

FIFTH AMENDMENT TO
AGREEMENT TO MAKE SUBDIVISION IMPROVEMENTS
FOR CLASS 1 SUBDIVISION
BETWEEN COUNTY AND OWNER

THIS FIFTH AMENDMENT, to that certain Agreement to Make Subdivision Improvements for Class 1 Subdivision Between County and Owner (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 **LENNAR HOMES OF CALIFORNIA, LLC**, a California Limited Liability Company, duly qualified to conduct business in the State of California, whose principal place of business is 1025 Creekside Ridge Drive, Suite 240, Roseville, California 95678 (hereinafter referred to as “Owner”); concerning **HAWK VIEW – UNIT 1, TM 00-1371-R/TM 00-1371-E** (hereinafter referred to as “Subdivision”); the Final Map of which was filed with the El Dorado County Board of Supervisors on the 9th day of October, 2018.

RECITALS

WHEREAS, County, and Owner entered into that certain Subdivision Improvements Agreement on October 9, 2018, entered into the First Amendment to the Agreement on August 17, 2020, entered into the Second Amendment to the Agreement on September 28, 2021, entered into the Third Amendment to the Agreement on September 23, 2022, and entered into the Fourth Amendment to the Agreement on September 18, 2023, in connection with the Subdivision, copy of which Agreement, First Amendment, Second Amendment, Third Amendment, and Fourth Amendment are incorporated herein and made by reference a part hereof (hereinafter referred to as “Agreement”);

WHEREAS, the Agreement, as amended, requires Owner to complete the subdivision improvements thereunder on or before October 9, 2024, and Owner has not completed all of the improvements but has requested an extension of time to complete the subdivision improvements on or before October 9, 2025, subject to the terms and conditions contained herein;

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 Fifth Amendment to read as follows:

I. Section 3 is hereby amended to read as follows:

3. Complete the Subdivision improvements contemplated under this Agreement on or before October 9, 2025.

Except as herein amended, all other parts and sections of that certain Agreement dated October 9, 2018, 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: 9-20-24

Requesting Department Concurrence:

By: 
Rafael Martinez, Director
Department of Transportation

Dated: 9/24/24

IN WITNESS WHEREOF, the parties hereto have executed this Fifth Amendment to that certain Subdivision 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: Wendy Thomas

Dated: 9-30-24

Board of Supervisors
"County"

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: [Signature]
Deputy Clerk

Dated: 9-30-24

--LENNAR HOMES OF CALIFORNIA, LLC--
-- a California limited liability company --

Lennar Homes of California, LLC,
a California limited liability company
A successor-in-interest by conversion to Lennar Homes of California, Inc.

By: [Signature]

Dated: 9/19/24

Larry Gualco
Sr. Vice President
"Owner"

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 Placer

On September 19, 2024 before me, Jessica D. Granzella, Notary Public,
(insert name and title of the officer)

personally appeared

Larry Gualco

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 Jessica D. Granzella



(Seal)