

**NO CHARGE ON THIS DOCUMENT PER
CALIFORNIA GOVERNMENT CODE
SECTION 6103**

**Recording Requested By
And When Recorded Mail To:**

City Clerk
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

**NOTICE OF TERMINATION OF
DISPOSITION AND DEVELOPMENT AGREEMENT/
HOME PROGRAM PARTICIPATION AGREEMENT
(Cordova)**

THIS NOTICE OF TERMINATION OF DISPOSITION AND DEVELOPMENT AGREEMENT/HOME PROGRAM PARTICIPATION AGREEMENT (“Termination”) is dated as of the __ day of _____, 2018, by Cordova Trolley, LP, a California limited partnership (“Developer”) and the City of Chula Vista and the Chula Vista Housing Authority as the Successor Housing Entity (collectively, the “Lender”).

RECITALS

- A. The Developer and the Lender are all of the current parties to that certain Disposition and Development Agreement/HOME Program Participation Agreement dated as of December 17, 1996, and recorded against the Property in the Office of the Recorder of the County of San Diego on September 12, 1997, as Document 1997-0443742 (“DDA”).
- B. Concurrently with the recordation of this Termination, the Agency Loan, City Loan, Agency Note and City Note, described in the DDA, are being consolidated, amended and restated by the Developer and the Lender.
- C. Concurrently with the recordation of this Termination, the Agency Trust Deed and the City Trust Deed, described in the DDA, are being fully reconveyed and replaced with a new deed of trust which will secure the consolidated, amended and restated loan and promissory note.
- D. Concurrently with the recordation of this Termination, a declaration of covenants, conditions and restrictions is being recorded setting forth the ongoing rent and occupancy restrictions applicable to the real property described in the DDA.
- E. Given the foregoing Recitals B, C and D, the DDA no longer serves any purpose.

NOW, THEREFORE, the Developer and the Lender hereby: (i) terminate the DDA, (ii) give notice that the DDA is terminated; (iii) agree that the DDA is no longer of any legal force or effect; and (iv) agree the DDA no longer constitutes a burden and/or lien and/or encumbrance against the property described therein.

DEVELOPER:

Cordova Trolley, LP, a California limited partnership

By: Cordova Trolley Management, LLC, a California limited liability company
Its: Managing General Partner

By: South Bay Community Services, a California nonprofit public benefit corporation
Its: Sole Member and Manager

By: _____
Kathryn Lembo
President and Chief Executive Officer

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

LENDER:
City of Chula Vista

By: _____
Gary Halbert, City Manager

Chula Vista Housing Authority as the Successor Housing Entity

By: _____
Gary Halbert, Director

APPROVED AS TO FORM:

By: _____
Glen R. Googins, City Attorney

ACKNOWLEDGMENT

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 San Diego)

On _____, 2018, before me, _____, 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)

ACKNOWLEDGMENT

<p>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.</p>

State of California)
)
County of San Diego)

On _____, 2018, before me, _____, 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)