

**RECORDING REQUESTED BY AND WHEN
RECORDED, MAIL TO**

County of Santa Barbara
Housing and Community Development
123 E. Anapamu St., #202
Santa Barbara, CA 93101
Attn: Deputy Director

NO FEE DOCUMENT PURSUANT TO
CALIFORNIA GOVERNMENT CODE SECTION 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**FIRST AMENDMENT TO COUNTY HOME LOAN REGULATORY AGREEMENT
AND DECLARATION OF RESTRICTIVE COVENANTS**

This First Amendment to the County HOME Loan Regulatory Agreement and Declaration of Restrictive Covenants (this "Agreement") is made this 6th day of May, 2025, between the County of Santa Barbara (herein called the "COUNTY" or "LENDER"), a political subdivision of the State of California, and Patterson Point, L.P., a California limited partnership (the "OWNER" or "BORROWER" and, together with the COUNTY, collectively, the "Parties" and each individually a "Party")

RECITALS

WHEREAS, on July 16th, 2024 COUNTY entered into a County HOME Loan Regulatory Agreement and Declaration of Restrictive Covenants (Agreement) with the OWNER, recorded on September 13, 2024 as instrument number 2024-0027160 in the Official Records of the County of Santa Barbara, to regulate and restrict the occupancy, rents, operation, ownership, and management of the Property located at 80 North Patterson Avenue, in the area of Goleta, in unincorporated Santa Barbara County, in the State of California, as more particularly described in Exhibit A. The covenants in this Agreement are intended to run with the land and be binding on the OWNER and its successors and assigns with respect to the property; and,

WHEREAS, the California State Housing and Community Development Department (State HCD) subsequently required the inclusion of a section to the Agreement to describe limitations to a Transfer of any general partnership interests, for consistency with the guidelines of the State of California Permanent local Housing Allocation ("PLHA") funds ("PLHA Funds"), pursuant to SB2, the Building Homes and Jobs Trust Funds Act, as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB2)); and,

WHEREAS, it is the goal of the COUNTY and OWNER to satisfy the requirements of State HCD to adhere to the PLHA guidelines.

AGREEMENT

NOW THEREFORE, COUNTY and OWNER hereby agree as follows:

1. Section 6.16, TRANSFERS has been added to the First Amendment to the County Home Loan Regulatory Agreement (Exhibit B) to provide a description of a Permitted Transfer of the Property, the County HOME Loan Agreement, or any of Borrower's rights or obligations including but not limited to, the sale, assignment, or transfer of any general partnership interests; and
2. Except as expressly modified by this First Amendment to the County Home Loan Regulatory Agreement, the terms of the AGREEMENT shall remain in full force and effect.

Signatures appear on following page. No further text appears here.

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

ATTEST:

Mona Miyasato
Clerk of the Board

COUNTY:

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

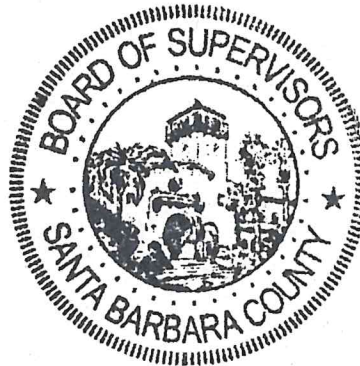
By: *Shirley G. Guere*
Deputy Clerk of the Board

By: *LK*
LAURA CAPPS
Board Chair

**APPROVED AS TO ACCOUNTING
FORM:**

BESTY M. SCHAFER, CPA, CPFO
AUDITOR-CONTROLLER

Signed by:
By: *Shawna Jorgensen*
DF6DB6D7D8344E6...
Shawna Jorgensen, Deputy Auditor-Controller



APPROVED AS TO FORM

RACHEL VAN MULLEM
COUNTY COUNSEL

Signed by:
By: *Lauren Wideman*
8F464D822C84458...
Lauren Wideman, Deputy County Counsel

