

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

Homekey Housing Program
Department of Housing and Community
Development
P.O. Box 952054
Sacramento, CA 94252-2054
Attn: Documents Coordinator

No Fee Required
Per Government Code section 27383

Recorder's Stamp

**AGREEMENT TO SUBORDINATE TO HOMEKEY HOUSING PROGRAM
REGULATORY AGREEMENT
(GRANT NUMBER 21-HK-17194)**

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT.

This Agreement to Subordinate to Homekey Housing Program Regulatory Agreement (this "Subordination") is entered into this February 28, 2023, by and between the County of Santa Barbara, a political subdivision of the State of California (the "Lender" or "County"), and the Housing Authority of the County of Santa Barbara, a public body, corporate and politic (the "Owner" and, together with Lender, collectively, the "Parties").

WHEREAS, the Parties executed that certain HOME-ARP Loan Agreement, HOME-ARP Promissory Note Secured by Deed of Trust, HOME-ARP Deed of Trust, and HOME-ARP Regulatory Agreement ("Subordinate Documents") dated and recorded as of substantially even date herewith; and

WHEREAS, the California Department of Housing and Community Development, a public agency of the State of California (the "Department") and Owner executed a Homekey Housing Program Regulatory Agreement dated December 15, 2022, and recorded on December 19, 2022, as Instrument No. 2022-0051827 in the Official Records of the County Recorder of the County of Santa Barbara (the "Regulatory Agreement") for the benefit of the Department; and

WHEREAS, Department requires that the Parties agree to subordinate the Subordinate Documents to the Regulatory Agreement.

NOW THEREFORE, let it be known to all interested parties, that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned do hereby agree:

1. So long as the Regulatory Agreement, and all extensions thereto, be in effect, the Subordinate Documents shall in all respects be subordinate to the Regulatory Agreement.
2. Such subordination extends to and continues in effect with respect to any future amendment, extension, renewal, or any other modification of the Regulatory Agreement or the Subordinate Documents.
3. In the event of conflict between the provisions of any of the Subordinate Documents and the provisions of the Regulatory Agreement, the Regulatory Agreement shall control and prevail.
4. This Subordination shall survive bankruptcy and foreclosure.
5. This Subordination may be signed in counterparts.
6. The invalidity, in whole or in part, of any of the provisions set forth in this Subordination, shall not affect or invalidate any remaining provisions.
7. This Subordination and every covenant hereof shall be binding upon the Parties and their respective successors and assigns. This Subordination shall not be modified or amended except by a written instrument executed by all parties hereto and approved in writing by the Department.

[SIGNATURE PAGE(S) TO FOLLOW]

IN WITNESS WHEREOF, County and Owner have caused this Agreement to be executed by their respective duly authorized officers.

ATTEST:

COUNTY:

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: _____
Das Williams, Chair
Board of Supervisors

**APPROVED AS TO ACCOUNTING
FORM:**
BETSY SCHAFFER, CPA, CPFO
AUDITOR-CONTROLLER

DocuSigned by:
George Chapjian
By: _____
89FB8FFEF9E4F2...
George Chapjian, Director
Community Services Dept.

DocuSigned by:
Robert Geis
By: _____
D25019E2AF094BE...
Deputy

APPROVED AS TO FORM

RACHEL VAN MULLEM
COUNTY COUNSEL

DocuSigned by:
Lauren Wideman
By: _____
8F464D822C84458...
Deputy County Counsel _____

RISK MANAGEMENT

DocuSigned by:
Gregory Milligan
By: _____
DC280AC1E64247D...
GREGORY MILLIGAN, ARM, AIC
Risk Manager

OWNER

HOUSING AUTHORITY OF THE COUNTY OF SANTA
BARBARA, a public body, corporate and politic

Robert P. Havlicek Jr.

By: Robert P. Havlicek Jr, Executive Director

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 Santa Barbara)

On February 21, 2023, before me, Darcy Stoodley Brady, a Notary Public, personally appeared Robert P. Howlicock Jr, 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(ies) 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.

Darcy S. Brady
Signature of Notary Public

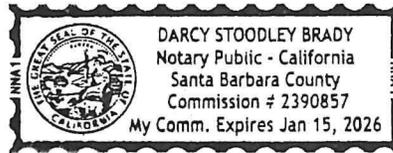


Exhibit A

LEGAL DESCRIPTION OF THE PROPERTY

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

PARCEL 1:

THAT PORTION OF RANCHO LOS DOS PUEBLOS IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT A 1-½ INCH PIPE SURVEY MONUMENT SET AT THE SOUTHWESTERLY CORNER OF THE TRACT OF LAND DESCRIBED IN THE DEED TO E.D. DIXON, ET UX., RECORDED APRIL 6, 1960, INSTRUMENT NO. 11078, IN BOOK 1731, PAGE 117 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PIPE BEING SHOWN ON THE MAP OF SURVEY FILED IN BOOK 61, PAGE 76 OF RECORD OF SURVEYS, IN THE OFFICE OF SAID COUNTY RECORDER, THENCE NORTH 120.83 FEET, ALONG THE MOST WESTERLY LINE OF SAID DIXON TRACT OF LAND, TO THE NORTHWESTERLY CORNER THEREOF AND A POINT IN A CURVE IN THE SOUTHEASTERLY LINE OF HOLLISTER AVENUE, AS SHOWN ON SAID ABOVE MENTIONED MAP OF SURVEY, THE RADIAL CENTER OF WHICH BEARS NORTH 29° 46' 14" WEST 5730.00 FEET, THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A DELTA OF 0° 02' 46", A DISTANCE OF 4.61 FEET, THENCE CONTINUING ALONG SAID LINE OF HOLLISTER AVENUE, NORTH 60° 11' EAST 60.35 FEET, THENCE, LEAVING SAID LINE OF HOLLISTER AVENUE, SOUTH 29° 49' EAST 128.40 FEET, THENCE SOUTH 4° 00' WEST 50.00 FEET TO A POINT ON THE MOST SOUTHERLY LINE OF SAID DIXON TRACT OF LAND, THENCE ALONG SAID LINE, NORTH 86° 00' WEST 117 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT PORTION OF RANCHO LOS DOS PUEBLOS IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE TRACT OF LAND DESCRIBED IN THE DEED FROM W.D.V. SMITH, ET UX., TO SEASIDE OIL COMPANY, RECORDED SEPTEMBER 14, 1929, INSTRUMENT NO. 10215, IN BOOK 197, PAGE 247 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF

