

Recording requested and when recorded mail to:  
City of Lompoc Successor Housing Agency to the  
Dissolved Lompoc Redevelopment Agency  
P.O. Box 8001  
Lompoc, CA 93438-8001  
Attn: Program Coordinator

NO FEE DOCUMENT PURSUANT TO  
GOVERNMENT CODE SECTION 27383

APN: NEW 085-150-90 BEING A PORTION OF FORMER APN 085-150-017

*Space above this line for recorder's use*

**FIRST AMENDMENT TO NOTICE OF AFFORDABILITY RESTRICTIONS ON  
TRANSFER OF PROPERTY**

This First Amendment to Notice of Affordability Restrictions on Transfer of Property is entered this \_\_\_ day of November 2014 by Lompoc Pacific Associates, a California Limited Partnership (“LPA”) and the City of Lompoc, a political subdivision of the State of California, Successor Housing Agency to the dissolved Lompoc Redevelopment Agency, a public body, corporate and politic (“Agency”).

**RECITALS**

WHEREAS, Agency made loans to LPA aggregating \$1,300,000 evidenced by three Promissory Notes made January 30, 2012 secured by a Subordinated Deed of Trust and Security Agreement (With Assignment of Rents);

WHEREAS, LPA is providing housing that is and will be affordable to Very Low- and Lower-Income households, LPA and Agency have entered into three Affordable Housing Loan Agreements, which consist of an Affordable Housing Incentive loan in the amount of \$450,000; a Revolving Housing Set-Aside loan in the amount of \$650,000; and a CalHFA Help Loan in the amount of \$200,000 which was repaid on April 12, 2013 (the “Loans”);

WHEREAS, in connection with the Loans, LPA and Agency executed that certain Notice of Affordability Restrictions on Transfer of Property, recorded in the real property records of Santa Barbara County, California as document number 2012-0019412 on March 26, 2012 (the “Notice”); and,

WHEREAS, LPA, with the consent of Agency, has completed a re-subdivision of the real property subject to the Deed of Trust.

**AGREEMENT**

NOW THEREFORE, LPA and Agency hereby agree as follows:

1. Exhibit A to the Notice is hereby deleted in its entirety and replaced by that certain document marked Exhibit A that is attached hereto and incorporated herein by this reference. All references to Exhibit A in the Notice shall be deemed to refer to the substituted Exhibit A attached hereto.

2. Except as expressly modified by this First Amendment to Notice of Affordability Restrictions on Transfer of Property, the terms of the Notice shall remain in full force and effect.

LPA:

Lompoc Pacific Associates, a California  
Limited Partnership

By: Surf Development Company, a California  
nonprofit public benefit corporation

Its: Managing General Partner

By: \_\_\_\_\_  
Alfred Holzheu, President

**Acknowledgement Attached**

By: TPC Idaho Holdings V, LLC, an Idaho limited  
liability company

Its: Administrative General Partner

By: \_\_\_\_\_  
Caleb J. Roope, Manager

**Acknowledgement Attached**

AGENCY

City of Lompoc, a political subdivision of the State of  
California, Successor Housing Agency to the dissolved  
Lompoc Redevelopment Agency, a public body,  
corporate and politic

By: \_\_\_\_\_  
Patrick Wiemiller, City Administrator

**Acknowledgement Attached**

## **Exhibit "A"**

### **LEGAL DESCRIPTION**

Real property in the City of Lompoc, County of Santa Barbara, State of California, described as follows:

PARCEL 2 OF PARCEL MAP NO. LOM 596-P, IN THE CITY OF LOMPOC, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS PER MAP THEREOF RECORDED JUNE 12, 2013 IN BOOK 64, PAGES 29 THRU 32 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SANTA BARBARA COUNTY.

APN: APN: NEW 085-150-90 BEING A PORTION OF FORMER APN 085-150-017

MORTGAGEE CONSENT

The undersigned Rabobank, N.A. as Mortgagee under that certain first priority Construction and Permanent Deed of Trust, with Assignment of Leases and Rents, Security Agreement, and Fixture Filing recorded March 26, 2012 as Instrument No. 2012-0019408, in the official records of Santa Barbara County, California (“Rabobank Deed of Trust”), does hereby consent to the foregoing First Amendment to Notice of Affordability Restrictions on Transfer of Property and to the modification of the legal description effected thereby. Such consent is subject to the understanding that the priority of the Rabobank Deed of Trust and the Notice modified shall remain unchanged by this amendment.

Rabobank, N.A.

By: \_\_\_\_\_  
Lauren Stephens,  
Relationship Manager

Acknowledgement attached

MORTGAGEE CONSENT

The undersigned County of Santa Barbara, a political subdivision of the State of California, as Mortgagee under that certain Deed of Trust, Assignment of Rents, and Security Agreement recorded March 26, 2012 as Instrument No. 2012-0019414, in the official records of Santa Barbara County, California (“HOME Deed of Trust”), does hereby consent to the foregoing First Amendment to Notice of Affordability Restrictions on Transfer of Property and to the modification of the legal description effected thereby. Such consent is subject to the understanding that the priority of the HOME Deed of Trust and the Notice modified shall remain unchanged by this amendment.

**ATTEST:**

MONA MIYASATO  
Clerk of the Board

County of Santa Barbara,  
a political subdivision of the State of California

By: \_\_\_\_\_  
Deputy Clerk of the Board

By: \_\_\_\_\_  
Steve Lavagnino, Chair  
Board of Supervisors

**APPROVED AS TO FORM**  
Michael C. Ghizzoni  
COUNTY COUNSEL

By: \_\_\_\_\_  
Deputy County Counsel

Acknowledgement attached