

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

County of Monterey
Department of Public Works
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AMENDMENT NO. 2 TO THE COUNTY OF MONTEREY SUBDIVISION
IMPROVEMENT AGREEMENT
FOR YORK HIGHLAND RESUBDIVISION**

This Amendment No. 2 to the County of Monterey Subdivision Improvement Agreement For York Highlands Resubdivision ("Amendment No. 2") is entered into by and between the County of Monterey, a political subdivision of the State of California, (hereinafter "COUNTY"), and Monterey County Bank and United Security Bank (hereinafter "SUBDIVIDERS" or "OWNERS"). Collectively, COUNTY and SUBDIVIDERS or OWNERS are referred to as the "parties".

WHEREAS, a Subdivision Improvement Agreement was executed by the parties and recorded on May 31, 2012 at document number 2012031807 for the York Highlands Resubdivision (hereinafter "Resubdivision", and an Amendment No. 1 to said Subdivision Improvement Agreement was executed by the parties and recorded on May 29, 2014 at document number 2014024695. (The Subdivision Improvement Agreement, as amended pursuant to Amendment No. 1 is hereinafter referred to as "Agreement")

WHEREAS, OWNERS are banks subject to the regulatory authority of the FDIC, and are not proper entities to complete the subdivision improvements;

WHEREAS, it is contemplated in the Agreement that the Resubdivision would be transferred to one or more developers who would in turn complete the subdivision improvements;

WHEREAS, completion of the subdivision improvements is delayed because the York Highlands Resubdivision has not yet been transferred to a developer due to various processing and regulatory delays; and

WHEREAS, OWNERS have requested an extension of time under the Agreement to complete the subdivision improvements;

WHEREAS, the parties desire to amend the Agreement to extend the time for completion of the subdivision improvements for the York Highlands Resubdivision;

Now therefore, the parties agree that the Agreement is amended as follows:

1. The first sentence of Paragraph d, at line 2 on Page 10, is amended to read as follows:

Commence the construction and installation of the Improvements within one year from the COUNTY'S approval of said final map and complete said work within six years from the date of said approval unless otherwise approved by the COUNTY.

2. Recordation. Upon execution of this Amendment No. 2 to the Agreement, OWNERS shall cause recordation thereof with the County Recorder's Office.

IN WITNESS WHEREOF, the parties have executed this agreement as of the date written below.

OWNER:

MONTEREY COUNTY BANK

DATE: _____

By: _____
Charles T. Chritzberg, Jr., President

OWNER:

UNITED SECURITY BANK

DATE: _____

By: _____
Dennis R. Woods, President

COUNTY OF MONTEREY:

DATE: _____ By: _____
Chair, Board of Supervisors

ATTEST:

DATE: _____ By: _____
Clerk of the Board, Board of Supervisors

APPROVED AS TO FORM:
CHARLES J. MCKEE, COUNTY COUNSEL
COUNTY OF MONTEREY

DATE: _____ By: _____
Deputy County Counsel

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)
) ss.
County of _____)

On _____, before me, _____, a Notary Public, 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)

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)
) ss.
County of _____)

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Signature _____

(Seal)

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(Seal)