

**SECOND AMENDMENT TO
DISPOSITION AND DEVELOPMENT AGREEMENT**

(3753 MYERS STREET)

This SECOND AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT ("Second Amendment") is made and entered into this _____ day of _____, 2018, by and between the HOUSING AUTHORITY OF THE CITY OF RIVERSIDE, a public entity ("Authority") and HABITAT FOR HUMANITY RIVERSIDE, INC., a California non-profit public benefit corporation ("Developer") (hereafter collectively referred to as "Parties"), with respect to the following facts:

WHEREAS, on July 30, 2015, Authority and Developer entered into a Disposition and Development Agreement ("Original Agreement") regarding the disposition of specific properties located at 3753 Myers Street, Riverside, California, Assessor Parcel Number 234-101-051 ("Property"), owned by Authority and to be purchased by Developer; and

WHEREAS, the Original Agreement intended for the construction of twelve (12) common-interest Affordable Units on Property to be sold at a Gross Affordable Sales Price to Low Income Households who are also First Time Homebuyers; and

WHEREAS, on July 27, 2017, Authority and Developer executed the First Amendment to Disposition and Development Agreement ("First Amendment"), wherein Parties agreed to modify the project to only four (4) affordable units, and adjust funding sources; and

WHEREAS, pursuant to the First Agreement, the outside closing date for escrow was July 28, 2017; and

WHEREAS, Parties have been diligently working to close escrow but need to extend the outside closing date to May 2, 2019, with an option to extend this date by an additional six (6) months.

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated herein by this reference, Parties agree as follows:

1. Section 1, DEFINITIONS, 1.1 Defined Terms, is amended in its entirety to read as follows:

“***Outside Closing Date***’ means May 2, 2019. The Outside Closing Date may, upon approval of the Executive Director, be extended by an additional six (6) months.”

2. All terms and conditions of the Original Agreement and First Amendment not inconsistent with this Second Amendment, shall remain in full force and effect and are incorporated herein by this reference as if set forth in full.

IN WITNESS WHEREOF, Authority and Developer have caused this Second Amendment to be duly executed the day herein above.

HOUSING AUTHORITY OF THE
CITY OF RIVERSIDE, a public entity

HABITAT FOR HUMANITY RIVERSIDE,
INC., a California non-profit public benefit
corporation

By: _____
Executive Director

By: 
Its: Brent
President

Attest: _____
Housing Authority Secretary

By: 
Its: EXECUTIVE DIRECTOR

Certified as to Availability of Funds:

By: 
Chief Financial Officer

APPROVED AS TO FORM:

By: 
Authority General Counsel

ACKNOWLEDGMENT

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
County of Riverside

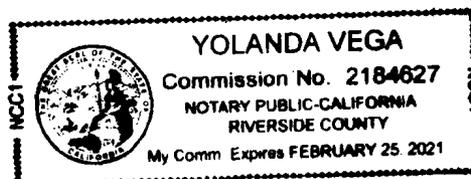
On April 12, 2018 before me, Yolanda Vega - Notary
(insert name and title of the officer)

personally appeared Kathy Michalak
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 Yolanda Vega (Seal)



ACKNOWLEDGMENT

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
County of Riverside

On April 12, 2018 before me, Yolanda Vega - Notary
(insert name and title of the officer)

personally appeared Nicholas Adcock
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 Yolanda Vega (Seal)

