

Recording Requested by

CITY OF ROSEVILLE

When Recorded Mail to:

City Clerk
City of Roseville
2000 Hilltop Circle
Roseville, CA 95747

Exempt from recording fees
pursuant to Govt. Code 27383



PLACER, County Recorder
JIM MCCAULEY Co Recorder Office
DOC- 2001-0022571

Friday, MAR 16, 2001 09:26:20

NOC \$0.00

Ttl Pd \$0.00

Nbr-0000421670

Jlf/R1/1-18

Title:

TWELFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND PETER P. BOLLINGER INVESTMENT CO., AND FOLSOM CENTRAL LLC, RELATIVE TO THE DEVELOPMENT KNOWN AS REGIONAL 65 CENTRE

The Mountain

*for
copy doc. Folsom Central LLC
& Peter P. Bollinger Investment Co.*

FILED

APR 19 2001

CITY OF ROSEVILLE

BY _____

*CF: 0401-03-09 #15
Shelley Elliott / Landmarks
North Central Road Springfield*

[Handwritten signature]

TWELFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND PETER P. BOLLINGER INVESTMENT CO., AND FOLSOM CENTRAL LLC, RELATIVE TO THE DEVELOPMENT KNOWN AS REGIONAL 65 CENTRE

(Parcels 38,39A, 39B)

THIS TWELFTH AMENDMENT to the Development Agreement relative to the development known as Regional 65 Centre is entered into on the date set forth below, by and between the CITY OF ROSEVILLE, a municipal corporation ("City"), and PETER P. BOLLINGER INVESTMENT CO., a California Limited Partnership, 62% undivided interest, and FOLSOM CENTRAL LLC, a California Limited Liability Company, 38% undivided interest, hereinafter collectively "Developer," pursuant to the authority of Sections 65864 through 65869.5 of the Government Code of California.

RECITALS

1. Roseville Investment Partners, Ltd., a Texas Limited Partnership ("RPIP"), and City entered into a Development Agreement regarding certain property known as Regional 65 Centre (the "Development Agreement"), which was approved by the City Council of City on September 5, 1990 and which was recorded on October 16, 1990 in the Official Records of Placer County as Instrument No. 90-67309.

2. On September 20, 1995, City and RPIP, by Ordinance No. 2917, entered into the First Amendment of the Development Agreement (the "First Amendment"). The First Amendment was recorded on November 7, 1995, in the Official Records of Placer County as

Instrument No. 95-059717.

3. On October 4, 1995, City and RPIP, by Ordinance No. 2921, entered into the Second Amendment of the Development Agreement (the "Second Amendment"). The Second Amendment was recorded on November 7, 1995, in the Official Records of Placer County as Instrument No. 95-059585.

4. On December 6, 1996, City and RPIP, by Ordinance No. 2937, entered into the Third Amendment of the Development Agreement (the "Third Amendment"). The Third Amendment was recorded on January 12, 1996, in the Official Records of Placer County as Instrument No. 96-002-015.

5. On February 5, 1996, by Ordinance No. 2955, City and RPIP entered into the Fourth Amendment of the Development Agreement (the "Fourth Amendment"). The Fourth Amendment was recorded on February 9, 1996, in the Official Records of Placer County as Instrument No. 96-007432.

6. On June 23, 1997, by Ordinance No. 3108, City and RPIP entered into the Fifth Amendment of the Development Agreement (the "Fifth Amendment"). The Fifth Amendment was recorded on October 30, 1997, in the Official Records of Placer County as Instrument No. 97-0067514-00.

7. On September 2, 1998 by Ordinance No. 3261, City and RPIP entered into the Sixth Amendment of the Development Agreement (the "Sixth Amendment"). The Sixth Amendment was recorded on March 5, 1999, in the Official Records of Placer County as Instrument No. 99-0020245.

8. On November 4, 1998, by Ordinance No. 3280, City and RPIP entered into the Seventh Amendment of the Development Agreement (the "Seventh Amendment"). The Seventh

Amendment was recorded on March 5, 1999, in the Official Records of Placer County as Instrument No. 99-0020246.

