

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

607B



REVIEWED BY EXECUTIVE OFFICE

DATE 4/19/12
Tina Grande

FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 19, 2012

SUBJECT: FIRST EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 32171 -
Applicant: Peter Vanek - Third/Third Supervisorial District.

RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Commission on April 18, 2012.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION:

APPROVED the **FIRST EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 32171**, extending the expiration date and to reflect SB1185, AB333 and AB208 benefits to December 14, 2013, subject to all the previously approved and/or amended Conditions of Approval with the applicant's consent.

Carolyn Syms Luha
Carolyn Syms Luha
Planning Director

Initials:
CSL:cm D.M.

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Buster, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: May 1, 2012
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

Dept't Recomm.: Policy Policy
 Consent Consent
Per Exec. Ofc.:

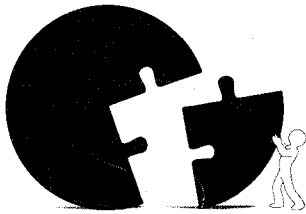
Prev. Agn. Ref.

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

District: 3/3

Agenda Number:

1.2



RIVERSIDE COUNTY PLANNING DEPARTMENT

607B

Carolyn Syms Luna
Director

DATE: April 19, 2012

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office *pjm*

SUBJECT: FIRST EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 32171
(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Place on Administrative Action <small>(Receive & File; EOT)</small> | <input type="checkbox"/> Set for Hearing <small>(Legislative Action Required; CZ, GPA, SP, SPA)</small> |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | **SELECT Advertisement** |
| <input type="checkbox"/> Place on Consent Calendar | <input type="checkbox"/> **SELECT CEQA Determination** |
| <input type="checkbox"/> Place on Policy Calendar <small>(Resolutions; Ordinances; PNC)</small> | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding <small>(GPIP)</small> | <input type="checkbox"/> Notify Property Owners <small>(app/agencies/property owner labels provided)</small> |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Please schedule on the 5/1/12 BOS Agenda

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

Agenda Item No. **1.1**
Area Plan: Southwest
Zoning Area: French Valley
Supervisorial District: Third
Project Planner: Adrienne Rossi
Planning Commission Hearing: April 18, 2012

TENTATIVE TRACT MAP NO. 32171
FIRST EXTENSION OF TIME
Applicant: Peter Vanek

COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

The applicant of the subject case has requested an extension of time to allow for recordation of a final map. Unless specifically requested by the EOT applicant, this request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

REQUEST:

FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32171

BACKGROUND:

The County Planning Department, as part of the review of this Extension of Time request has determined it necessary to recommend the addition of twenty-seven (27) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public. The Flood Control Department is recommending the addition of three (3) Conditions of Approval, the Building & Safety Department (Grading Division) is recommending the addition of nine (9) Conditions of Approval, the Planning Department (Landscaping Division) is recommending the addition of seven (7) Conditions of Approval and the Transportation Department is recommending the addition of eight (8) Conditions of Approval.

The Extension of Time applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant (dated March 23, 2012) indicating the acceptance of the twenty-seven (27) recommended conditions.

D.M.

FURTHER PLANNING CONSIDERATIONS:

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become December 14, 2013. If a final map has not been recorded prior this date, a second extension of time request must be filed 180 days prior to map expiration.

RECOMMENDATION:

APPROVAL of the **FIRST EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 32171**, extending the expiration date and to reflect SB1185, AB333 and AB208 benefits to December 14, 2013, subject to all the previously approved and/or amended Conditions of Approval with the applicant's consent.

FIRST EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 32171 - Applicant: Meritage Homes, LLC – Third Supervisorial District – French Valley Zoning Area - Southwest Area Plan: Community Development: Medium Density Residential (MDR) (2-5 Dwelling Units per Acre) - Location: Northerly of Jean Nicolas Road, southerly of Monaco Court and easterly of Elliot Road – 15.0 Gross Acres – Zoning: One Family Dwellings (R-1) – **APPROVED PROJECT DESCRIPTION:** Schedule A subdivision of 15 acres into 56 single family residential lots. - **REQUEST:** **FIRST EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 32171**, extending the expiration date and to reflect SB1185, AB333 and AB208 benefits to December 14, 2013.

