

Flood control and drainage improvements that are necessary based on the anticipated land use changes in the Project. Master Developer shall design and construct all flood control and drainage improvements, whether onsite or off-site, required to comply with the Truckee Meadows Regional Drainage Manual and the approval of the Administrator. Design rainfall depths shall utilize the 24-hour point precipitation frequency estimates from the National Oceanic and Atmospheric Administration Atlas 14 (NOAA Atlas 14). Master Developer shall obtain and provide to the Administrator a copy of any required Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR), or a copy of any CLOMR application and study submitted to FEMA, or other documentation reasonably acceptable to the Administrator, prior to the approval of any tentative map for the Project. Master Developer shall obtain and provide to the Administrator a copy of any required FEMA Letter of Map Revision or other documentation prior to the issuance of any certificate of occupancy for and/or final inspection of any dwelling unit in the Project.

Recording Requested by and
When Recorded Mail To:

Lisa Hunderman, City Clerk
City of Sparks
431 Prater Way
P.O. Box 857
Sparks, Nevada 89432-0857

The undersigned hereby affirms that this document submitted for recording does not contain the personal information of any person or persons per N.R.S. 239B.030.

Signature of Declarant or Agent

THIS DEVELOPMENT AGREEMENT AMENDMENT NUMBER 1 (“Amendment”) is made and entered into this __ day of _____, 2019, by and between the CITY OF SPARKS, a municipal corporation of the State of Nevada (“City”); FOOTHILLS AT WINGFIELD, LLC, a Nevada Limited Liability Company (“Owner”); ALBERT D. SEENO CONSTRUCTION COMPANY, a California Limited Partnership (“Master Developer”). The City and Owner and Master Developer are sometimes individually referred to as a “Party” and collectively as the “Parties.”

RECITALS

- A. The City is authorized, pursuant to Chapter 278 of the Nevada Revised Statutes and Title 20 of the Sparks Municipal Code, to enter into development agreements such as this Amendment with persons having a legal or equitable interest in real property in order to establish long-range plans for the development of such property.
- B. On November 13, 2018, the Parties entered into a Development Agreement concerning real property located within the City of Sparks, which real property has been assigned assessor’s parcel numbers 084-550-02, 084-440-07, and 084-550-08. Said real property is legally described in Exhibit A to the Development Agreement, which was recorded in the official records of the Washoe County Recorder on November 26, 2018, as Document Number 4868469, and is referred to herein as the “Development Agreement.”
- C. The Parties desire to amend the Development Agreement as stated herein.

NOW, THEREFORE, in consideration of the foregoing recitals, the promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree to amend the Development Agreement as follows:

Paragraph 1.

Section 3.3(c) of the Development Agreement is amended to read:

Flood control and drainage improvements that are necessary based on the anticipated land use changes in the Project. Master Developer shall design and construct all flood control and drainage improvements, whether onsite or off-site, required to comply with the Truckee Meadows Regional Drainage Manual and the approval of the Administrator. Design rainfall depths shall utilize the 24-hour point precipitation frequency estimates from the National Oceanic and Atmospheric Administration Atlas 14 (NOAA Atlas 14). Master Developer shall obtain and provide to the Administrator a copy of any required Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR), or a copy of any CLOMR application and study submitted to FEMA, or other documentation reasonably acceptable to the Administrator, prior to the approval of any tentative map for the Project. Master Developer shall obtain and provide to the Administrator a copy of any required FEMA Letter of Map Revision or other documentation prior to the issuance of any certificate of occupancy for and/or final inspection of any dwelling unit in the Project.

Paragraph 2.

All the other provisions of the Development Agreement recorded in the official records of the Washoe County Recorder on November 26, 2018, as Document Number 4868469 shall remain in full force and effect.

[Signatures on following page]

IN WITNESS WHEREOF, this Agreement has been executed by the Parties on the day and year first above written.

CITY OF SPARKS, a municipal corporation of the State of Nevada

FOOTHILLS AT WINGFIELD, LLC, a Nevada Limited Liability Company

By: _____
Ronald E. Smith, Mayor

By: _____

ATTEST:

ALBERT D. SEENO CONSTRUCTION CO., a California Limited Partnership

By: _____
Lisa Hunderman, City Clerk

APPROVED AS TO FORM

By.: _____
ALBERT D. SEENO
CONSTRUCTION CO., INC., a California Corporation, Managing General Partner
Name: _____
Its: _____

By: _____
Chester H. Adams, City Attorney

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, 2019,
by _____.

Notary Public

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, 2019,
by _____.

Notary Public