9. On May 17, 2000, by Ordinance No. 3516, City and RPIP entered into the Eighth Amendment of the Development Agreement (the "**Eighth Amendment**"). The Eighth Amendment was recorded on June 21, 2000, in the Official Records of Placer County as Instrument No. 2000-0044211.

10. On February 9, 2000, by Ordinance No. 3469, City and RPIP entered into the Ninth Amendment of the Development Agreement (the "**Ninth Amendment**"). The Ninth Amendment was recorded on March 27, 2000, in the Official Records of Placer County as Instrument No. 00-0019534.

11. On July 19, 2000, by Ordinance No. 3551, City and RPIP entered into the Tenth Amendment of the Development Agreement (the "**Tenth Amendment**"). The Tenth Amendment was recorded on September 28, 2000, in the Official Records of Placer County as Instrument No. 2000-0071888.

12. On November 15, 2000, by Ordinance No. 3589, City and RPIP entered into the Eleventh Amendment of the Development Agreement (the "**Eleventh Amendment**"). The Eleventh Amendment was recorded on December 29, 2000, in the Official Records of Placer County as Instrument No. 2000-0101231

13. Developer is the successor in interest to RPIP as to Parcels 38, 39A and 39B which comprise a portion of the property subject to the Development Agreement, as amended.

14. City and Developer wish to further amend the Development Agreement to provide for the realignment of Diamond Oaks Road and construction of the intersection of Reserve Drive

REC'D 2000 10 4 110

and the realigned Diamond Oaks Road, consistent with the Major Project Permit, Stage One, approved by the City for said Parcels.

15. This Amendment is authorized by Section 1.E of the Development Agreement and Section 65868 of the Government Code of the State of California.

16. The property subject to this Amendment, NCRSP Parcels 38, 39A and 39B, is described in Exhibit A-1 and shown on Exhibit A-2, attached hereto and incorporated herein by reference (hereinafter, the "Property").

AGREEMENT

NOW, THEREFORE, City and Developer agree as follows:

1. Amendment of Development Agreement. The following recitals and sections of the Development Agreement are hereby amended as follows:

a. Revised Recital 6 (Entitlements). The following is hereby added as an additional entitlement that is intended to be vested by the terms and provisions of the Development Agreement as part of the Permitted Uses for the benefit of the Property:

"F. The Major Project Permit, Stage One, approved by the Planning Commission, dated October 26, 2000 (the "MPP")."

b. New Section 3.B.8 (Reserve Drive and Diamond Oaks Road). The Development Agreement is amended to include the following Section 3.B.8:

"3.B.8.a. Reserve Drive and Diamond Oaks Road Prior to First Occupancy of Phase I. Developer shall realign Diamond Oaks Road, and construct the new intersection (roundabout) of Diamond Oaks Road and Reserve Drive, concurrently with its construction

of Phase I of the project, all as described in the MPP and as generally shown on Exhibit B attached hereto and made a part hereof. Developer shall not be required to relocate any utilities which exist in such portion of Diamond Oaks Road as currently constructed. Developer shall be reimbursed by City for any costs incurred for such realignment of Diamond Oaks Road (but not construction of the roundabout) in excess of \$55,000.00.

“3.B.8.b. Dedication of Right-of-Way for Diamond Oaks Road and Reserve Drive. On the effective date of this Amendment, Developer shall dedicate to City the right-of-way located within the Property for the realignment of Diamond Oaks Road and the intersection (roundabout) of the realigned Diamond Oaks Road and Reserve Drive, as generally shown on Exhibit B. City shall abandon the right-of-way for the current area of Diamond Oaks Road to be realigned, provided that City shall retain an easement for the existing utilities, and the project shall be designed so as to assure City access to such utilities for maintenance purposes.

“3.B.8.c. Traffic Barriers. City agrees that it shall not construct or maintain any barrier or take any other action which in any way prevents or limits southwesterly-bound traffic exiting the regional mall site (“the Galleria”) from entering the Property through the intersection of Reserve Drive and Roseville Parkway (the “Intersection”), or which in any way prevents or limits northeasterly-bound traffic exiting the Property from entering the Galleria through the Intersection. Notwithstanding the foregoing, the City may suspend the provisions of this Section 3.B.8.c. if the City determines, based upon substantial evidence, that the failure of the City to do so would place the residents of the City in a condition dangerous to their health or safety.

