

**AMENDMENT NO. 2  
TO AGREEMENT FOR PURCHASE OF REAL PROPERTY  
BETWEEN COUNTY OF MONTEREY AND  
THOMAS A. COOPER AND RANDY R. COOPER,  
HUSBAND AND WIFE AS JOINT TENANTS**

**THIS AMENDMENT NO. 2** to Agreement For Purchase of Real Property between the County of Monterey, a political subdivision of the State of California (hereinafter, "County" or "Grantee") and Thomas A. Cooper and Randy R. Cooper, Husband and Wife as Joint Tenants (hereinafter, "Grantor") is hereby entered into between the Grantee and the Grantor (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

**WHEREAS**, Thomas A. Cooper and Randy R. Cooper, Husband and Wife as Joint Tenants entered into "Agreement for Purchase of Real Property with County" on December 13, 2017 (hereinafter, "Agreement") and added Amendment No. 1 to the Agreement on April 28, 2020 to grant a Permanent Roadway Easement and Temporary Construction Easement (TCE) for use by County to construct the Nacimiento Lake Drive Bridge Replacement Project (Project); and

**WHEREAS**, the TCE is needed by the County for the purpose of providing access, staging area, and use of equipment for construction for the Project; and

**WHEREAS**, County requires two additional years to complete the construction of the Project and requires the change of the ending date of the TCE from May 1, 2022 to May 1, 2024 which will allow County to utilize the TCE to complete the construction of the Project ; and

**WHEREAS**, the Parties wish to amend the Agreement and Amendment No. 1 with Amendment No. 2 to change the TCE from "beginning date of the Temporary Construction Easement on May 1<sup>st</sup>, 2020 for the term of two (2) years until May 1, 2022" to "beginning date of the Temporary Construction Easement on May 1<sup>st</sup>, 2020 for the term of four (4) years until May 1, 2024" to allow GRANTEE to provide for the necessary area for construction of the Nacimiento Lake Drive Bridge Replacement Project as identified in the Agreement and as amended by Amendment No. 1 and this Amendment No. 2; and

**WHEREAS**, a waiver appraisal of the additional TCE was conducted by Grantee's right of way consultant "Bender Rosenthal" and the just compensation value of the additional 2 (two) years of TCE was determined to be \$3,600.00

**NOW, THEREFORE**, the Parties agree to amend the Agreement as follows:

1. Amend the second sentence of Clause 5, "Temporary Construction Easement:", to read as follows:

The "Temporary Construction Easement" shall be for a period of forty-eight (48) months from beginning date of May 1, 2020 to ending date of May 1, 2024.

2. All other terms and conditions of the Agreement, including all Exhibits thereto, remain unchanged and in full force.
4. This Amendment No. 2 shall be attached to the Agreement and Amendment No. 1 and incorporated therein as if fully set forth in the Agreement.
7. The recitals to this Amendment No. 2 are incorporated into the Agreement, Amendment No. 1, and this Amendment No. 2.

Agreements for purchase of Project Property are contingent upon the approval of the County of Monterey.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

**GRANTORS**

**Thomas A. Cooper and Randy R. Cooper, husband and wife as joint tenants**

By: Thomas A. Cooper  
Thomas A. Cooper

Date: 1-14-2022

By: Randy R. Cooper  
Randy R. Cooper

Date: 1/14/2022

**GRANTEE**

**County of Monterey**

By: \_\_\_\_\_  
Randell Ishii, MS, PE, TE, PTOE  
Director - Department of  
Public Works, Facilities and Parks

Date: \_\_\_\_\_

APPROVED AS TO FORM:  
County Counsel

By: Mary Grace Perry  
Mary Grace Perry  
Deputy County Counsel

Date: 2-17-2022

\*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managers. If CONTRACTOR is a partnership, the full legal name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement or Amendment to said Agreement.