SAID COUNTY, WHICH POINT IS IDENTIFIED ON A MAP OF SURVEY RECORDED IN BOOK 22, PAGE 27 OF RECORD OF SURVEYS , IN THE OFFICE OF SAID COUNTY RECORDER, AS BEING IN THE WESTERLY LINE OF FAIRVIEW AVENUE A DISTANCE OF 164.55 FEET SOUTH OF THE INTERSECTION OF THE SOUTHERLY LINE OF THE STATE HIGHWAY (HOLLISTER AVENUE) AND THE WESTERLY LINE OF SAID FAIRVIEW AVENUE, THENCE 1ST, NORTH 89° 41' WEST, ALONG THE SOUTH LINE OF THE TRACT OF LAND DESCRIBED IN SAID DEED 93.52 FEET, MORE OR LESS TO THE SOUTHWEST CORNER OF SAID TRACT, THENCE 2ND, NORTH 0° 19' EAST 20.55 FEET, MORE OR LESS TO THE MOST SOUTHERLY CORNER OF THE TRACT OF LAND DESCRIBED IN THE DEED FROM LYDIA K. BANGERTER TO SEASIDE OIL COMPANY, RECORDED OCTOBER 21, 1954, INSTRUMENT NO. 18212, IN BOOK 1275, PAGE 168 OF SAID OFFICIAL RECORDS, THENCE 3RD, NORTH 29° 50' 30" WEST, ALONG THE SOUTHWESTERLY LINE OF SAID LAST MENTIONED TRACT, 94.89 FEET, MORE OR LESS TO THE SOUTHEASTERLY LINE OF HOLLISTER AVENUE, THENCE 4TH, SOUTH 60° 09' 30" WEST, ALONG SAID SOUTHEASTERLY LINE 53.29 FEET, MORE OR LESS TO THE MOST NORTHERLY CORNER OF THE TRACT OF LAND DESCRIBED IN THAT CERTAIN DEED OF TRUST EXECUTED BY E.D. DIXON, ET UX., RECORDED MAY 16, 1961, AS INSTRUMENT NO. 16977, IN BOOK 1847, PAGE 340 OF OFFICIAL RECORDS, THENCE 5TH, SOUTH 29° 49' EAST, ALONG THE LINE OF SAID LAST MENTIONED TRACT, 128.40 FEET TO AN ANGLE POINT THEREIN, THENCE 6TH, SOUTH 4° 00' WEST, ALONG THE EASTERLY LINE OF SAID LAST MENTIONED TRACT, 50 FEET TO THE SOUTHEAST CORNER THEREOF, THENCE 7TH, SOUTH 86° 00' EAST ALONG THE SOUTHERLY LINE OF THE TRACT OF LAND DESCRIBED IN THE DEED TO E.D. DIXON, ET UX., RECORDED APRIL 6, 1960, AS INSTRUMENT NO. 11078, IN BOOK 1731, PAGE 117 OF SAID OFFICIAL RECORDS, 127 FEET MORE OR LESS TO THE WESTERLY LINE OF FAIRVIEW AVENUE, THENCE 8TH, NORTH 0° 19' EAST ALONG SAID WESTERLY LINE, 93.45 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION AS DESCRIBED IN THE DEED TO THE COUNTY OF SANTA BARBARA, RECORDED JULY 25, 1966, AS INSTRUMENT NO. 24059, IN BOOK 2159, PAGE 804 OF OFFICIAL RECORDS.

PARCEL 3:

THAT PORTION OF RANCHO LOS DOS PUEBLOS IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:
BEGINNING AT THE MOST EASTERLY NORTHEAST CORNER OF THE 830.592 ACRE PARCEL OF LAND SHOWN ON THE MAP FILED IN BOOK 88, PAGE 30 OF RECORD OF SURVEYS IN THE OFFICE OF THE SANTA BARBARA COUNTY

RECORDER; THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID LAND, NORTH 85° 39' 40" WEST 265.49 FEET TO AN ANGLE POINT IN SAID LINE AND NORTH 00° 28' 46" EAST 13.07 FEET TO THE SOUTHWESTERLY CORNER OF THE W.D.V. SMITH TRACT SHOWN ON THE MAP FILED IN BOOK 22 PAGE 27 OF SAID RECORD OF SURVEYS, SAID SMITH TRACT ALSO BEING SHOWN ON THE MAP FILED IN BOOK 61, PAGE 76 OF SAID RECORD OF SURVEYS; THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID SMITH TRACT SOUTH 84° 57' 55" EAST 265.79 FEET TO THE EASTERLY BOUNDARY LINE OF SAID RANCHO; THENCE ALONG SAID EASTERLY LINE SOUTH 00° 51' 05" WEST 9.83 FEET TO THE POINT OF BEGINNING.

APN: 073-080-028