"3.B.8.d. Construction Costs. Developer shall not be responsible for any costs associated with or incurred by the City for the acquisition of any additional right-of-way for, or the construction of, the Diamond Oaks Road/Reserve Drive extension to Berry Street or any other construction of the extension of Diamond Oaks Road or Reserve Drive outside the boundaries of the Property."

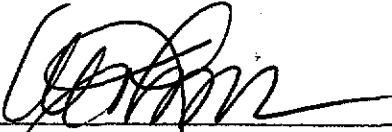
2. The property subject to this Amendment is and shall be Parcels 38, 39A and 39B of the North Central Roseville Specific Plan (as described on Exhibit A-1 and shown on Exhibit A-2) and no other property. With respect to land subject to the Development Agreement which is not part of the property subject to this Amendment, the Development Agreement, as amended, shall continue to apply (except to the extent that portions of such land have been terminated as provided in Section 1.B of such Agreement).

3. All provisions of the Development Agreement not otherwise inconsistent with this Amendment, are and shall remain in full force and effect. Such provisions are herewith reenacted, adopted, and approved and ratified herewith as if fully set forth herein. Adoption of this Amendment and the readoption and ratification of the Development Agreement, as amended hereby, are consistent with the Roseville General Plan, and North Central Roseville Specific Plan as amended, and the EIR certified by the City of Roseville on May 31, 1990, and all subsequent environmental actions and approvals of the City related thereto.

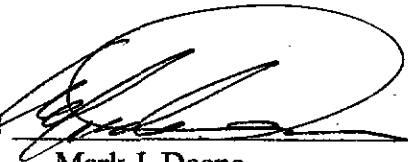
Approved and adopted pursuant to Ordinance No. 3603 this 20th day of December, 2000.

CITY:


CITY OF ROSEVILLE, a municipal corporation

By: 
Allen E. Johnson
City Manager

APPROVED AS TO FORM:

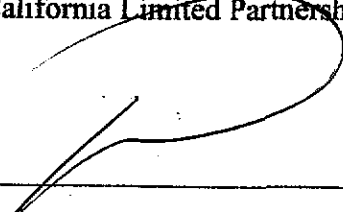
By: 
Mark J. Doane
City Attorney

ATTEST:

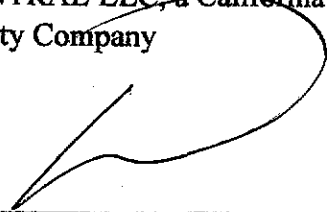
By: 
Carolyn Parkinson
City Clerk

DEVELOPER:

PETER P. BOLLINGER INVESTMENT CO., a California Limited Partnership

By: 
Its: _____

FOLSOM CENTRAL LLC, a California Limited Liability Company

By: 
Its: _____

STATE OF CALIFORNIA)
): ss.
COUNTY OF PLACER)

On this 6 day of March in the year of 2001, 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 Parkinson
Notary Public in and for said State



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

Title or Type of Document 12th Amendment to Devel. Agmt
Regional 65 Centre
Date of Document 3.5.01

Acknowledgment - All Purpose

STATE OF CALIFORNIA)
COUNTY OF Sacramento) ss.

On 2-26, 2000, before me, Renee Morgan the
undersigned, personally appeared Peter P. Bollinger

