: *[Signature]*
JOHN W. WEUBBE
Title: VICE PRESIDENT

BY: *[Signature]*
JANET L. COX
TITLE: ASSISTANT VICE PRESIDENT

STATE OF CALIFORNIA

COUNTY OF _____

(SEE ATTACHED)

On _____, 1991, before me, the undersigned notary public, personally appeared _____,

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person who executed this instrument.

Notary Public

ACKNOWLEDGMENT

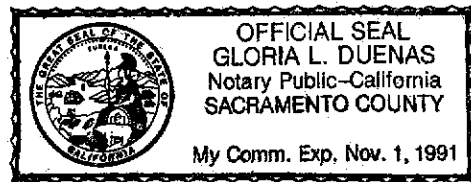
STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO)

On August 2, 1991 before me, Gloria L. Duenas, a Notary Public in and for the State of California, personally appeared John W. Weubbe and Janet L. Cox, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Gloria L. Duenas

(Signature)



(Space above for official notarial seal)

CONSENT

We, the undersigned, have received the above First Amendment to Third Amended and Restated Development Agreement regarding Parcels 42A, 42B, 43, 44, 45, 46, 47, 54, 55, 64, 82, 83, 84 and 85 as described on Exhibit A-2 of such Amendment, and hereby consent to its recordation against the subject property defined therein.

Date: July 31, 1991

SECURITY PACIFIC NATIONAL BANK

By: Marilyn De Puy
Title: VICE PRESIDENT

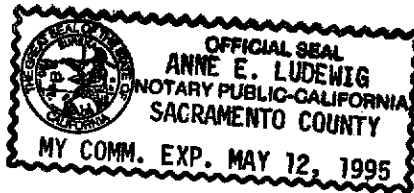
STATE OF CALIFORNIA
COUNTY OF Sacramento

On July 31, 1991, before me, the undersigned notary public, personally appeared Marilyn De Puy,

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person who executed this instrument.

Anne E. Ludewig
Notary Public
Anne E. Ludewig



ORDINANCE NO. 2449

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE
ADOPTING THE FIRST AMENDMENT TO THE THIRD AMENDED
AND RESTATED DEVELOPMENT AGREEMENT WITH SOUTHFORK
PARTNERSHIP (SOUTHEAST ROSEVILLE 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 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 the First Amendment to the Third Amended and Restated Development Agreement for a portion of property within the Southeast Roseville Specific Plan area.

SECTION 2. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the First Amendment to the Third Amended and Restated Development Agreement for a portion of property within the Southeast Roseville Specific Plan area, known as Parcels 19 and 80, and makes the following findings:

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

SECTION 3. The First Amendment to the Third Amended and Restated Development Agreement by and between Southfork Partnership and the City of Roseville, relating to a portion of the Southeast Roseville Specific Plan area, is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

SECTION 4. The City Clerk is directed to record the executed Development Agreement Modification within 10 days of the execution of the agreement by the City Manager with the County Recorder's office of the County of Placer.

SECTION 5. This ordinance shall be effective at the expiration of 30 days from the date of its adoption, provided the General Plan Amendment, adopted by Resolution No. 91-165, and the Specific Plan Amendment, adopted by Resolution No. 91-167, first go into effect; and further provided no valid referendum regarding this Development Agreement amendment is filed with the City Clerk of the City during such 30-day period.

SECTION 6. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within 14 days after it is adopted in a newspaper of general circulation in the City, or shall within 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 4th day of September, 1991, by the following vote on roll call:

AYES COUNCILMEMBERS: Bill Santucci, Harry Crabb, Jr., John Byouk
Mel Hamel, Pauline Roccucci

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: None

Pauline Roccucci
MAYOR

ATTEST:

Helene 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

Elly Sinter
DEPUTY CLERK