TR32171 - AERIAL PHOTO



Selected parcel(s):
480-040-025 480-040-027

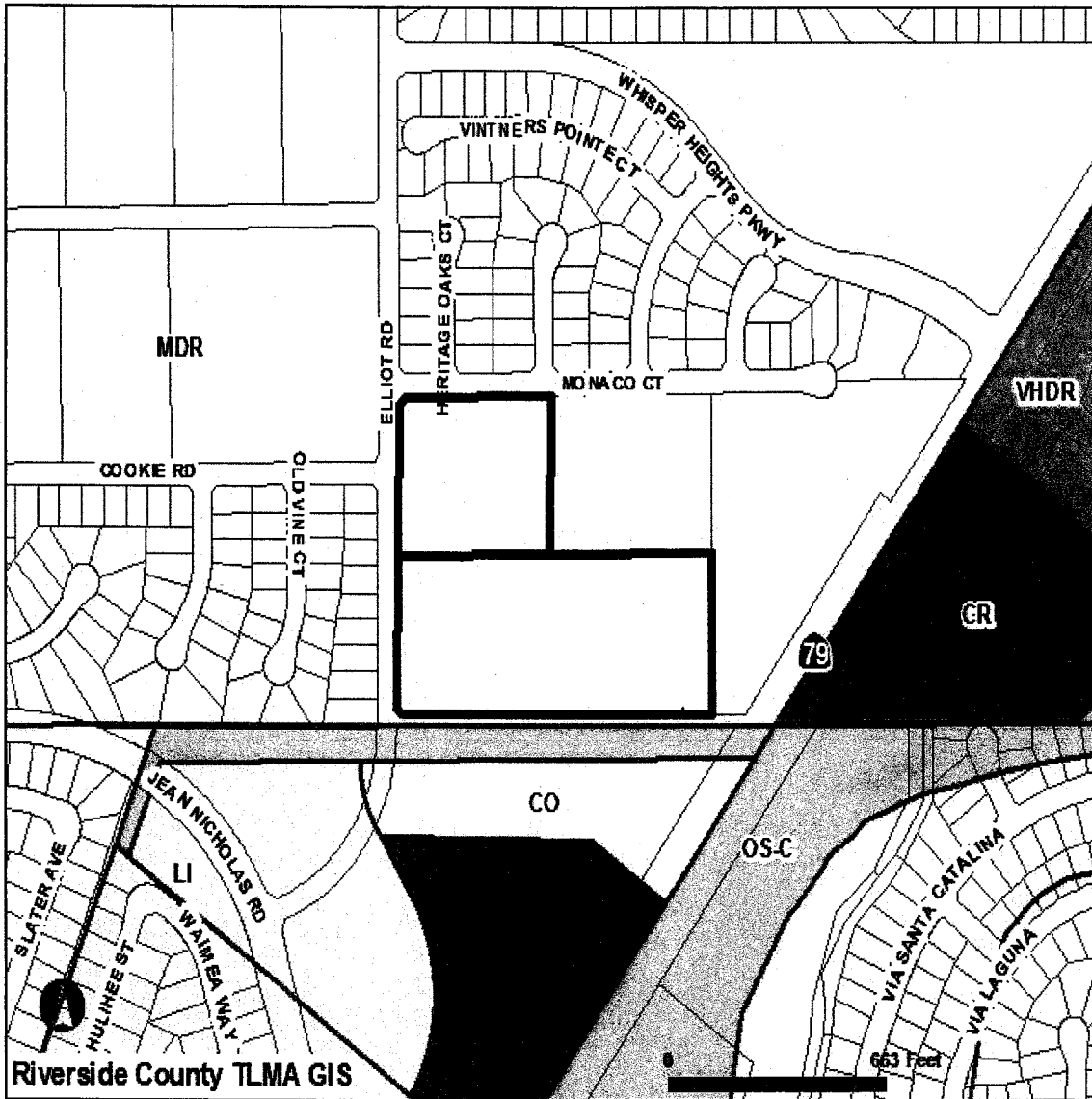
IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Thu Dec 01 08:51:46 2011

Version 111114

TR32171 - LAND USE



Selected parcel(s):
480-040-025 480-040-027

LAND USE

SELECTED PARCEL	INTERSTATES	HIGHWAYS	CITY
PARCELS	CO - COMMERCIAL OFFICE	CR - COMMERCIAL RETAIL	LI - LIGHT INDUSTRIAL
MDR - MEDIUM DENSITY RESIDENTIAL	OS-C - CONSERVATION	VHDR - VERY HIGH DENSITY RESIDENTIAL	

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Thu Dec 01 08:54:15 2011

Version 111114

TR32171 - ZONING



Selected parcel(s):
480-040-025 480-040-027

ZONING

- | | | | |
|-----------------|-----------------|----------|---------|
| SELECTED PARCEL | INTERSTATES | HIGHWAYS | CITY |
| PARCELS | ZONING BOUNDARY | C-P-S | I-P |
| R-1 | R-5 | R-R | SP ZONE |

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON... Thu Dec 01 08:55:09 2011

Version 111114

Extension of Time Environmental Determination

Project Case Number: TR32171
Original E.A. Number: EA39418
Extension of Time No.: First
Original Approval Date: December 14, 2004
Project Location: Northerly of Jean Nicolas Road, southerly of Monaco Court and easterly of Elliot Road

Project Description: Schedule A subdivision of 15 acres into 56 single family residential lots.

On 3/26/2012, this Tentative Tract Map and its original environmental assessment/environmental impact report was reviewed to determine: 1) whether any significant or potentially significant changes in the original proposal have occurred; 2) whether its environmental conditions or circumstances affecting the proposed development have changed. As a result of this evaluation, the following determination has been made:

<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and the project's original conditions of approval.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, and there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to the project's original conditions of approval which have been made and agreed to by the project proponent.
<input type="checkbox"/>	I find that there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, which the project's original conditions of approval may not address, and for which additional required mitigation measures and/or conditions of approval cannot be determined at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS REQUIRED in order to determine what additional mitigation measures and/or conditions of approval, if any, may be needed, and whether or not at least one of the conditions described in California Code of Regulations, Section 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the environmental assessment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION OF TIME SHOULD BE RECOMMENDED FOR APPROVAL.
<input type="checkbox"/>	I find that the original project was determined to be exempt from CEQA, and the proposed project will not have a significant effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME.

Signature: Adrienne Rossi
Adrienne Rossi, Planner II

Date: 3/26/12
For Carolyn Syms Luna, Director



March 23, 2012

Ms. Catherine Morales
County of Riverside
Planning Department
4080 Lemon Street, 12th Floor
Riverside, California 92501

Re: EOT - TR32171

Dear Ms. Morales:

Meritage Homes is submitting this letter of acceptance for the additional conditions related to the Extension of Time for Tract 32171. The conditions are as follows:

- | | | |
|----------------|----------------|----------------|
| 10.FLOOD RI.7 | 60.TRANS.2 | 90.BS.GRADE.8 |
| 10.PLANNING.15 | 80.BS GRADE.2 | 90.PLANNING.14 |
| 10.TRANS.10 | 80.PLANNING.23 | 90.PLANNING.15 |
| 10.TRANS.11 | 80.PLANNING.24 | 90.PLANNING.16 |
| 50.FLOOD R1.7 | 80.PLANNING.25 | 90.TRANS.5 |
| 50.TRANS.29 | 90.BS.GRADE.3 | 90.TRANS.6 |
| 60.BS GRADE.14 | 90.BS.GRADE.4 | 90.TRANS.7 |
| 60.BS GRADE.15 | 90.BS.GRADE.5 | |
| 60.FLOOD RI.7 | 90.BS.GRADE.6 | |
| 60.TRANS.1 | 90.BS.GRADE.7 | |

If you have any questions, or require additional information please feel free to contact me at (951) 547-8320.

Sincerely,

Peter Vanek
Director of Forward Planning
Meritage Homes of California, Inc.