- () personally known to me
() 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 Renee Morgan



~~~~~

STATE OF CALIFORNIA )  
COUNTY OF Sacramento ) ss.

On 2-26, 2000, before me, Renee Morgan the  
undersigned, personally appeared Peter P. Bollinger

- ( ) personally known to me  
( ) 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 Renee Morgan



**EXHIBIT "A-1"**

**LEGAL DESCRIPTION  
NCRSP PARCEL 38**

All that certain real property situate, lying and being within the City of Roseville, County of Placer, State of California, described as follows:

Lot 38, as said lot is shown on map entitled "Regional 65 Centre", filed for record on September 25, 1990 in Book "R" of Maps, Page 24, Placer County Records.

Excepting therefrom all oil, gas, minerals, hydrocarbons and kindred substances lying below a depth of 500 feet as reserved in that certain deed recorded May 5, 1982 in Book 2497, page 696, and that certain deed recorded July 24, 1972 in Book 1432, at page 305, Placer County Records.

**EXHIBIT "A-1"**

**LEGAL DESCRIPTION  
NCRSP PARCEL 39A**

All that certain real property situate, lying and being within the City of Roseville, County of Placer, State of California, described as follows:

Lot 39A as said lot is shown on map entitled "Regional 65 Centre", filed for record on September 25, 1990 in Book "R" of Maps, page 24, Placer County Records.

Excepting therefrom all oil, gas, minerals, hydrocarbons and kindred substances lying below a depth of 500 feet as reserved in that certain deed recorded May 5, 1982 in Book 2497, page 696, and that certain deed recorded July 24, 1972 in Book 1432, at page 305, Placer County Records.

12

2008 0000 0000 0000

**EXHIBIT "A-1"**

**LEGAL DESCRIPTION**

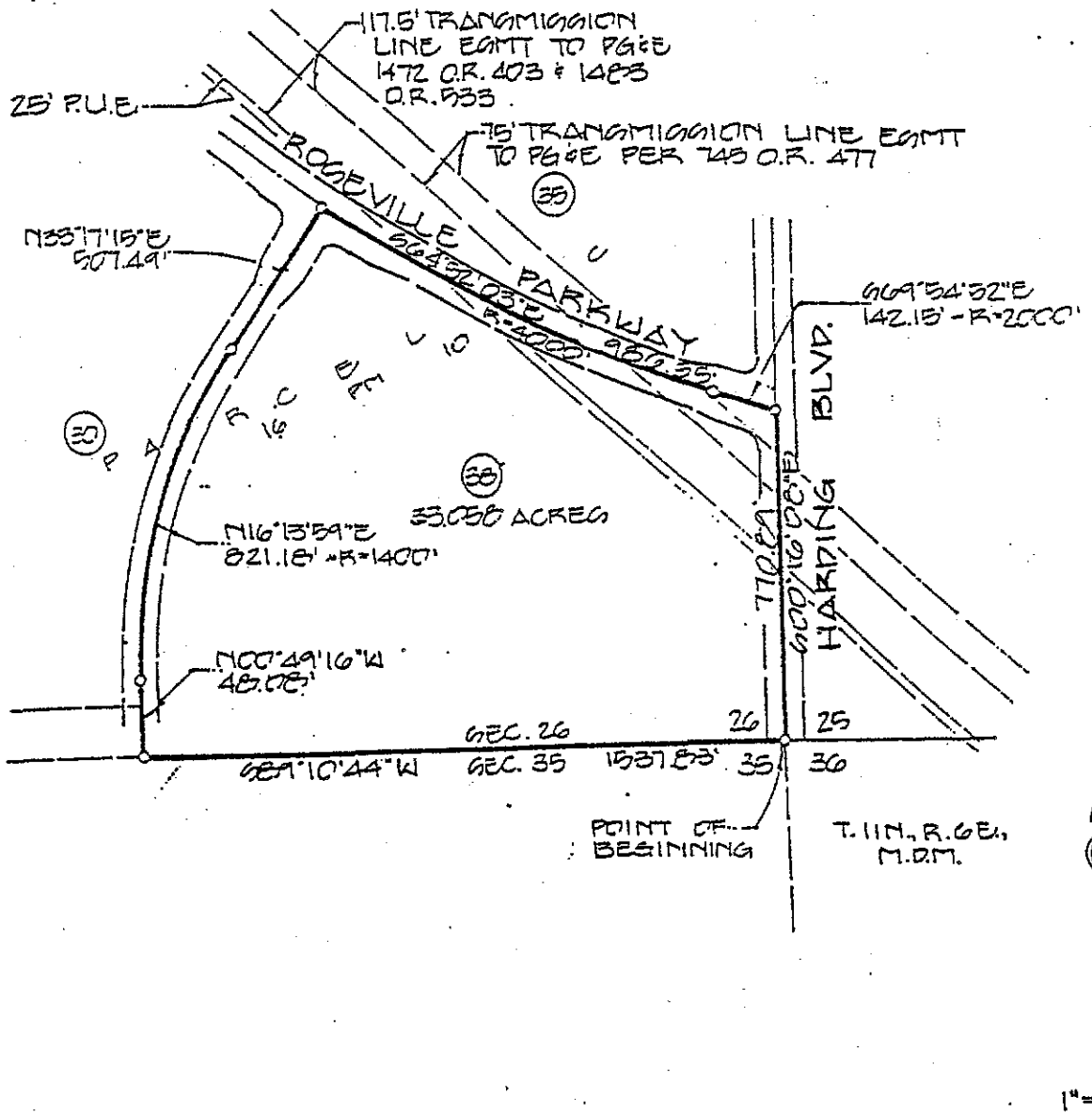
**NCRSP PARCEL 39B**

All that certain real property situate, lying and being within the City of Roseville, County of Placer, State of California, described as follows:

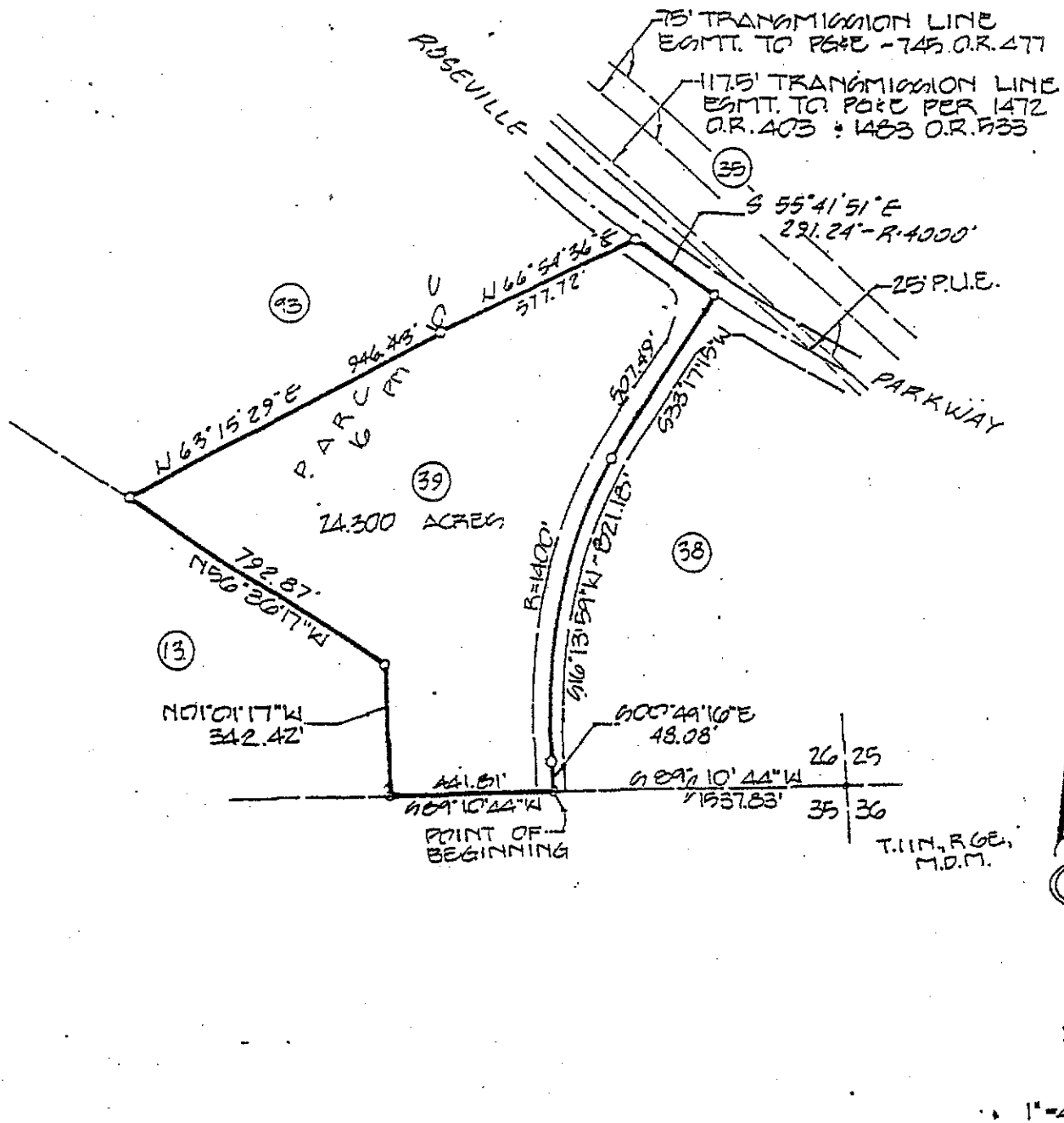
Lot 39B, as said lot is shown on map entitled "Regional 65 Centre", filed for record on September 25, 1990 in Book "R" of Maps, page 24, Placer County Records.


Excepting therefrom all oil, gas, minerals, hydrocarbons and kindred substances lying below a depth of 500 feet as reserved in that certain deed recorded May 5, 1982 in Book 2497, page 696, and that certain deed recorded July 24, 1972 in Book 1432, at page 305, Placer County Records.

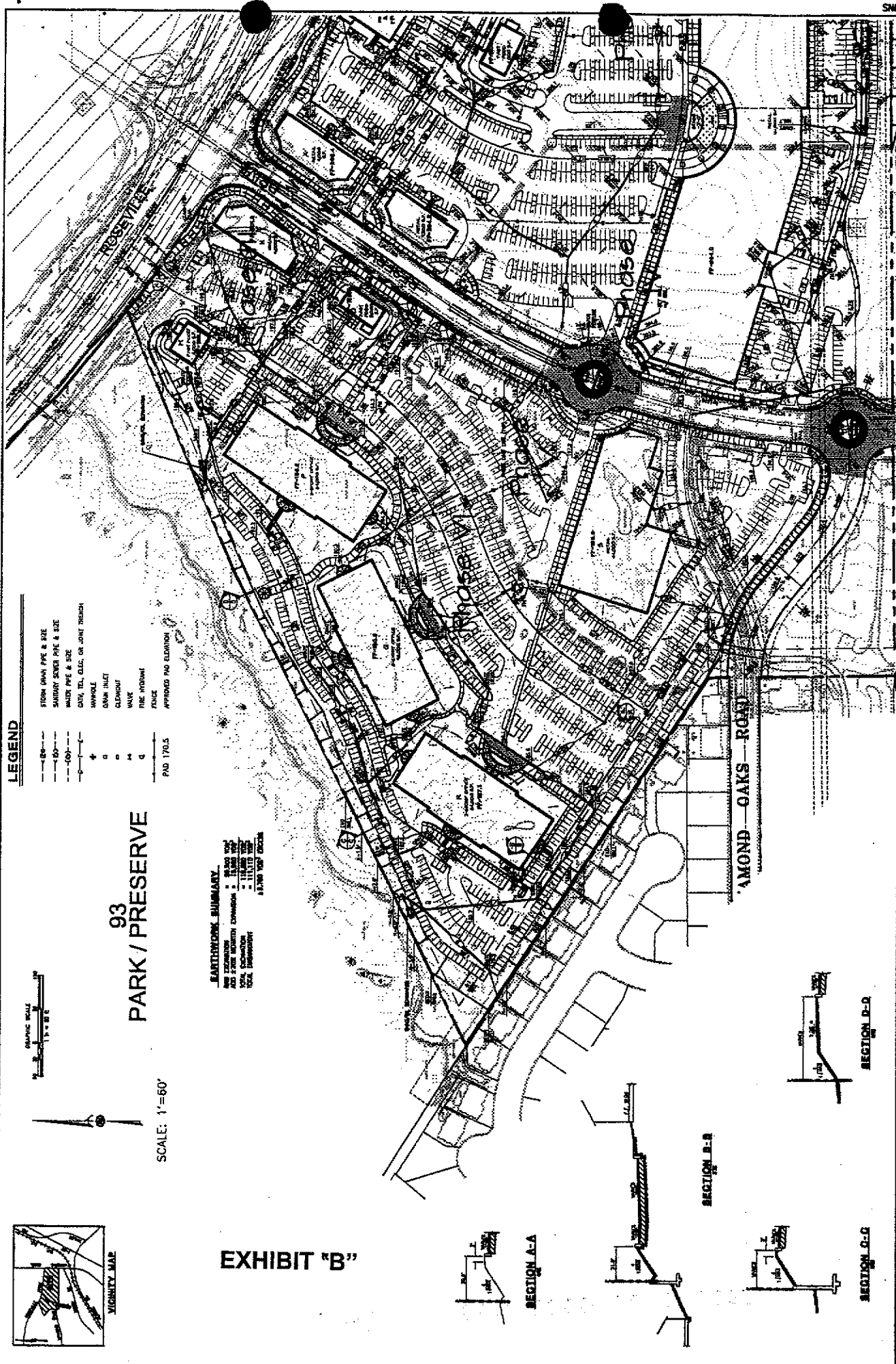
13  
2000 2000 2000 2000



|                                                                                                                                                                  |                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|  <b>MORTON &amp; PITALO, INC.</b><br>CIVIL ENGINEERING · PLANNING · SURVEYING | DATE<br>MAY, 1990  |
