

**ADDENDUM TO THE  
INTERIM OPERATING AND COST SHARING AGREEMENT  
DATED FEBRUARY 18, 2020**

THIS ADDENDUM TO THE INTERIM OPERATING AND COST SHARING AGREEMENT dated February 18, 2020 is entered into by and between the CV Saddle Creek, LLC, CV Saddle Creek Holdings, LLC and Saddle Creek Golf Club, LLC herein collectively referred to as “Owner”, and the Copper Valley Community Service District (formerly Saddle Creek Community Services District) herein referred to as “CSD”. The Owner and CSD may each be referred to herein individually as a “Party” and collectively as the “Parties”.

**RECITALS**

**A.** WHEREAS, on February 18, 2020, the Parties entered into an agreement known as the Interim Operating and Cost Sharing Agreement (“Interim Agreement”);

**B.** WHEREAS, the Interim Agreement was intended to govern the responsibilities of the Parties related to the operation and maintenance of the development commonly known as the Saddle Creek Golf Resort located in Copperopolis, California (the “Property”) until such time that the formal site maps specifying the Parties’ respective ownership of areas of the Property could be created and a permanent operating and cost sharing agreement could be executed;

**C.** WHEREAS, it was anticipated that a permanent operating and cost sharing agreement would replace the Interim Agreement on or before December 31, 2020 and the Interim Agreement was set to terminate by that date;

**D.** WHEREAS, due to the COVID-19 pandemic and other unavoidable delays, the Parties were not able to create the site maps needed to accurately reflect ownership and maintenance responsibilities that will be the basis of a permanent operating and cost sharing agreement;

**E.** WHEREAS, the Parties mutually agreed to extend the term of the Interim Agreement through December 31, 2021;

**F.** WHEREAS, whereas the Parties are not yet prepared to enter into a permanent operating and cost sharing agreement and wish to extend the term of the Interim Agreement for another year through December 31, 2022;

**G.** WHEREAS, under the Interim Agreement, Owner was required to transfer ownership of the portable office building trailer which the CSD occupies as its offices to the CSD; and

**H.** WHEREAS, Owner has not yet transferred ownership of the portable office

building.

NOW, THEREFORE, through this Addendum to the Interim Agreement, the Parties agree as follows:

**1. Recitals**

The Recitals enumerated above are incorporated into the Interim Agreement through this Addendum.

**2. Term Extension**

The Term of the Interim Agreement is hereby extended through December 31, 2022.

**3. Office Building and Equipment ownership**

The Owner reaffirms its obligation under the Interim Agreement to transfer ownership of the portable office building trailer which the CSD occupies as its offices to the CSD. Owner shall complete the required transfer on or before March 30, 2022. In the event that Owner fails to complete the transfer by this date shall be considered default and, in addition to all other remedies available to CSD, Owner shall pay a penalty of \$500.00 to CSD and additional \$500.00 penalties on the final day of each month thereafter on which the transfer has not been completed. Owner shall pay all fees and taxes associated with ownership of the office building trailer and assessed prior to the date ownership is transferred to CSD.

**4. Incorporation into Interim Agreement**

Except as explicitly stated within this Addendum, all provisions of the Interim Agreement remain unaltered and in full force and effect.

IN WITNESS WHEREOF, the Parties agree to the foregoing by execution of this Addendum:

**Owner:**

**CSD:**

\_\_\_\_\_  
By: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**RESOLUTION \_\_, 2021**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COPPER VALLEY COMMUNITY SERVICES DISTRICT APPROVING AN ADDENDUM TO THE INTERIM OPERATING AND COST SHARING AGREEMENT WITH CV SADDLE CREEK, LLC; CV SADDLE CREEK HOLDINGS, LLC AND SADDLE CREEK GOLF CLUB, LLC

**WHEREAS**, the Copper Valley Community Services District wishes to extend its agreement with the Copper Valley properties; and

**WHEREAS**, a draft agreement addendum has been prepared to document the desired extension with conditions added for the transfer of the office trailer as contemplated in the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the agreement with CV Properties et al is approved and effective December 21, 2021.

**PASSED AND ADOPTED** by the Board of Directors of the Copper Valley Community Services District on December 21, 2021 by the following vote:.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Larry Hoffman, President

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Peter Kampa, Board Secretary

Board of Directors