1250 Corona Pointe Court, Suite
Corona, CA 92879

p. 951.547.8300
f. 951.547.8301

12/29/11
10:14

Riverside County LMS
CONDITIONS OF APPROVAL

TRACT MAP Tract #: TR32171

Parcel: 480-040-027

10. GENERAL CONDITIONS

FLOOD RI DEPARTMENT

10.FLOOD RI. 7 MAP EOT1 WQMP REQUIREMENTS

RECOMMND

In order to comply with the County's Municipal Storm Sewer System (MS4) Permit, this development is required to mitigate its water quality impacts. A project specific preliminary Water Quality Management Plan (WQMP) shall be submitted to the District for review and approval. This may require reconfiguration of the tract layout.

PLANNING DEPARTMENT

10.PLANNING. 15 MAP - LC LANDSCAPE REQUIREMENT

RECOMMND

The developer/ permit holder shall:

- 1)Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;
- 2)Ensure all landscaping is provided with California Friendly landscaping and a weather based irrigation controller(s) as defined by County Ordinance No. 859;
- 3)Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and,
- 4)Be responsible for maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the twelve (12) month inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

To ensure ongoing maintenance, the developer/ permit holder or any successor in interest shall:

- 1)Connect to a reclaimed water supply for landscape irrigation purposes when reclaimed water is made available.
- 2)Ensure that landscaping, irrigation and maintenance systems comply with the Riverside County Guide to California Friendly Landscaping, and Ordinance No. 859.
- 3)Ensure that all landscaping is healthy, free of weeds,

CT MAP Tract #: TR32171

Parcel: 480-040-027

10. GENERAL CONDITIONS

10.PLANNING. 15 MAP - LC LANDSCAPE REQUIREMENT (cont.) RECOMMND

disease and pests.
EOT1

TRANS DEPARTMENT

10.TRANS. 10 MAP - COUNTY WEB SITE (EOT1) RECOMMND

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: <http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

10.TRANS. 11 MAP - TUMF CREDIT AGMT (EOT1) RECOMMND

If the applicant/developer is constructing a "TUMF" facility as a condition of approval for this project and will be seeking "TUMF" credits and/or reimbursements for the "TUMF" improvements built with this project, the applicant shall enter into a "TUMF Improvement and Credit Agreement" with the Transportation Department prior to the first building permit issuance as directed by the Director of Transportation. Please contact (951) 955-6800 for additional information.

50. PRIOR TO MAP RECORDATION

FLOOD RI DEPARTMENT

50.FLOOD RI. 7 MAP EOT1 WQMP REQUIREMENTS RECOMMND

In order to comply with the County's Municipal Storm Sewer System (MS4) Permit, this development is required to mitigate its water quality impacts. A project specific final Water Quality Management Plan (WQMP) shall be submitted to the District for review and approval.

TRANS DEPARTMENT

50.TRANS. 29 MAP - GRAFFITI ABATEMENT RECOMMND

The project proponent shall file an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated for graffiti abatement of walls and other permanent structures along County maintained road rights-of-way.

CT MAP Tract #: TR32171

Parcel: 480-040-027

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 14 MAP - APPROVED WQMP EOT1

RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall submit to the Building & Safety Department Engineering Division evidence that the project - specific Water Quality Management Plan (WQMP) has been approved by the Riverside County Flood Control District and that all approved water quality treatment controlled BMPs have been included on the grading plan.

60.BS GRADE. 15 MAP-PRE-CONSTR MTG EOT1

RECOMMND

Upon receiving grading plan approval and prior to the issuance of a grading permit, the applicant is required to schedule a pre-construction meeting with the Building and Safety Department Environmental Compliance Division.

FLOOD RI DEPARTMENT

60.FLOOD RI. 7 MAP EOT1 WQMP REQUIREMENTS

RECOMMND

In order to comply with the County's Municipal Storm Sewer System (MS4) Permit, this development is required to mitigate its water quality impacts. A project specific final Water Quality Management Plan (WQMP) shall be submitted to the District for review and approval.

TRANS DEPARTMENT

60.TRANS. 1 MAP - OBTAIN L&LMD APPL (EOT1)

RECOMMND

Obtain an application from the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, to submit application for required annexation per condition of approval 50.TRANS.27 and 90.TRANS.5.

If you have any questions or for the processing fee amount, please call the L&LMD Section at (951) 955-6748.

60.TRANS. 2 MAP - IMP CREDIT/REIMB (EOT1)

RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the

TRACT MAP Tract #: TR32171

Parcel: 480-040-027

60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 2 MAP - IMP CREDIT/REIMB (EOT1) (cont.) RECOMMND

requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link:
http://www.rctlma.org/trans/rbbd_contractbidding.html.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 2 MAP-ROUGH GRD APPRVL EOT1 RECOMMND

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

1.Submitting a "Wet Signed" copy of the Soils Compaction Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.

2.Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.

3.Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.

4.Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage to stabilize the site prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall

TENTATIVE MAP Tract #: TR32171

Parcel: 480-040-027

80. PRIOR TO BLDG PRMT ISSUANCE

80.BS GRADE. 2 MAP-ROUGH GRD APPRVL EOT1 (cont.) RECOMMND

have met all rough grade requirements to obtain Building and Safety Department clearance.

PLANNING DEPARTMENT

80.PLANNING. 23 MAP-WALLS/FENCING PLANS RECOMMND

The land divider/permit holder shall file seven (7) sets of a Wall/Fencing Plan to the County Planning Department for review and approval. Said plan shall be submitted to the Department in the form of a plot plan application pursuant to County Ordinance No. 348, Section 18.30.a.(1) (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), along with the current fee. The plan shall be in compliance with County Ordinance No. 859 and Ordinance No. 348, Section 18.12, and the TENTATIVE MAP conditions of approval. A. The plan shall show all project fencing including, but not limited to, perimeter fencing, side and rear yard fencing, and open space or park fencing. A typical frontal view of all fences shall be shown on the fencing plan. B. All utility service areas and enclosures shall be screened from view with landscaping or decorative barriers or baffle treatments, as approved by the Planning Department. C. All wood fencing shall be treated with heavy oil stain to match the natural shade to prevent bleaching from irrigation spray. D. Front yard return walls shall be constructed of masonry (slump stone or material of similar appearance, maintenance, and structural durability) and shall be a minimum of five feet in height. E. Side yard gates are required on one side of front yard, and shall be constructed of wrought iron, wood, vinyl or tubular steel. Side and rear yard fencing shall be masonry, slump stone or other material of similar appearance, maintenance, and structural durability. Chain link fencing is not permitted. All construction must be of good quality and sufficient durability with an approved stain and/or sealant to minimize water staining.