|                                                                                                                                                                  | JOB NO.<br>EAC0160 |
|                                                                                                                                                                  | <b>EXHIBIT A-2</b> |
| PROJECT NORTH CENTRAL ROSEVILLE - SPECIFIC PLAN -<br>PARCEL 35 (GROUP)                                                                                           | 1 of 2             |



|                                                                                                                                                                  |                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
|  <b>MORTON &amp; PITALO, INC.</b><br>CIVIL ENGINEERING · PLANNING · SURVEYING | DATE<br>MAY, 1990     |
|                                                                                                                                                                  | JOB NO.<br>890160     |
| PROJECT<br>NORTH CENTRAL ROSEVILLE SPECIFIC PLAN<br>PARCEL 39                                                                                                    | EXHIBIT A-2<br>2 of 2 |

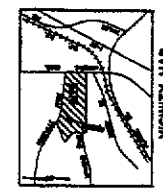


**LEGEND**

|     |                                 |
|-----|---------------------------------|
| --- | STORM DRAIN PIPE & SIZE         |
| --- | SEWER PIPE & SIZE               |
| --- | WATER PIPE & SIZE               |
| --- | DATA, TEL, ELEC. OR JUNKY TRUNK |
| +   | MANHOLE                         |
| o   | ORAIN VALVE                     |
| o   | CLEANOUT                        |
| o   | WALK                            |
| o   | FIRE HYDRANT                    |
| --- | FENCE                           |
| --- | APPROVED PAD ELEVATION          |
| --- | PAD 170.5                       |

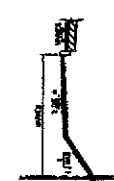
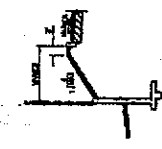
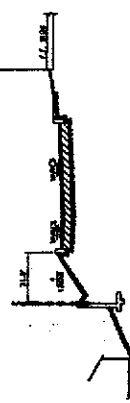
**93  
PARK / PRESERVE**

SCALE: 1"=60'



**STARTING POINT SUMMARY**  
 ALL DIMENSIONS IN FEET UNLESS NOTED OTHERWISE  
 TOTAL EXCAVATION: 11,140 SQ. FT.  
 TOTAL IMPROVEMENT: 11,790 SQ. FT.

