

13113-B

FOR THE BENEFIT OF PLACER COUNTY
PURSUANT TO GOVERNMENT CODE §6103

RECORDING REQUESTED BY BOARD CLERK
and
WHEN RECORDED MAIL TO:

County of Placer
Attn: Planning Director
3091 County Center Drive
Auburn, CA 95603



PLACER, County Recorder
RYAN RONCO
DOC- 2021-0060007-00

MONDAY, MAY 3, 2021 11:45 AM
MIC \$0.00 | AUT \$0.00 | SBS \$0.00
ERD \$0.00 | SB2 \$0.00 | * \$0.00
ADD \$0.00

Ttl Pd \$0.00 Rcpt # 03032359
CLKBZQJ9T2/SM/1-7

Exempt from Recording Fees - Govt Code 27383

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

AMENDMENT NO. 1 TO
SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT
BY AND BETWEEN THE COUNTY OF PLACER AND
PLACER 102, LLC
RELATIVE TO PROPERTY 12B
OF THE PLACER VINEYARDS SPECIFIC PLAN

NOT OFFICIAL COPY

**AMENDMENT NO. 1 TO
SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT
RELATIVE TO PROPERTY 12B OF
THE PLACER VINEYARDS SPECIFIC PLAN**

This Amendment No. 1 (“**Amendment**”) to the Second Amended and Restated Development Agreement is entered into this 7th day of November, 2020, by and between the COUNTY OF PLACER, a political subdivision (“**County**”) and the entity(ies) and/or person(s) executing this Amendment as Developer on the signature page attached hereto (“**Developer**”) pursuant to the authority of Sections 65864 through 65869.5 of the Government Code of California.

RECITALS

A. Second Amended and Restated Development Agreement. The County and Developer, or Developer’s predecessor-in-interest (as reflected on the signature page attached hereto), previously entered into that certain Second Amended and Restated Development Agreement Relative to the Placer Vineyards Specific Plan, which was recorded in the Official Records of the County Recorder of Placer County on the date and with the Document Number assigned thereto described on the Developer signature page attached hereto (the “**Second Amended and Restated Development Agreement**” or “**SARDA**”). For purposes hereof, all references to “SARDA” shall include the SARDA as amended by any amendments thereto described on the Developer signature page attached hereto. All capitalized terms used and not otherwise defined herein shall mean and refer to those terms as defined in the SARDA.

B. Purpose of Amendment. In consideration of the extensive time, planning and design work undertaken by the parties to prepare for development of the Specific Plan since approval of the SARDA, and the significant investments to be made to realize the full development thereof, Developer desires to extend the Term of the SARDA to promote the continuing investments in and development of the Specific Plan.

C. Property. The subject of this Amendment is the development of the Property described in the SARDA. Developer owns or has the right to acquire the Property and represents that all persons holding legal or equitable interests in the Property shall be bound by the SARDA as amended by this Amendment.

D. Hearings. On October 22, 2020, the County Planning Commission, designated as the planning agency for purposes of development agreement review pursuant to Government Code Section 65867, in a duly noticed and conducted public hearing, considered this Amendment and recommended that the County Board of Supervisors approve this Amendment to the SARDA.

E. No New Impacts Associated with Approval of Amendment. The Board of Supervisors has determined that the adoption of this Amendment involves no new

impacts not considered in the Specific Plan EIR and its Addendums; therefore, no further environmental documents relating to the adoption of this Amendment are required.

F. Consistency with General Plan and Specific Plan. Having duly examined and considered this Amendment, County finds and declares that this Amendment is consistent with the General Plan and the Specific Plan.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, and as allowed by and consistent with the amendment provisions of Section 1.4 of the SARDA, the parties do hereby agree to amend the SARDA as follows:

1. Amendment of SARDA to Extend Term. The Initial 20 Year Term, as defined in Section 1.3.1 of the SARDA, is hereby extended from October 29, 2032, to December 31, 2050.

2. All Other Terms in Force. Except as modified by this Amendment, all other terms and provisions of the SARDA shall remain in full force and effect.

3. Amendment Effective Date. The effective date of this Amendment shall be the effective date of the ordinance approving this Amendment and the full execution by the parties hereto (the "**Amendment Effective Date**").

4. Recordation. The County shall record this Amendment in the Official Records of Placer County within ten (10) days of the Amendment Effective Date.

5. Form of Amendment; Execution in Counterparts. This Amendment is executed in duplicate originals, each of which is deemed to be an original, and may be executed in counterparts.

[Signatures on Following Pages]

IN WITNESS WHEREOF, the County of Placer, a political subdivision of the State of California, has authorized the execution of this Amendment in duplicate by its Chair, and attested to by the Board Clerk under the authority of Ordinance No. 1051-B, adopted by the Board of Supervisors on the 17th day of November, 2020.

COUNTY:

**COUNTY OF PLACER,
a political subdivision**

By: Bonnie M. Gore

Name: Bonnie M. Gore

Title: Chair, Board of Supervisors

ATTEST:

Megan Wood

Megan Wood, Board Clerk

APPROVED AS TO FORM:

Karin Schwab

Karin Schwab, County Counsel

APPROVED AS TO SUBSTANCE:

Steve M. Pedretti

Steve Pedretti,
Community Development Resource
Agency Director

[DEVELOPER SIGNATURE(S) ON FOLLOWING PAGE(S)]

DEVELOPER SIGNATURE PAGE:

PROPERTY ID: 12B

SARDA RECORDING INFORMATION:

NAME OF SARDA DEVELOPER: PLACER 102, LLC
DATE OF RECORDATION OF SARDA: February 6, 2015
DOCUMENT NO.: 2015-0008398-00

DEVELOPER:

PLACER 102, LLC,
a California limited liability company

By: 
Constantino Galaxidas
Managing Member

CALIFORNIA ALL-PURPOSE CERTIFICATE OF 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 August 24, 2020 before me, Louise Dutton, Notary Public
(Here insert name and title of the officer)

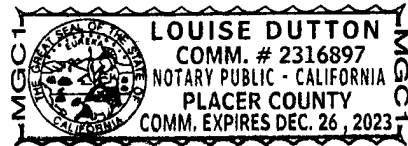
personally appeared Constantino Galaxidas,
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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.

Louise Dutton
 Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- _____ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

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 2-26-2021 before me, Jeanette A. Lovejoy, Notary Public
(insert name and title of the officer)

personally appeared Bonnie M. Gore
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

Jeanette A. Lovejoy

(Seal)

