

**AMENDMENT NO. 2 TO
EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT**

between

**THE CITY RIALTO
a municipal corporation**

and

RVA Spa Inc.
(a California Limited Liability Company)

[Dated as of April 23, 2019 for reference purposes only]

This Amendment No. 2 (“Amendment #2”) to that certain Exclusive Right to Negotiate Agreement (“Agreement”) is made this 23rd day of April 2019 by and between the City of Rialto, a municipal corporation (“City”), and RVA Spa and/or its approved assignee, (“Developer”), pursuant to the following facts:

RECITALS

WHEREAS, City and Developer did enter into the Agreement dated as of July 24, 2018 and entered into Amendment Number One to the Agreement (Amendment No. 1) dated as of February 12, 2019, to extend the Agreement termination date; and

WHEREAS, the parties have commenced negotiations as provided for in the Agreement; and

WHEREAS, the parties have mutually concluded that it is desirable for them to amend the term of the Agreement to provide additional time to complete their negotiations of a Disposition and Development Agreement for the development of recreational vehicle dealership on 6 Acres of property owned by the City located southwest of Casmalia Avenue and Alder Avenue.

NOW, THEREFORE, City and Developer do hereby agree to amend the Agreement as follows:

Section One: Section 3.5 (i) of the Agreement is amended to read as follows:

“3.5 (i) On June 25, 2019 unless mutually extended by the parties prior to June 25, 2019.”

Section Two: All other terms, conditions, clauses, phrases, covenants and promises contained in the Agreement and not modified herein shall remain in full force and effect notwithstanding this Amendment.

WHEREFORE, the parties have executed this Amendment No. 2, effective April 23, 2019.

SIGNATURE PAGE TO AMENDMENT NO. 2
TO EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT

CITY:

THE CITY OF RIALTO

By: _____

DEBORAH ROBERTSON, Mayor

Dated: _____, 2019

ATTEST:

By: _____

BARBARA MCGEE, City Clerk

APPROVED AS TO LEGAL FORM:

ALESHIRE & WYNDER, LLP

By: _____

FRED GALANTE, ESQ.
City Attorney

DEVELOPER:

RV Spa Inc.

By: _____

Dated: _____, 2019