**EXHIBIT "B"**



|                                                                                                                                                                                                                                             | <b>MORTON &amp; FITALO, INC.</b><br>CIVIL ENGINEERS • PLANNERS • SURVEYORS<br>100 W. WASHINGTON ST. • SUITE 100 • CHICAGO, ILL. 60601<br>TEL. (312) 467-1000 • FAX (312) 467-1001 |             | PROJECT NO. 93<br>SHEET C-2<br>OF C-2                 |       |        |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------|-------|--------|--------|-------|--|--|--|--|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------|-------|------|-------|--------|-------|--|--|--|--|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------|-------|------|-------|--------|-------|--|--|--|--|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------|-------|------|-------|--------|-------|--|--|--|--|--|--|--|
|                                                                                                                                                                                                                                             | THE FOUNTAINS<br>GRADING PLAN & UTILITY PLAN<br>CITY OF BARKLEY                                                                                                                   |             | DATE: JUL-15-2008<br>DRAWN BY: C-2<br>CHECKED BY: C-2 |       |        |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
| <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>APPD.</th> <th>DATE</th> <th>VERT.</th> <th>HORIZ.</th> <th>SCALE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> | NO.                                                                                                                                                                               | DESCRIPTION | APPD.                                                 | DATE  | VERT.  | HORIZ. | SCALE |  |  |  |  |  |  |  | <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>APPD.</th> <th>DATE</th> <th>VERT.</th> <th>HORIZ.</th> <th>SCALE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> | NO. | DESCRIPTION | APPD. | DATE | VERT. | HORIZ. | SCALE |  |  |  |  |  |  |  | <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>APPD.</th> <th>DATE</th> <th>VERT.</th> <th>HORIZ.</th> <th>SCALE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> | NO. | DESCRIPTION | APPD. | DATE | VERT. | HORIZ. | SCALE |  |  |  |  |  |  |  | <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>APPD.</th> <th>DATE</th> <th>VERT.</th> <th>HORIZ.</th> <th>SCALE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> | NO. | DESCRIPTION | APPD. | DATE | VERT. | HORIZ. | SCALE |  |  |  |  |  |  |  |
