

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

THIS THIRD 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 **PROMONTORY CONSTRUCTION COMPANY, LLC**, a California limited liability company duly qualified to conduct business in the State of California, whose principal place of business is 7919 Folsom Boulevard, Suite 300, Sacramento, California 95826 (hereinafter referred to as "Owner"); concerning **PROMONTORY VILLAGE 7 - UNIT 5, TM 16-1530** (hereinafter referred to as "Subdivision"); the Final Map of which was filed with the El Dorado County Board of Supervisors on the 20th day of April, 2021.

RECITALS

WHEREAS, County, and Owner entered into that certain Subdivision Improvements Agreement on April 20, 2021, entered into the First Amendment to the Agreement on November 8, 2022, and entered into the Second Amendment to the Agreement on March 13, 2024, in connection with the Subdivision, copies of which Agreement, First Amendment, and Second Amendment are incorporated herein and made by reference a part hereof (hereinafter referred to as "Agreement"); and

WHEREAS, the Agreement, as amended, requires Owner to complete the subdivision improvements thereunder on or before April 20, 2025, and Owner has not completed all of the improvements but has requested an extension of time to complete the subdivision improvements on or before April 20, 2026, 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 Third Amendment to read as follows:

I. Section 3 is amended to read as follows:

3. Complete the Subdivision improvements contemplated under this Agreement on or before April 20, 2026.

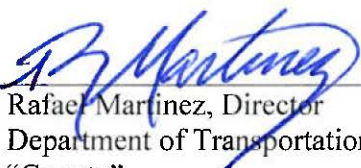
Except as herein amended, all other parts and sections of that certain Agreement dated April 20, 2021, shall remain unchanged and in full force and effect.

Requesting Contract Administrator Concurrence:

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

Dated: 3-3-25

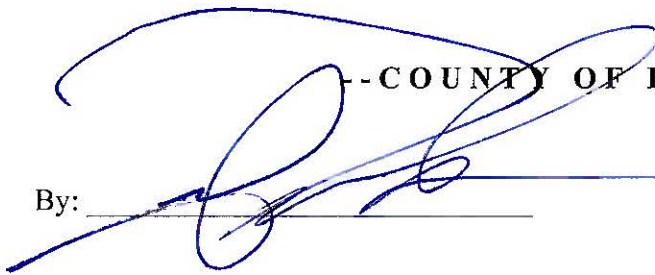
Requesting Department Concurrence:

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

Dated: 3/4/25

IN WITNESS WHEREOF, the parties hereto have executed this Third 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:  _____

Dated: 3-5-25

Board of Supervisors
"County"

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By:  _____
Deputy Clerk

Dated: 3-5-25

--PROMONTORY CONSTRUCTION COMPANY, LLC--
--a California Limited Liability Company--

By: AKT Development Corporation
a California Corporation
its Manager

By:  _____
Ron Bertolina
General Counsel
"Owner"

Dated: 2-27-25

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 Sacramento

On Feb 27, 2025 before me, Cristina Marcu, Notary Public
(insert name and title of the officer)

personally appeared

Ron Bertolina

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 Cristina Marcu

(Seal)