

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

THIS NINTH 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 **SILVER SPRINGS EL DORADO COUNTY, INC.**, a corporation, duly qualified to conduct business in the State of California, whose principle place of business is 707 Aldridge Road, Suite B, Vacaville, California 95688 (hereinafter referred to as “Owner”); concerning **SILVER SPRINGS, UNIT 1** (hereinafter referred to as “Subdivision”); the Final Map of which was filed with the El Dorado County Board of Supervisors on the 26th day of September, 2006.

RECITALS

WHEREAS, County and Silver Springs El Dorado County, Inc. entered into that certain Subdivision Improvements Agreement on September 26, 2006, in connection with the Subdivision, thereafter amended on July 17, 2007, April 6, 2010, May 14, 2013, November 5, 2013, September 16, 2014, October 13, 2015, November 10, 2016, and February 26, 2019 copies of which Agreement, as amended, is incorporated herein and made by reference a part hereof (herein after referred to as “Agreement”);

WHEREAS, the Agreement, as amended, requires Owner to complete the subdivision improvements thereunder on or before September 24, 2020, and Owner has not completed all of the improvements, but Owner has requested an extension of time to complete the subdivision improvements subject to the terms and conditions contained herein, to September 24, 2021;

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 Ninth 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 September 24, 2021.

Except as herein amended, all other parts and sections of that certain Agreement dated September 26, 2006, as thereafter amended, shall remain unchanged and in full force and effect.

Requesting Contract Administrator Concurrence:

By: _____

Andrew S. Gaber, P.E.
Deputy Director
Development/ROW/Environmental
Department of Transportation

Dated: _____

Requesting Department Concurrence:

By: _____

Rafael Martinez, Director
Department of Transportation

Dated: _____

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

Board of Supervisors
"County"

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Dated: _____

--SILVER SPRINGS EL DORADO COUNTY, INC.--

By: _____
Steve Brown
President
"Owner"

Dated: _____

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 _____

On _____ before me,

_____,
(here insert name and title of the officer)

personally appeared

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 _____

(Seal)