| NO.                                                                                                                                                                                                                                         | DESCRIPTION                                                                                                                                                                       | APPD.       | DATE                                                  | VERT. | HORIZ. | SCALE  |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                             |                                                                                                                                                                                   |             |                                                       |       |        |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
| NO.                                                                                                                                                                                                                                         | DESCRIPTION                                                                                                                                                                       | APPD.       | DATE                                                  | VERT. | HORIZ. | SCALE  |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                             |                                                                                                                                                                                   |             |                                                       |       |        |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
| NO.                                                                                                                                                                                                                                         | DESCRIPTION                                                                                                                                                                       | APPD.       | DATE                                                  | VERT. | HORIZ. | SCALE  |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                             |                                                                                                                                                                                   |             |                                                       |       |        |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
| NO.                                                                                                                                                                                                                                         | DESCRIPTION                                                                                                                                                                       | APPD.       | DATE                                                  | VERT. | HORIZ. | SCALE  |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                             |                                                                                                                                                                                   |             |                                                       |       |        |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |                                                                                                                                                                                                                                             |     |             |       |      |       |        |       |  |  |  |  |  |  |  |



ORDINANCE NO. 3603

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE  
ADOPTING A TWELFTH AMENDMENT TO DEVELOPMENT AGREEMENT WITH  
THE PETER P. BOLLINGER INVESTMENT CO. AND FOLSOM CENTRAL LLC, 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 Twelfth Amendment to Development Agreement with the Peter P. Bollinger Investment Co. and Folsom Central LLC, to alter and clarify provisions in the existing Development Agreement relating to North Central Roseville Specific Plan (The Fountains - Parcels 38, 39A, 39B).

SECTION 2. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the Twelfth Amendment to Development Agreement for the North Central Roseville Specific Plan, and makes the following findings:

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

SECTION 3. The Twelfth Amendment to Development Agreement by and between the Peter P. Bollinger Investment Co. and Folsom Central LLC and the City of Roseville, 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 Twelfth Amendment 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 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 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 20th day of December 2000, by the following vote on roll call:

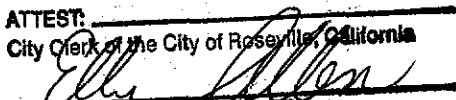
AYES            COUNCILMEMBERS: Earl Rush, Richard Roccucci, Rocky Rockholm, Claudia Gamar  
NOES            COUNCILMEMBERS: None  
ABSENT        COUNCILMEMBERS: Dan Goodhall

  
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