

SECOND AMENDMENT TO OFFSITE ROAD IMPROVEMENT AGREEMENT
FOR GREEN VALLEY ROAD, TM07-1440-R-2
BETWEEN COUNTY AND THE DEVELOPER

THIS SECOND AMENDMENT, to that certain Road Improvement Agreement (hereinafter referred to as the "Agreement"), made and entered by and between the **COUNTY OF EL DORADO**, a political subdivision of the State of California, (hereinafter referred to as "County"), and **SUMMERBROOK, EL DORADO, INC.**, a California corporation, duly qualified to conduct business in the State of California, whose principal place of business is 707 Aldridge Road, Suite B, Vacaville, California 95688 (hereinafter referred to as "Developer"). This Amendment concerns the offsite road and drainage improvements for the **Green Valley Road, TM07-1440-R-2 Project** (hereinafter referred to as "Project"); in accordance with the improvement plans entitled **Summer Brook – Unit 1 (Phase 1 & Phase 2)** and cost estimates prepared by CTA Engineering & Surveying, David Robert Crosariol, Registered Civil Engineer, and approved by Adam Bane, P.E., Senior Civil Engineer, El Dorado County Department of Transportation (hereinafter referred to as "Transportation").

RECITALS

WHEREAS, County, and Developer entered into that certain Road Improvement Agreement on September 28, 2021, and entered into the First Amendment to the Agreement on November 8, 2022, in connection with the Project, copy of which Agreement and First Amendment are incorporated herein and made by reference a part hereof; and

WHEREAS, Section 4, entitled TIME, of the Agreement, requires Developer to complete the offsite improvements thereunder on or before July 7, 2024, and Developer has not completed all of the improvements but has requested an extension of time to complete the improvements subject to the terms and conditions contained herein, to July 7, 2025;

NOW, THEREFORE, the parties hereto, in consideration of the recitals, terms and conditions herein, do hereby agree to amend the terms of the Agreement in this Second Amendment to read as follows:


I. Section 4 is amended to read as follows:

SECTION 4. TIME

Developer shall cause the commencement of items of work after County approved the Plans for the Project on July 7, 2021, and shall complete the Project no later than four (4) years from the date of approval of the plans, subject to extensions for delays not within the control of the Developer. Construction activities shall be between 7:00 a.m. and 7:00 p.m. Mondays through Fridays; and 8:00 a.m. and 5:00 p.m. on weekends and federally recognized holidays. Night work may be allowed within the County Right of Way with prior written approval.

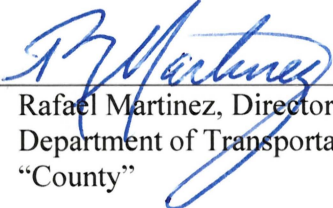
Except as herein amended, all other parts and sections of that certain Agreement dated September 28, 2021, shall remain unchanged and in full force and effect.

Requesting Contract Administrator Concurrence:

By: 
Adam Bane, P.E.
Supervising Civil Engineer
Transportation Planning
and Land Development
Department of Transportation

Dated: 5-21-24

Requesting Department Concurrence:

By: 
Rafael Martinez, Director
Department of Transportation
"County"

Dated: 5/21/24

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to that certain Road Improvement Agreement on the dates indicated below, the latest of which shall be deemed to be the effective date of this Agreement.

-- COUNTY OF EL DORADO --

By: _____

Dated: _____

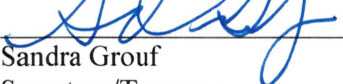
Board of Supervisors
"County"

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Dated: _____

-- SUMMERBROOK, EL DORADO, INC. --
-- a California Corporation --

By:  _____
Sandra Grouf
Secretary/Treasurer
Summerbrook, El Dorado, Inc.

Dated: 05/16/2024

Notary Acknowledgment Attached

OWNER

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Solano

On 5/16/2024 before me, Selina Y. Marcus, Notary Public,
(here insert name and title of the officer)

personally appeared Sandra Groub,

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Selina Y. Marcus



(Seal)