



2014-0028105

Recorded	REC FEE	0.00
Official Records		
County of		
Santa Barbara		
Joseph E. Holland		
County Clerk Recorder		
	XR	
09:19AM 23-Jun-2014	Page 1 of 18	

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of Lompoc
Attn: City Clerk
100 Civic Center Plaza
Lompoc, California 93436

18
FR

(SPACE ABOVE FOR RECORDER'S USE ONLY)

**FIRST AMENDMENT
TO
DEVELOPMENT AGREEMENT**

BY AND AMONG

**HARRIS GRADE PARTNERS, LP; MJ LAND, LLC; LOMPOC RANCH JOINT
VENTURE; JOE A. SIGNORELLI, JR.; ADAM PETER SIGNORELLI; GUS THOMAS
SIGNORELLI AND THE TOWBES GROUP, INC.**

&

CITY OF LOMPOC

May, 2014

FIRST AMENDMENT TO DEVELOPMENT AND ANNEXATION AGREEMENT BY AND AMONG: HARRIS GRADE PARTNERS, LP, MJ LAND, LLC, LOMPOC RANCH JOINT VENTURE, JOE A. SIGNORELLI, JR., ADAM PETER SIGNORELLI, GUS THOMAS SIGNORELLI, THE TOWBES GROUP, INC. AND THE CITY OF LOMPOC (APN NOS. 097-250-002, 097-250-005, 097-250-040, 097-250-050, 097-250-051, 097-250-062, and 097-250-069)

This First Amendment to Development and Annexation Agreement (the "First Amendment") is entered into on this 29th day of May, 2014 (the "Effective Date"), by and among the CITY OF LOMPOC, a municipal corporation ("City") and HARRIS GRADE PARTNERS, L.P., a California limited partnership, MJ LAND, LLC, a California limited liability company, LOMPOC RANCH JOINT VENTURE, a California partnership, JOE A. SIGNORELLI, JR., ADAM PETER SIGNORELLI, GUS THOMAS SIGNORELLI, and THE TOWBES GROUP, INC., a California corporation (collectively, "Developers").

RECITALS

WHEREAS, pursuant to Government Code Sections 65864 *et seq.*, (the "Development Agreement Act") on February 13, 2006, City and Developers entered into the Development and Annexation Agreement (the "Agreement") for the development of certain real property consisting of approximately 143.88 acres located in the County of Santa Barbara, currently designated as APN Nos. 097-250-002, 097-250-005, 097-250-040, 097-250-050, 097-250-051, 097-250-062, and 097-250-069;

WHEREAS, the Agreement shall expire on May 31, 2014, and, pursuant to Section 7.16 of the Agreement, no provision of the Agreement may be amended, except by an agreement in writing signed by the parties or their respective successors in interest;

WHEREAS, the parties now wish to amend the Agreement to extend the expiration date by five years;

WHEREAS, pursuant to the California Environmental Quality Act and the State CEQA Guidelines, the City Council has determined no new information is available that requires any environmental review, other than that which was done in the Final Environmental Impact Report, which was adopted by City's City Council by Resolution No. 1520(06) ("the Final EIR"), as part of the review and approval process of the Agreement;

WHEREAS, pursuant to Section 7.16 of the Development Agreement Act on March 12, 2014, City's Planning Commission held a duly-noticed public hearing and after the conclusion of that hearing, reviewed all pertinent testimony and evidence, including the Addendum, recommended approval of the Addendum and First Amendment;

WHEREAS, pursuant to Section 7.16 of the Development Agreement Act on April 15, 2014, City's City Council held a duly-noticed public hearing and after the conclusion of that hearing, reviewed all pertinent testimony, including the Addendum, and evidence and the Planning Commission's recommendations; and

NOW, THEREFORE, based upon the foregoing recitals and the terms, conditions, covenants, and agreements contained herein, the parties hereto agree as follows:

Section 1. The recitals above are true and correct and incorporated herein by this reference.

Section 2. All terms, phrases and words indicated to be defined terms by capitalization in this First Amendment and that are not specifically defined in this First Amendment or the context otherwise shall have the meaning ascribed to the same term, phrase, or word in the Agreement.

Section 3. Section 5.02 of the Agreement is hereby amended so that the term of the Agreement shall commence upon the Effective Date and shall terminate on May 31, 2019.


Section 4. The parties agree, except as specifically provided in this First Amendment, the terms of the Agreement shall remain unchanged and in full-force and effect.

Section 5. The person(s) executing this First Amendment on behalf of the parties hereto warrant (i) such party is duly-organized and existing, (ii) they are duly-authorized to execute and deliver this First Amendment on behalf of said party, (iii) by so executing this First Amendment, such party is formally bound to the provisions of this First Amendment, and (iv) the entering into of this First Amendment does not violate any provision of any other agreement to which said party is bound.