APPROVED AS TO FORM:

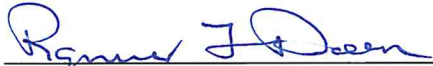
RISK MANAGEMENT

Signed by:
By: *Greg Milligan*
05F555F00289486...
Gregory Milligan, ARM, AIC
Risk Manager

BORROWER

PATTERSON POINT, L.P.,
a California limited partnership

By: SURF DEVELOPMENT COMPANY, a California
nonprofit public benefit corporation,
its managing general partner

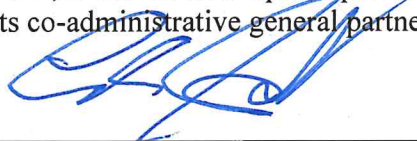
By 
Raymond F. Down, President

By: PPAGP, LLC, a California limited liability company,
its administrative general partner

By: HOUSING AUTHORITY OF THE COUNTY OF SANTA
BARBARA, a public body, corporate and politic, its sole member
and manager

By 
Robert P. Havlicek Jr, Executive Director

By: SANTA BARBARA HOUSING ASSISTANCE
CORPORATION, a California nonprofit public benefit
corporation, its co-administrative general partner

By 
Carlo Sarmiento, Executive Director

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

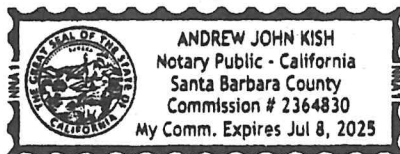
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Santa Barbara)
 On 4/21/25 before me, Andrew John Kish, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared Robert P. Havlice Jr.
 Name(s) of Signer(s)

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 Andrew Kish
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____
 Document Date: _____ Number of Pages: _____
 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

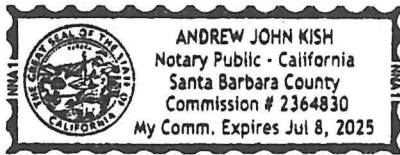
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 4/21/25 before me, Andrew John Kish, Notary Public,
 Date Here Insert Name and Title of the Officer
 personally appeared CARLO SARMIENTO
 Name(s) of Signer(s)

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 Andrew Kish
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: 1st Am. to County Home Loan Reg. Agreement
 Document Date: 4/21/25 Number of Pages: 6
 Signer(s) Other Than Named Above: Laura Capps, Robert P. Havlicek Jr., Raymond F. Dunn

Capacity(ies) Claimed by Signer(s)

Signer's Name: CARLO SARMIENTO
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☒ Other: Executive Director
 Signer Is Representing: Santa Barbara Housing Asst. Corp.

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

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 4/23/25 before me, Kelsie Shroll, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Raymond Down
Name(s) of Signer(s)

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 K Shroll
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

EXHIBIT A

Legal Description

Real property in the unincorporated area of the County of Santa Barbara, State of California, described as follows:

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

BEGINNING AT THE MOST NORTHWEST CORNER OF THE HENRY N. HILL TRACT IN LA GOLETA RANCHO DIVISION, MARKED H. HILL 5 ON EDMUND PEW MAP, FILED, SAID CORNER BEING A CROSS ON ROCK UNDER SURFACE OF GROUND IN THE CENTER OF 60 FOOT COUNTRY ROAD, AND RUNNING, THENCE FIRST SOUTH 83°11' EAST ALONG THE NORTHERLY LINE OF SAID HENRY N. HILL TRACT