(Applicants shall provide specifications that shall be approved by the Planning Department). F. All new residences constructed on lots of less than 20,000 square feet shall include rear and side yard fencing constructed of masonry block that is a minimum of five (5) feet in height. The maximum height of walls or fencing shall be six (6) feet in height. In the desert areas, block walls are discouraged on the perimeter in favor of increased setbacks with extensive

TRACT MAP Tract #: TR32171

Parcel: 480-040-027

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 23 MAP-WALLS/FENCING PLANS (cont.)

RECOMMND

drought tolerant landscaping, berms and fencing such as split rails. G. Except for the desert areas, all lots having rear and/or side yards facing local streets or otherwise open to public view shall have fences or walls constructed of decorative block, H. Corner lots shall be constructed with wrap-around decorative block wall returns. (Note: exceptions for the desert area discussed above.) I. Side yard gates are required on one side of the home and shall be constructed of powder-coated wrought iron or tubular steel. J. Wrought iron or tubular steel fence sections may be included within tracts where view opportunities and/or July 28, 2004 Planning Commission Hearing) terrain warrant its use. Where privacy of views is not an issue, tubular steel or wrought iron sections should be constructed in perimeter walls in order to take advantage of casual view opportunities.

This condition is being added as part of extension number ONE and is replacing condition number 80-PLANNING-21.

80.PLANNING. 24 MAP - LC LANDSCAPE PLOT PLAN

RECOMMND

Prior to issuance of building permits, the developer/permit holder shall file a Landscaping Minor Plot Plan Application to the Riverside County Planning Department for review and approval along with the current fee. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping.

At minimum, plans shall include the following components:

- 1)Landscape and irrigation working drawings "stamped" by a California certified landscape architect;
- 2)Weather based controllers and necessary components to eliminate water waste;
- 3)A copy of the "stamped" approved grading plans; and,
- 4)Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

- 1)Identification of all common/open space areas;

CT MAP Tract #: TR32171

Parcel: 480-040-027

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 24

MAP - LC LANDSCAPE PLOT PLAN (cont.)

RECOMMND

2) Natural open space areas and those regulated/conserved by the prevailing MSHCP;

3) Shading plans for projects that include parking lots/areas;

4) The use of canopy trees (24" box or greater) within the parking areas;

5) Landscaping plans for slopes exceeding 3 feet in height;

6) Landscaping and irrigation plans associated with entry monuments. All monument locations and dimensions shall be provided on the plan; and/or,

7) If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

NOTE:

1) Landscaping plans for areas within the road right-of-way shall be submitted for review and approval by the Transportation Department only. The Planning Department shall not approve landscape plans within the Road Right-of-Way.

) When the Landscaping Plot Plan is located within a special district such as Valley-Wide Recreation and Park District, Jurupa Community Services District, Coachella Valley Water District, a County Service Area (CSA) or other maintenance district, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Planning Department that the subject District has approved said plans.

As part of the plan check review process and request for condition clearance, the developer/permit holder shall show proof of the approved landscaping plot plan by providing the Plot Plan number. The planning department shall verify the landscape route is approved and the Plot Plan is in TENTAPPR status. Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Planning Department shall clear this condition.

EOT1

TRACT MAP Tract #: TR32171

Parcel: 480-040-027

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 25 MAP - LC LANDSCAPE SECURITIES

RECOMMND

Prior to the issuance of building permits, the developer/permit holder shall submit an estimate to replace plantings, irrigation systems, ornamental landscape elements, walls and/or fences, in amounts to be approved by the Riverside County Planning Department, Landscape Division. Once the Planning Department has approved the estimate, the developer/permit holder shall submit the estimate to the Riverside County Department of Building and Safety who will then provide the developer/permit holder with the requisite forms. The required forms shall be completed and submitted to Building and Safety for processing and review in conjunction with County Counsel. Upon determination of compliance, the Department of Building and Safety shall clear this condition.

NOTE:

A cash security shall be required when the estimated cost is \$2,500.00 or less. It is highly encouraged to allow adequate time to ensure that securities are in place. The performance security shall be released following a successful completion of the One Year Post-Establishment Inspection, and the inspection report confirms that the planting and irrigation components are thriving and in good working order consistent with the approved landscaping plans.

EOT1

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 3 MAP-WQMP INSPECTION EOT1

RECOMMND

Prior to final building inspection, the applicant shall obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications. The Building and Safety Department must inspect and approve the completed WQMP treatment control BMPs for your project before a building final can be obtained.

CT MAP Tract #: TR32171

Parcel: 480-040-027

90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 4 MAP-WQMP CERT REQ'D EOT1 RECOMMND

Prior to final building inspection, the applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project - specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.

90.BS GRADE. 5 MAP - BMP COORDINATES EOT1 RECOMMND

Prior to final building inspection, the applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.

90.BS GRADE. 6 MAP- WQMP REGISTRATION EOT1 RECOMMND

Prior to final building inspection, the applicant/owner shall register the project - specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a facility conditioned to install WQMP treatment control BMPs shall register such facility for annual inspections.

90.BS GRADE. 7 MAP- REQ'D GRDG INSP'S EOT1 RECOMMND

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

1.Precise grade inspection.

a.Precise Grade Inspection can include but is not limited to the following:

1.Installation of slope planting and permanent irrigation on required slopes.

2.Completion of drainage swales, berms and required drainage away from foundation.

b.Inspection of completed onsite drainage facilities

c.Inspection of the WQMP treatment control BMPs

MAP Tract #: TR32171

Parcel: 480-040-027

90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 8

MAP-PRECISE GRDG APPRVL EOT1

RECOMMND

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

1. Requesting and obtaining approval of all required grading inspections.

2. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for all lots included in the grading permit from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

3. Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.

