

FREE RECORDING REQUESTED BY AND
WHEN RECORDED, RETURN TO:

CITY OF YORBA LINDA
4845 Casa Loma Avenue
Yorba Linda, CA 92886
ATTN: City Clerk

(SPACE ABOVE LINE FOR RECORDER'S USE ONLY)
(Exempt from Filing Fees - Government Code section 6103)

TERMINATION OF SUBDIVISION IMPROVEMENT
AGREEMENT FOR COMPLETION OF PUBLIC IMPROVEMENTS
PARCEL MAP NO. PM 2015-113

This Termination of Subdivision Improvement Agreement for Completion of Public Improvements Parcel Map No. PM 2015-113 ("**Partial Termination**") is dated as of November __, 2022 and is made by and between THE CITY OF YORBA LINDA, a California municipal corporation ("**City**"), and ZELMAN DEVELOPMENT CO., a California corporation ("**Zelman**").

RECITALS

A. On or about November 18, 2016, City and Developer entered into that certain Subdivision Improvement Agreement for Completion of Public Improvements Parcel Map No. PM 2015-113, which was recorded on December 20, 2016, in the Official Records of the County of Orange, as Instrument No. 2016-000645983 (the "**Streets SIA**").

B. Pursuant to the Streets SIA, among other things, Zelman agreed to construct certain public improvements (the "**Streets SIA**").

C. City and Developer now wish to terminate the Streets SIA as all improvements have been completed and all obligations have been met.

Now, therefore, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. Termination of Streets SIA. Effective as of the date of the recordation of this Termination, the Streets SIA shall be terminated.

2. Survival. The parties agree that the insurance provisions in Section 17 and the indemnity, defense, and hold harmless provisions in Sections 16 and 20 of the Streets SIA that by their nature are intended to survive the termination of the Streets SIA survive notwithstanding this Termination.

IN WITNESS WHEREOF, the parties hereto have executed this Termination as of the date set forth above.

CITY OF YORBA LINDA,
a California municipal corporation

ZELMAN DEVELOPMENT CO.
a California corporation

By: _____
Carlos Rodriguez
Mayor

By: _____
Brett M. Foy
Co-President

Attest:

By: _____
Marcia Brown
City Clerk

Approved as to Form
Rutan & Tucker LLP:

By: _____
Todd O. Litfin, City Attorney

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 Orange)

On _____, before me, _____,
(insert name and title of the officer)

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)
County of Orange)

On _____, before me, _____,
(insert name and title of the officer)

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)

