

AGREEMENT NO. ___ - ___

(Third Amendment to Development Agreement No. 07-276)

This Third Amendment to Development Agreement No. 07-276 is made and entered into this ___ day of _____, 2021, by and between the County of Yolo, a political subdivision of the State of California (“County”), and Esparto Story, LLC, a limited liability company (“Developer”).

WITNESSETH

WHEREAS, County entered into a development agreement with Emerald Homes, LLC on or around October 23, 2007, regarding the approval of Tentative Subdivision Map No. 4691 and related approvals to develop the Story residential subdivision project (Agreement No. 07-216, “Development Agreement”); and

WHEREAS, effective on or around September 20, 2017, those parties agreed to the first amendment to extend the expiration date of the Development Agreement to November 21, 2019; and

WHEREAS, effective on or around November 19, 2019, those parties agreed to the second amendment to extend the expiration date of the Development Agreement to December 31, 2021; and

WHEREAS, on or around February 23, 2021, the property and entitled Development Agreement was transferred from Emerald Homes, LLC to the Developer; and

WHEREAS, the County and Developer wish to extend the expiration of the Development Agreement to allow additional time for the new owner to finalize plans for the Story subdivision project.

NOW, THEREFORE, the County and Developer agree as follows:

I. Article 1, Section 1.02 of the Development Agreement shall be amended as follows:

Section 1.02. Term. The term of this Agreement (the “Term”) shall commence upon the Effective Date and shall continue until December 31, 2021 ~~2023~~. In the event the Developer does not complete construction of the Project in accordance with all Project Approvals, and all Subsequent Approvals, this Agreement shall automatically terminate, with the exception of those provisions that impose post-termination obligations upon Developer.

II. All other provisions of the Development Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above.

ESPARTO STORY, LLC

By _____
Raul Melendez, Manager

COUNTY OF YOLO

By _____
Jim Provenza, Chair
Board of Supervisors

Attest:
Julie Dachtler, Senior Deputy Clerk
Board of Supervisors

By _____
(Seal)

Approved as to Form:
Philip J. Pogledich, County Counsel

By  _____
Eric May, Senior Deputy County Counsel