4. Submitting a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the Water Quality Management Plan treatment control BMPs have been installed in accordance with the approved WQMP.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

PLANNING DEPARTMENT

90.PLANNING. 14

MAP - LC LNDSCP INSPCT DEPOSIT

RECOMMND

Prior to building permit final inspection, the developer/permit holder shall file an Inspection Request Form and deposit sufficient funds to cover the costs of Installation, Six Month Establishment, and One Year Post-Establishment inspections. In the event that an open landscape case is not available, then the applicant shall open a FEE ONLY case to conduct inspections. The deposit required for landscape inspections shall be determined by the Riverside County Landscape Division. The Planning Department shall clear this condition upon determination of

PERMIT MAP Tract #: TR32171

Parcel: 480-040-027

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 14 MAP - LC LNDSCP INSPCT DEPOSIT (cont.) RECOMMND

compliance.
EOT1

90.PLANNING. 15 MAP - LC LNDSCP INSPCTN RQMNTS RECOMMND

The permit holder's landscape architect responsible for preparing the Landscaping and Irrigation Plans (or on-site representative) shall arrange for a PRE-INSTALLATION INSPECTION with the Planning Department at least five (5) working days prior to the installation of any landscape or irrigation components.

Upon successful completion of the PRE-INSTALLATION INSPECTION, the applicant will proceed with the installation of the approved landscape and irrigation system and arrange for an INSTALLATION INSPECTION at least five 5 working days prior to the building final inspection or issuance of occupancy permit, whichever occurs first and comply with the Planning Department's Milestone 80 conditions entitled "USE-LANDSCAPING SECURITY" and the Milestone 90 condition entitled "LANDSCAPE INSPECTION DEPOSIT." Upon successful completion of the INSTALLATION INSPECTION, the County Planning Department's Landscape Inspector and the permit holder's landscape architect (or on-site representative) shall execute a Landscape Certificate of Completion that shall be submitted to the Planning Department and the Department of Building and Safety. The Planning Department shall clear this condition upon determination of compliance.
EOT1

90.PLANNING. 16 MAP - LC COMPLY W/ LNDSCP/ IRR RECOMMND

The developer/permit holder shall coordinate with their designated landscape representative and the Riverside County Planning Department's landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Planning Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Riverside County Planning Department's landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of

PROJECT MAP Tract #: TR32171

Parcel: 480-040-027

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 16 MAP - LC COMPLY W/ LNDSCP/ IRR (cont.) RECOMMND

Completion. Upon determination of compliance, the Planning Department shall clear this condition.
EOT1

TRANS DEPARTMENT

90.TRANS. 5 MAP - LANDSCAPING RECOMMND

Prior to issuance of an occupancy permit, the project proponent shall complete annexation to Landscaping and Lighting Maintenance District N. 89-1-Consolidated, County Service Area and/or Assessment District as approved by the Transportation Department for continuous landscape maintenance within for continuous landscape maintenance within public road rights-of-way, in accordance with Ordinance 461.

90.TRANS. 6 MAP - GRAFFITI ABATEMENT RECOMMND

Prior to issuance of an occupancy permit the project proponent shall complete annexation to Landscaping and Lighting Maintenance District NO. 89-1-Consolidated for graffiti abatement of walls and other permanent structures along County maintained road rights-of-way.

90.TRANS. 7 MAP - 80% COMPLETION (EOT1) RECOMMND

Occupancy releases will not be issued to Building and Safety for any lot exceeding 80% of the total recorded residential lots within any map or phase of map prior to completion of the following improvements:

- a) Primary and Alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions.
- b) Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks and driveway approaches shall be installed. The final lift of Asphalt Concrete on interior streets shall be placed prior to the release of the final 20% of homes or the production models or at any

TRACT MAP Tract #: TR32171

Parcel: 480-040-027

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 7

MAP - 80% COMPLETION (EOT1) (cont.)

RECOMMND

time when construction of new homes within the development has stopped. The developer shall be required to cap pave in front of occupied homes up to the nearest capped street within the tract boundary. The subdivision will remain responsible for the maintenance of these facilities until all improvements within the tract boundary shall be completed and accepted into the County maintained system.

- c) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance for use by the Flood Control District, if applicable, is required.
- d) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to pavement finished grade. Written confirmation of acceptance from water purveyor is required.
- e) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade. Written confirmation of acceptance from sewer purveyor is required.
- f) Landscaping and irrigation, water and electrical systems shall be installed and operational in accordance with County Ordinance 461.

LAND DEVELOPMENT COMMITTEE
2nd CASE TRANSMITTAL
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409

DATE: December 1, 2011

TO:

Transportation Dept.
Environmental Health Dept.
Flood Control District
Fire Department
Dept. of Bldg. & Safety (Grading)

Regional Parks & Open Space District
Co. Geologist
Environmental Programs Dept.
P.D. Landscaping Section
P.D. Archaeologist – L. Mouriquand

FIRST EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 32171 - Applicant: Meritage Homes, LLC – Third Supervisorial District – French Valley Zoning Area - Southwest Area Plan: Community Development: Medium Density Residential (MDR) (2-5 Dwelling Units per Acre) - Location: Southerly of Monaco Court, easterly of Elliot Road and northerly of Jean Nicolas Road – 15.0 Gross Acres – Zoning: One Family Dwellings (R-1) – APPROVED PROJECT DESCRIPTION: Schedule A subdivision of 15 acres into 56 single family residential lots. - **REQUEST:** FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32171, extending the expiration date and to reflect SB1185, AB333 and AB208 benefits to December 14, 2013.

NOTE: This EOT was initially transmitted on November 15, 2007. It is being transmitted once again to ensure the recommended conditions of approval are up to date.

Please review the attached information, together with your existing records for the subject case. This extension request is being placed on the **December 29, 2011 LDC Comment Agenda** in order to establish a deadline for review and comment. All County Agencies and Departments must complete their review prior to the LDC Comment date. Failure to complete the review and/or provide comments within the indicated time frame will result in a presumption that the affected Agency/Department has no comment, and the extension request will be moved forward based on that presumption.

