

**DEVELOPMENT AGREEMENT BY AND BETWEEN
LA VISTA L.P, A CALIFORNIA LIMITED PARTNERSHIP,
AND THE CITY OF HAYWARD**

Draft Amendment #1

Amend the La Vista L.P. Development Agreement as follows:

1.2.25 “Schedule for Phasing and Construction” means:

Receive Current Development Approvals:	July 2005
Approval of Improvement Plans, Grading Plans and Final Maps	May 2006 <u>June 2015</u>
Start <u>Finish</u> Reclamation/ <u>Mass Grading</u>	May 2006 <u>October 2015</u>
Start Subdivision and Recreational Facilities Improvements	May 2007 <u>April 2016</u>
Start Homes	October 2007 <u>2016</u>

Draft Amendment #2

Amend the La Vista L.P. Development Agreement as follows:

7.1 Stated Term. This Agreement shall become effective on the Effective Date and unless earlier terminated pursuant to the provisions of this Agreement shall continue in effect for ~~(1015)~~ years ~~after annexation of the Property into the City until May 26, 2021~~. Notwithstanding the foregoing, in the event that the parties determine that a longer period is necessary to achieve the foregoing purposes, the term of the Agreement may be extended an additional five (5) years by the further written agreement of the City Council and La Vista, L.P. in accordance with Section 8.

Draft Amendment #3

Amend the La Vista L.P. Development Agreement as follows:

14.16 Notices. All notices required or provided for under this Agreement shall be in writing and delivered in person or sent certified mail, postage prepaid and addressed as follows:

If to CITY:	Gregory Jones <u>Frances David</u> , City Manager City of Hayward 777 "B" Street Hayward, CA 94541-5007
With a copy to:	Maureen Conneely <u>Michael Lawson</u> , Interim City Attorney City of Hayward 777 "B" Street Hayward, CA 94541-5007
If to OWNER:	James B. Summers, President La Vista L.P. 11555 Dublin Blvd. Dublin, CA 94588
With a copy to:	Michael Willcoxson, Esq. 11555 Dublin Blvd. Dublin, CA 94588