18.18 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE SOUTH 83°11' EAST 150.00 FEET; THENCE SOUTH 1°34'23" WEST 195.35 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF THE TRACT OF LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED JULY 14, 1960 AS INSTRUMENT NO. 22119 IN BOOK 1762, PAGE 98 OF OFFICIAL RECORDS, RECORDS OF SAID COUNTY; THENCE ALONG THE BOUNDARY LINE OF SAID STATE OF CALIFORNIA TRACT OF LAND FOLLOWING COURSES AND DISTANCES, NORTH 58°25'63" WEST 143 FEET, MORE OR LESS, TO AN ANGLE POINT IN SAID LINE; NORTH 34°17'54" WEST 43.08 FEET, AND NORTH 1°34'23" EAST 102.50 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OF THE RIGHT, TITLE AND INTEREST IN AND TO ANY AND ALL OIL, GAS, HYDROCARBONS, ASPHALTUM AND MINERALS LYING AND BEING BELOW THE DEPTH OF 500 FEET BENEATH THE SURFACE OF THE REAL PROPERTY HEREIN CONVEYED; PROVIDED, HOWEVER, THAT THIS EXCEPTION DOES NOT INCLUDE THE RIGHT TO ENTER UPON THE SURFACE OF THE REAL PROPERTY HEREIN DESCRIBED TO DRILL, WHIPSTOCK, DIRECTIONALLY DRILL, MINE, TUNNEL, DIG SHAFTS, OR OTHERWISE MAKE ENTRY BY ANY MEANS WHATSOEVER, THROUGH OR INTO ANY PORTION OF THE REAL PROPERTY HEREIN DESCRIBED LYING AND BEING 500 FEET OF THE SURFACE THEREOF OR TO USE THE SURFACE THEREOF FOR ANY PURPOSES, AS RESERVED IN THE DEED FROM JOHN S. EDWARDS, JR. AND OTHERS, RECORDED JANUARY 21, 1963, BOOK 1972, PAGE 1076 OF OFFICIAL RECORDS; BUT EXPRESSLY EXCEPTING HOWEVER, THE FOLLOWING RIGHTS AND INTEREST WITH RESPECT TO THAT PORTION OF THE REAL PROPERTY HEREIN DESCRIBED LYING AND BEING MORE THAN 500 FEET BENEATH THE SURFACE THEREOF.

(A) THE PERPETUAL RIGHT TO USE EVERY PORTION OF THE HEREIN DESCRIBED REAL PROPERTY LYING MORE THAN 500 FEET BENEATH THE SURFACE THEREOF FOR ANY AND ALL PURPOSES IN CONNECTION WITH THE EXPLOITATION OF, EXTRACTION OF, OR OPERATION FOR ANY AND ALL OF THE MINERALS, OIL, NATURAL GAS, ASPHALTUM OR OTHER HYDROCARBONS HEREINBEFORE RESERVED, OR IN CONNECTION WITH THE EXERCISE OF ANY AND ALL RIGHTS HEREINBEFORE RESERVED OR APPURTENANT TO SAID MINERALS, OIL, NATURAL GAS, ASPHALTUM OR OTHER HYDROCARBONS.

(B) THE PERPETUAL RIGHT TO WHIPSTOCK, DIRECTIONALLY DRILL, MINE AND CONSTRUCT TUNNELS OR SHAFTS FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED IN THE EXERCISE OF ANY AND ALL RIGHTS HEREINBEFORE RESERVED, AND TO BOTTOM SUCH WHIPSTOCKED, DIRECTIONALLY DRILLED WELL OR WELLS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS OF THE LAND HEREINABOVE DESCRIBED, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS, TUNNELS, SHAFTS OR MINES.

APN: 067-200-005

EXHIBIT B

FIRST AMENDMENT TO COUNTY HOME LOAN REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS

6.16 **TRANSFERS.** Borrower has not made or created, and shall not make or permit, any sale, assignment, conveyance, or other transfer, directly or indirectly, whether by operation of law or otherwise, of the Property, this County HOME Loan Agreement, or any of Borrower's rights or obligations hereunder, including, but not limited to, the sale, assignment, or transfer of any general partnership interests ("Transfer"), other than a Permitted Transfer (as such term is defined in the County HOME Loan Deed of Trust) without the prior written consent of Lender in each instance, which consent shall not be unreasonably withheld.