Each LDC Agency or Department may recommend conditions of approval to maintain conformance with the County General Plan, or to ensure the project does not adversely affect the health, safety or welfare of the general public. New or revised conditions of approval should be added to the subject case condition set the by LDC Comment date and placed in recommend status. After the LDC Comment date, the Planning Department will then forward all recommended extension of time conditions to the applicant for acceptance prior to moving this request forward for approval.

LDC MEMBERS ARE ENCOURAGED TO DIFFERENTIATE THOSE CONDITIONS ADDED AS PART OF THE EXTENSION BY ADDING A REFERENCE IN THE CONDITION TITLE AND/OR BODY OF THE CONDITION (ie. "EOT 1, EOT 2)

If any LDC Agency or Department finds that the project, as approved, cannot be found to be in conformance with the General Plan and/or finds the project adversely affects the general health, safety and welfare of the public without the processing and approval of a Minor Change or Revised Map to the Approved Map, said Agency or Department must provide to the Planning such a recommendation and provide details as to what issues such an application must address.

Should you have any questions regarding this item, please do not hesitate to contact **Catherine Morales** at micro **5-1681** or via e-mail at **CATMORAL@rctima.org**. You can also send documents to **MAILSTOP# 1070**.

Order No.
Escrow No. **3472913**

WHEN RECORDED MAIL TO:

Meritage Homes Corporation
Attn: Lance Johnson
17851 North 85th Street, Suite 300
Scottsdale, AZ 85255

MAIL TAX STATEMENTS TO:

Same as above
3472913-SU

This is to certify that the attached is a true and correct copy of a **Grant Deed**
Recorded **September 24, 2010**
as Instrument No. **2010-0458949**, of
Official Records. Fee \$40.00, DTS of \$1,430.00
First American Title Company

Steven Clark
By Steven Clark, Sr. Title Officer

DOCUMENTARY TRANSFER TAX \$ NOT OF PUBLIC RECORD
X...Computed on the consideration or value of property conveyed; OR
....Computed on the consideration or value less liens or encumbrances remaining at time of sale.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

the undersigned grantor
Signature of Declarant or Agent (determining tax)- Firm Name

APN# 480-040-025-5
and 480-040-027-7

TRA: 054187

GRANT DEED

(Including Additional Covenants)

BY CLOSING ESCROW FOR THE PURCHASE OF THE PROPERTY CONVEYED BY THIS GRANT DEED GRANTEE AGREES TO BE BOUND BY THE ADDITIONAL COVENANTS SET FORTH BELOW AND ANY FUTURE OWNER OF ALL OR ANY PORTION OF THE PROPERTY CONVEYED BY THIS GRANT DEED, BY ACQUIRING SUCH PROPERTY ALSO AGREES TO BE BOUND BY SUCH ADDITIONAL COVENANTS.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, RON GROENEVELD ("Receiver"), COURT-APPOINTED RECEIVER ON BEHALF OF THE PROPERTY OWNED BY WL HOMES LLC, A DELAWARE LIMITED LIABILITY COMPANY IN THE MATTER OF WACHOVIA BANK, NATIONAL ASSOCIATION ("Plaintiff") V. WL HOMES, LLC ("WL"), Orange County, California Superior Court Case No. 30-2009-00291446-CU-OR-CJC ("Grantor"), does hereby grant to MERITAGE HOMES OF CALIFORNIA, INC., a California corporation ("Grantee"), the real property in the unincorporated area of Riverside County, State of California described on *Exhibit "A"* attached hereto and incorporated herein by this reference ("Property").

SUBJECT TO:

1. **Taxes/Assessments.** General and special real property taxes for the current fiscal year.
2. **Record Matters.** All covenants, conditions, restrictions, easements, reservations, rights, and rights-of-way of record and other matters described in the Sale Agreement and Escrow Instructions executed by Grantor and Grantee dated May 28, 2010 ("*Agreement*").
3. **Additional Covenants**
 - a. **No Representations.** In acquiring the Property Grantee is relying, and will rely, solely upon its own inspection, investigation and analyses of the Property and all aspects thereof, including, without limitation those set forth in Section (c) below and the following: (i) present or future laws, statutes, codes, rules,

regulations, ordinances, conditions, limitations, restrictions or requirements ("**Laws**") of the City, County, State or Federal government or any other governmental or quasi governmental agency (as applicable, a "**Governing Agency**") concerning all aspects of the Property, including, without limitation, the use, operation, development, maintenance and or marketing thereof and/or the compliance of the Property with all Laws; (ii) necessity or availability of any general or specific plan amendments, rezoning, zone variances, conditional use permits, development permits, grading permits, building permits, Final Subdivision Public Reports from the California Department of Real Estate ("**DRE**"), storm water discharge permits; environmental impact reports, supplemental or focused environmental impact reports, parcel or subdivision maps or any other Governing Agency permits, approvals or acts related to Buyer's plan for ownership, development, use and/or marketing of the Property (collectively, the "**Permits**"); (iii) all aspects of the cost of ownership, use, development and/or marketing of the Property, including, without limitation, assessments or other amounts due to any homeowners association and/or the necessity or existence of any dedications, fees, charges, costs or assessments that may be imposed in connection with obtaining of any required Permits and/or the development or use of the Property or any portion thereof; (iv) size, dimensions, location, value and/or topography of the Property; (v) existence or affect of public easements and rights respecting water ways and marine areas on or adjacent to the Property; (vi) storm water runoff or other similar requirements and obligations; (vii) the availability or adequacy of access to the Property, or of water, sewage or any other utilities serving the Property; the presence or adequacy of infrastructure, sub drain or other improvements on, near or concerning the Property; (viii) the extent or condition of any grading, compaction, improvement infrastructure or other work already performed or hereafter required for the Property; (ix) any surface, soil, subsoil, geologic or ground water conditions or other physical conditions of or affecting the Property or any adjacent or other real property, including, without limitation, methane and contaminants or release or existence of hazardous substances or materials on the Property; (x) the habitability, merchantability, marketability, profitability or fitness for a particular purpose of the Property; (xi) the accuracy of any information provided to Grantee under the Agreement or otherwise (xii) any development or other agreements or restrictions encumbering or affecting the Property in any way, including, without limitation, agreements and/or restrictions running in favor of master developer of the planned residential community in which the Property is located ("**Community**") or its assignees or successors and all documents related to any homeowners association created for the Community; (xiii) the condition and/or status of construction or completion of any improvements on the Property or the Property itself, including, without limitation the quality of construction and/or the existence of any defects in such construction whether arising before or recordation of this Grant Deed and (xiv) any aspect of the condition of title to the Property. Grantee is not relying in any way upon any representations, statements, agreements, warranties, studies, reports, descriptions, guidelines or other information or material furnished by Grantor, Receiver, Plaintiff, the other "**Lenders**" described in the Agreement or its or their representatives, whether oral or written, express or implied, of any nature whatsoever regarding any such matters. Grantee expressly acknowledges that Grantor, Receiver, Plaintiff and Lenders have not made and will not make any representations or warranties respecting any aspect of the Property including, without limitation those described above. Grantee specifically assumes the risk of any defects in or lack of completion of improvements on Property and that Grantee may not be able to obtain residential or other development entitlements, authorizations or permits for the Property.