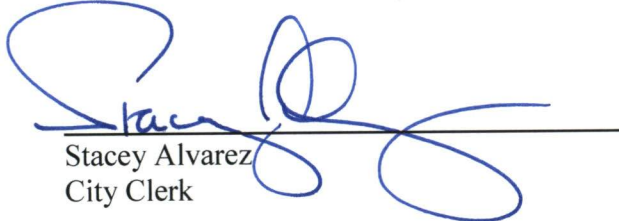
IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date it has been signed on behalf of City, as long as it has also been signed by and on behalf of all the other parties.

Dated: May 29, 2014

CITY OF LOMPOC, A California
municipal corporation

By: 
Patrick Wiemiller
City Administrator


ATTEST:


Stacey Alvarez
City Clerk

[Signatures continued on Page 4]

[Signatures continued from Page 3]

APPROVED AS TO FORM:



 Joseph W. Pannone
 City Attorney, City of Lompoc

BRANDON WARD
 ASST. CITY ATTY
 FOR

OWNERS:

Dated: May 20, 2014

HARRIS GRADE PARTNERS, LP,
a California limited partnership
[APN: 097-250-040]

By: MARTIN FARRELL HOMES, INC., a
California Corporation, General Partner

By: _____

Jon Martin, ~~Vice~~ President

Dated: _____, 2014

MJ LAND, LLC, a California Limited Liability
Company
[APNs: 097-250-002 and 097-250-069]

By: _____
Patrick J. McCarthy, Managing Member

By: _____
Donald M. Jensen, Managing Member

Dated: _____, 2014

LOMPOC RANCH JOINT VENTURE, a
California partnership, as to an undivided
37.5% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By: _____
John Gherini, Managing Partner

[Signatures continued on Page 5]

[Signatures continued from Page 3]

APPROVED AS TO FORM:

Joseph W. Pannone
City Attorney, City of Lompoc

OWNERS:

Dated: _____, 2014

HARRIS GRADE PARTNERS, LP,
a California limited partnership
[APN: 097-250-040]

By: MARTIN FARRELL HOMES, INC., a
California Corporation, General Partner

By: _____

Jon Martin, Vice President

Dated: _____, 2014

MJ LAND, LLC, a California Limited Liability
Company
[APNs: 097-250-002 and 097-250-069]

By: _____
Patrick J. McCarthy, Managing Member

By: _____
Donald M. Jensen, Managing Member

Dated: _____, 2014

LOMPOC RANCH JOINT VENTURE, a
California partnership, as to an undivided
37.5% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By: _____
John Gherini, Managing Partner

[Signatures continued on Page 5]

[Signatures continued from Page 3]

APPROVED AS TO FORM:

Joseph W. Pannone
City Attorney, City of Lompoc

Dated: _____, 2014

OWNERS:

HARRIS GRADE PARTNERS, LP,
a California limited partnership
[APN: 097-250-040]

By: MARTIN FARRELL HOMES, INC., a
California Corporation, General Partner

By: _____

Jon Martin, Vice President

Dated: _____, 2014

MJ LAND, LLC, a California Limited Liability
Company
[APNs: 097-250-002 and 097-250-069]

By: _____
Patrick J. McCarthy, Managing Member

By: _____
Donald M. Jensen, Managing Member

Dated: 4-30-, 2014

LOMPOC RANCH JOINT VENTURE, a
California partnership, as to an undivided
37.5% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By:  _____
John Cherini, Managing Partner

[Signatures continued on Page 5]

[Signatures continued from Page 4]

Dated: 4/30, 2014

JOE A. SIGNORELLI, JR., as His Sole and
Separate Property, as to an undivided
16.66% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-0005
and 097-250-062]

By: 
Joe A. Signorelli, Jr.

Dated: _____, 2014

ADAM PETER SIGNORELLI, as His Sole and
Separate Property, as to an undivided
16.67% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By: _____
Adam Peter Signorelli

Dated: _____, 2014

GUS THOMAS SIGNORELLI, as His Sole and
Separate Property, as to an undivided
16.67% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By: _____
Gus Thomas Signorelli

[Signatures continued on Page 6]

[Signatures continued from Page 4]

Dated: _____, 2014

JOE A. SIGNORELLI, JR., as His Sole and
Separate Property, as to an undivided
16.66% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-0005
and 097-250-062]

By: _____
Joe A. Signorelli, Jr.

Dated: 6-13 - _____, 2014

ADAM PETER SIGNORELLI, as His Sole and
Separate Property, as to an undivided
16.67% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By: 
Adam Peter Signorelli

Dated: _____, 2014

GUS THOMAS SIGNORELLI, as His Sole and
Separate Property, as to an undivided
16.67% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By: _____
Gus Thomas Signorelli

[Signatures continued on Page 6]

[Signatures continued from Page 4]

Dated: _____, 2014

JOE A. SIGNORELLI, JR., as His Sole and
Separate Property, as to an undivided
16.66% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-0005
and 097-250-062]

By: _____
Joe A. Signorelli, Jr.

