

2023002911

Xochitl Marina Camacho
Monterey County Clerk-Recorder

02/01/2023 09:50 AM

Recorded at the request of:
FENTON AND KELLER

Titles: 1 Pages: 10

Fees: \$40.00
Taxes: \$0.00
AMT PAID: \$40.00

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

County of Monterey
Department of Housing and
Community Development
1441 Schilling Place, 2nd Floor
Salinas, CA 93901
Att: Armando Fernandez



SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AMENDMENT NO. 5 TO THE COUNTY OF MONTEREY SUBDIVISION
IMPROVEMENT AGREEMENT FOR YORK HIGHLAND RESUBDIVISION**

This Amendment No. 5 to the County of Monterey Subdivision Improvement Agreement For York Highlands Resubdivision ("Amendment No. 5") is entered into by and between the County of Monterey, a political subdivision of the State of California (hereinafter, "COUNTY"), and Monterey County Bank, United Security Bank, MCBL-1, Inc., a California corporation, York Monterey Properties, Inc., a California corporation, and Signature York Highlands LLC, a California limited liability company (hereinafter collectively, "SUBDIVIDERS" or "OWNERS"). COUNTY and SUBDIVIDERS or OWNERS are referred to singularly as a "Party" and collectively as "Parties."

WHEREAS, a Subdivision Improvement Agreement was executed by the COUNTY, Monterey County Bank and United Security Bank recorded on May 31, 2012 as Official Records Document Number 2012031807 for the York Highlands Resubdivision (hereinafter "Resubdivision"; an Amendment No. 1 to said Subdivision Improvement Agreement was executed by the COUNTY, Monterey County Bank and United Security Bank and recorded on May 29, 2014 as Official Records Document Number 2014024695; an Amendment No. 2 to said Subdivision Improvement Agreement was executed by the COUNTY, Monterey County Bank and United Security Bank and recorded on March 31, 2016 as Official Records Document Number 2016016626; an Amendment No. 3 to said Subdivision Improvement Agreement was executed by the COUNTY, Monterey County Bank and United Security Bank and recorded on September 20, 2018 as Official Records Document Number 2018041573; and an Amendment No. 4 to said Subdivision Improvement Agreement was executed by the COUNTY, Monterey County Bank, United Security Bank, MCBL-1, Inc. and York Monterey Properties, Inc., and recorded on May 12, 2021 as Official Records Document Number 2021034249. (The Subdivision Improvement Agreement, as amended pursuant to Amendment Nos. 1, 2, 3 and 4 is hereinafter referred to as "Agreement")).

WHEREAS, Monterey County Bank and United Security Bank are banks subject to the regulatory authority of the FDIC, and are not proper entities to complete the subdivision improvements.

WHEREAS, Monterey County Bank, transferred certain real property which is the subject of this Agreement to MCBL-1, Inc., a California corporation, and by Amendment No. 4, MCBL-1, Inc., a California corporation, was added as an OWNER and party to the Agreement.