b. **AS IS Sale.** Grantee is acquiring the Property, "AS IS and without representation or warranty of any kind. No patent or latent condition affecting the Property in any way, including, without limitation, the matters listed in Section (a) above and (c) below, whether or not known or discoverable or hereafter discovered, shall affect Grantee's obligations contained in the Agreement and/or this Grant Deed, or shall give rise to any cause of action, whether for damages, rescission or otherwise, against the "Indemnities" (as defined below). The financial condition of WL caused the appointment of the Receiver, and it is unlikely that WL will have adequate assets to cover any claims that Grantor or any successive owner of all or any portion of the Property may allege in the future related to the Property. Moreover, there may be little or no assets in the receivership available to satisfy any judgment and any such judgments may be limited by the court. WL may have had liability insurance that would cover claims regarding the Property, including, without limitation, construction defects, but Grantor, Receiver, Plaintiff and Lenders make no representations or warranties that such insurance is available or would cover any particular claims made by Grantee, any successive owner of all or any portion of the Property or any

third party. The Receiver, Plaintiff and Lenders maintain no insurance respecting the Property that would cover later construction defect or other claims.

c. **Indemnification.** Grantee acknowledges and agrees that Grantor, Receiver, Plaintiff and other Lenders (1) have not owned, developed or in any way improved the Property; (2) are not a developer or builder of the Property and (3) have no liability of any kind in connection therewith, including, without limitation, liability for defects or deficiencies in the Property and/or any improvements thereto. Therefore Grantee agrees to indemnify, defend and hold Grantor, Receiver, Plaintiff, the other Lenders and their constituent entities and their respective officers, directors, partners, members, principals, employees, agents and representatives (collectively, "**Indemnitees**") harmless from, any loss, damage, injury or claim of any kind or character to any person or property arising before or after the execution of the Agreement, resulting from, arising in connection with or relating in any way to the Agreement and/or the ownership, development, entitlement, improvement and/or sale of the Property or any portion thereof, including without limitation all matters described in Section (a) above and (i) the construction, sale or other conveyance of residences or other improvements on the Property ("**Improvements**"); (ii) construction and/or other defects in the Property and/or Improvements, including, without limitation claims made by successive owners of the Property or any portion thereof whether based on negligence, misrepresentation, strict liability or otherwise; (iii) compliance of the Property and/or Improvements with any law or permits of any kind; (iv) status of completion of any Improvements on the Property; (v) the use of the Property or any part thereof by Grantee or any officer, director, member of Grantee or any of respective employee, agent, representative, consultant or contractor of same (collectively "**Grantee Representatives**"); (vi) a defect in the design or construction of, or material in any structure or other improvement on the Property; (vii) the condition of the Property or, to the extent it affects the Property, the condition of the land in the vicinity of the Property; (viii) the presence or existence of any hazardous or toxic materials or substances, in or on the soil or ground water of the Property and/or adjacent property; (ix) any act or omission of Grantee and/or any Grantee Representative; (x) an accident or casualty on the Property whenever occurring; (xi) a violation or alleged violation by Grantee or any Grantee Representatives of any law now or hereinafter enacted; (xii) the condition of soils on the Property and adjacent property, including, without limitation, a slope erosion, sloughing or failure or subsurface geologic or groundwater condition; (xiii) any entitlements, permits, plans, specifications, maps, designs and other matters relating to the Property and (xiv) the negligence (whether passive or active) or willful misconduct of Grantee or any Grantee Representative. The provisions of this Section (c) shall not apply to a buyer or other transferee of any portion of the Property who (1) is entitled to receive by reason of such conveyance a subdivision public report pursuant to California Business and Professions Code Section 11018.2 or any similar statute hereafter in effect and (2) receives title to such portion of the Property after issuance of a final Certificate of Occupancy by the applicable Governing Agency. GRANTEE ACKNOWLEDGES THAT IT HAS BEEN ADVISED BY ITS LEGAL COUNSEL AND IS FAMILIAR WITH THE PROVISIONS OF THE CALIFORNIA SUBDIVIDED LANDS ACT (CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTIONS 11000 TO 11200) AND HEREBY WAIVES THE BENEFIT OF SAME. Grantee and any buyer or other transferee of any portion of the Property who (A) was not entitled to receive by reason of such conveyance a subdivision public report pursuant to California Business and Professions Code Section 11018.2 or any similar statute in effect at such time and (B) did not receive title to such portion of the Property after issuance of a final Certificate of Occupancy by the applicable Governing Agency shall remain be liable under the provisions of this Section (c) notwithstanding the non-applicability of this Section (c) to any subsequent transferee as provided herein.

d. **Release.** Grantee hereby releases all claims and demands of any kind against Grantor, Receiver, Plaintiff, the Lenders and the other Indemnitees for any loss, damage, injury or claim related in any way, directly or indirectly, to (a) the Agreement and/or the Property, including, without limitation, those described in Sections (a) and (c) above. The foregoing release shall apply to any claim or action brought, including, without limitation, claims by a private party or by a governmental authority under any statute or common law now or hereinafter in effect and is intended to apply with respect to loss, damage, injury or claim arising before or after the development and conveyance by Grantee of any portion of the Property. The foregoing release shall apply to losses incurred by Grantor, Receiver, Plaintiff, Lenders and the other Indemnitees or their property as well as by Grantee, the Grantee Representatives or any third parties and their property.

