

Address: 816 Cacique Street
APN: 017-240-21

**FIRST AMENDMENT TO
RESTRICTED USE COVENANT IMPOSED ON REAL PROPERTY
FOR THE OPERATION OF A HOMELESS SHELTER AND RELATED SERVICES**

THIS FIRST AMENDMENT TO THE RESTRICTED USE COVENANT IMPOSED ON REAL PROPERTY FOR THE OPERATION OF A HOMELESS SHELTER AND RELATED SERVICES ("First Amendment") is made by and between the

COUNTY OF SANTA BARBARA,
a political subdivision of the State of California,
hereinafter referred to as "County",

and

CASA ESPERANZA HOMELESS CENTER
a California public benefit corporation,
hereinafter referred to as "Owner";

with reference to the following:

WHEREAS, on August 17, 1999, County and the Coalition to Provide Shelter & Support to Santa Barbara Homeless, a California public benefit corporation entered into the Restricted Use Covenant Imposed on Real Property for the Operation of a Homeless Shelter and Related Services (hereinafter "Covenant"); and

WHEREAS, on December 3, 2003, the Board of Directors of the Coalition to Provide Shelter & Support to Santa Barbara Homeless approved a motion to change its corporate name to Casa Esperanza Homeless Center; and

WHEREAS, the Covenant sets forth conditions for the use of the Real Property as delineated in Section A, "Program Conditions;" and

WHEREAS, the Program Description attached as Exhibit B to the Covenant makes reference to the Homeless Day Center and Homeless Shelter services; and

WHEREAS, Owner desires to modify and amend the Program Description to delete the reference to the Homeless Day Center service and revise the description of the Homeless Shelter service; and

WHEREAS, on August 26, 2013, the City of Santa Barbara approved Owner's request to modify and amend the Program Description by deleting the reference to Homeless Day Center services contained in Exhibit B to the Covenant.

NOW, THEREFORE, the parties agree to amend the Covenant as follows:

1. The text of Exhibit B, "PROGRAM DESCRIPTION," shall be deleted in its entirety and replaced with the following:

"24-HOUR HOMELESS SHELTER

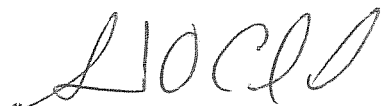
The Casa Esperanza Homeless Shelter will provide overnight sleeping facilities for as many homeless individuals as reasonably possible, up to a maximum of 230 individuals, nightly during winter season

(December 1st through March 31st). Segregated sleeping areas shall be provided for men and women, and for children if funding is available for families. Shelter will be provided to people who agree to refrain from the use of drugs and alcohol during their stay. Supportive services will be provided in the areas of mental health, substance abuse and healthcare, based on the availability of resources. Services and accommodations provided will include restrooms, showers and towels, three meals a day and secured space for bicycles.”

2. Except as set forth in Section 1 above, this First Amendment shall not modify or change any of the provisions of the Covenant and the parties to this First Amendment are bound by the provisions of the Covenant, as amended herein.

IN WITNESS WHEREOF, County and Owner have executed this First Amendment by the respective authorized officers as set forth below to be effective as of the date executed by County.

“County”
COUNTY OF SANTA BARBARA

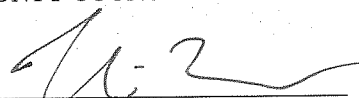
By: 
SALUD CARBAJAL
Chair, Board of Supervisors

ATTEST:

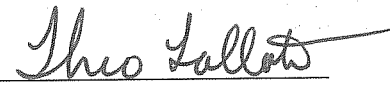
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: 
Deputy Clerk

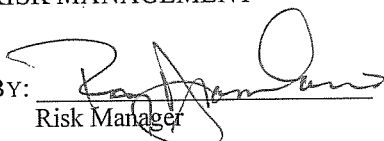
APPROVED AS TO FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

By: 
Michael A. Munoz
Senior Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By: 
Theo Fallati
Assistant Auditor-Controller


APPROVED AS TO FORM:
RAY AROMATORIO, ARM, AIC
RISK MANAGEMENT

By: 
Risk Manager

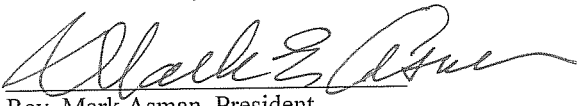
RECOMMENDED FOR APPROVAL:

BY: 
DEPARTMENT HEAD

“Owner”
CASA ESPERANZA HOMELESS CENTER,
a California public benefit corporation,

By: 
Bob Bogle, Executive Director

Date: 4/16/14

By: 
Rev. Mark Asman, President

Date: 4/14/14