Dated: _____, 2014

ADAM PETER SIGNORELLI, as His Sole and
Separate Property, as to an undivided
16.67% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By: _____
Adam Peter Signorelli

Dated: MAY-8-14, 2014

GUS THOMAS SIGNORELLI, as His Sole and
Separate Property, as to an undivided
16.67% interest of Parcels Two, Three, Four,
and Five
[APNs: 097-250-050, 097-250-051, 097-250-005
and 097-250-062]

By:  _____
Gus Thomas Signorelli


See Attached Notary Cert

[Signatures continued on Page 6]

[Signatures continued from Page 5]

Dated: May 22, 2014

THE TOWBES GROUP, INC., a California corporation, as to an undivided 12.5% interest of Parcels Two, Three, Four, and Five [APNs: 097-250-050, 097-250-051, 097-250-005 and 097-250-062]


By: 
Michael Towbes, Chairman

By: _____

Its _____

APPROVED AS TO FORM:

Brownstein Hyatt Farber Schreck, LLP

By: 
Peter N. Brown, Esq.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Barbara

On May 29, 2014 before me, Stacey Diane Alvarez, Notary
Date Here Insert Name and Title of the Officer

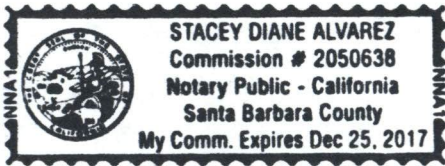
personally appeared Patrick Wiemiller
Name(s) of Signer(s)

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/hers/their authorized capacity(ies), and that by his/hers/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 Stacey Diane Alvarez
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: First Amendment to Development Agreement

Document Date: May 29, 2014 Number of Pages: 6

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Patrick Wiemiller

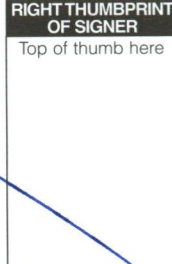
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: City of Lompoc

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

ACKNOWLEDGMENT

State of California
County of Santa Barbara

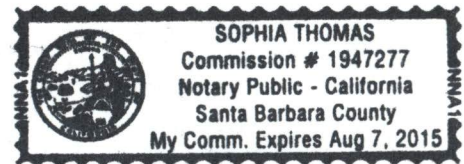
On May 21, 2014 before me, Sophia Thomas, Notary Public
(insert name and title of the officer)

personally appeared Jorathan Martin
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 Sophia Thomas (Seal)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

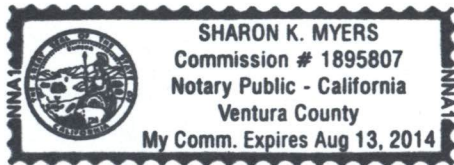
State of California

County of Ventura

On May 5, 2014 before me, Sharon K. Myers, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Patrick J. McCarthy and Donald M. Jensen,
Name(s) of Signer(s)

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: Sharon K. Myers
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____

Individual Partner — Limited General Individual Partner — Limited General

Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California }
County of Santa Barbara }

On 5/8/2014 before me, Patricia Linquti, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared John Gherini
Name(s) of Signer(s)

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: Patricia Linquti
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: First Amendment to Development Agreement

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: John Gherini

- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California }
}ss.
County of Santa Barbara }

On April 30, 2014, before me, Dora Reyen, Notary Public,
Notary Public, personally appeared Joseph A Signorelli, Jr.
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.

[Handwritten signature]
Dora Reyen, Notary Public, Notary Public



CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California }
}ss.
County of Santa Barbara }

On _____, before me, _____,
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.

_____, Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

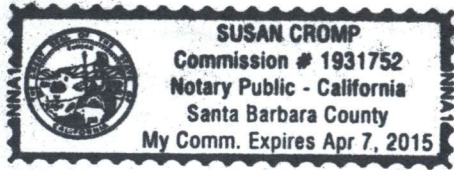
State of California

County of Santa Barbara }

On June 13, 2014 before me, Susan Crompt
Date Here Insert Name and Title of the Officer

personally appeared Adam Peter Signorelli
Name(s) of Signer(s)

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: Susan Crompt
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: First Amendment to Dev. Agreement

Document Date: _____ Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California

County of Santa Barbara }

On May 8, 2014 before me, Malia L. Speciale - Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Tom G Signorelli
Name(s) of Signer(s)

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: Malia L. Speciale
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

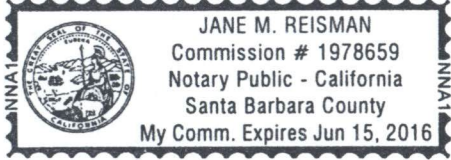
State of California

County of Santa Barbara }

On May 20, 2014 before me, Jane M. Reisman, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Michael Treubke
Name(s) of Signer(s)

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: [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: 1st Amend to DA, HOP, et al. + City of Longport

Document Date: May 2014 Number of Pages: Longport

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____

Individual Partner — Limited General Individual Partner — Limited General

Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