GRANTEE ACKNOWLEDGES THAT IT HAS BEEN ADVISED BY ITS LEGAL COUNSEL AND IS FAMILIAR WITH THE PROVISIONS OF CALIFORNIA CIVIL CODE SECTION 1542, WHICH PROVIDES AS FOLLOWS:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR." GRANTEE, BEING AWARE OF SAID CODE SECTION, HEREBY EXPRESSLY WAIVES ANY RIGHT IT MAY HAVE THERE UNDER, AS WELL AS UNDER ANY OTHER STATUTE OR COMMON LAW PRINCIPLE OF SIMILAR EFFECT.

e. **Limitation of Claims.** Notwithstanding the foregoing, any and all claims of Grantee in connection with the Agreement and/or the Property that have not been released hereunder shall be limited to the assets of the receivership estate, and Grantee hereby waives all rights to proceed against Grantor, Receiver, Plaintiff, Lenders and the other Indemnitees and/or their assets.

f. **Covenants Running With Land.** Grantor and Grantee hereby declare that the Property is to be held, conveyed, hypothecated, encumbered, used, occupied, and improved subject to the foregoing limitations, restrictions, covenants, and conditions, all of which are declared to be in furtherance of and for the use, protection, maintenance and improvement of the Property. All provisions of this Grant Deed are hereby imposed as equitable servitudes on the Property. All provisions of this Grant Deed shall run with the land and be binding upon the Property and any portion thereof or interest therein, and on all parties having or acquiring any right, title, or interest therein, and shall inure to the benefit of such parties and their successors and assigns.

[SIGNATURE AND NOTARY ACKNOWLEDGMENT ON THE FOLLOWING PAGE]

[SIGNATURE PAGE TO
GRANT DEED]

Ron Groeneveld

RON GROENEVELD, COURT-APPOINTED
RECEIVER ON BEHALF OF THE RECEIVERSHIP
ESTATE IN THE MATTER OF WACHOVIA BANK,
NATIONAL ASSOCIATION V. WL HOMES, LLC
(Orange County Superior Court Case No. 30-2009-
00291446-CU-OR-CJC)

"Grantor"

STATE OF CALIFORNIA)
)
COUNTY OF Orange) ss

On September 22, 2010, before me, Jennifer M. Peterson, Notary Public,
personally appeared Ron Groeneveld

_____, 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 _____

JMP

(SEAL)

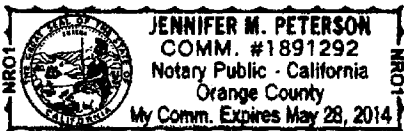


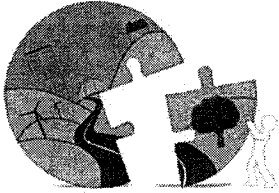
EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

Real property located in the unincorporated area of Riverside County, California, described as follows:

PARCELS 1 AND 3 OF PARCEL MAP 15223, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP IN BOOK 86, PAGE 80 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN(S): 480-040-025-5 and 480-040-027-7



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

APPLICATION FOR EXTENSION OF TIME

THIS APPLICATION MUST BE ACCOMPANIED BY APPROPRIATE FILING FEES

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION

CASE NUMBER: TR32171 DATE SUBMITTED: 11/28/2011

Assessor's Parcel Number(s): 480-040-027, 480-040-025

EXTENSION REQUEST First Second Third Fourth Fifth

Phased Final Map _____ Attach evidence of public improvement or financing expenditures.

NOTE: Land divisions may obtain a maximum of five 1-year extensions of time. Conditional Use Permits and Public Use Permits may obtain extensions of time only to the extent that the period in which to begin substantial construction does not exceed a maximum of three years from the original decision date. Plot Plans may obtain extensions of time only to the extent that the period in which to begin substantial construction does not exceed a maximum of five years from the original decision date. Variances may obtain extensions of time only to the extent that the period in which the variance is to be used does not exceed a maximum of three years from the original decision date, except that a variance in connection with a land division may be used during the same period of time that the land division may be used.

Date of Original Approval: December 14, 2004

Applicant's Name: PETER VANEK E-Mail: PETER.VANEK@MERITABLEHOMES.COM

Mailing Address: 1250 CORONA POINTE CT, STE 210
CORONA CA 92879
City State ZIP

Daytime Phone No: (951) 547-8320 Fax No: (951) 547-8301

Property Owner's Name: MERITABLE HOMES E-Mail: PETER.VANEK@MERITABLEHOMES.COM

Mailing Address: 1250 CORONA POINTE CT, STE 210
CORONA CA 92879
City State ZIP

Daytime Phone No: (951) 547-8320 Fax No: (951) 547-8301

Riverside Office • 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 • Fax (951) 955-1811

Desert Office • 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

APPLICATION FOR EXTENSION OF TIME

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

All approvals of extension of time must be consistent with the pertinent elements of the Riverside County General Plan, the Riverside County Land Use Ordinance (Ordinance No. 348), and the Multiple Species Habitat Conservation Plan (MSHCP).

An extension of time for a land division based on the filing of a phased final map shall not be granted unless the Planning Department determines that the requisite funds have been expanded to construct, improve, or finance the construction of public improvements outside the boundaries of the land division. Any other extension of time for a land division shall not be granted unless the land division conforms to the Comprehensive General Plan, is consistent with existing zoning, conforms to the currently applicable schedule of improvements specified by the Riverside County Land Division Ordinance (Ordinance No. 348) and does not affect the general health, safety, and welfare of the public. If required to bring the subject land division into conformance with current general plan, Ordinance No. 460 and public health, safety, and welfare requirements, additional conditions of approval may be imposed upon approval of an extension of time request.

I hereby request an extension of time for the above referenced project, and I acknowledge that if the basis for extension is something other than the filing of a phased final map, additional conditions of approval may be imposed upon approval of the extension of time and that I may refuse to accept additional conditions of approval only in writing prior to action by the Planning Director, or in writing or in person prior to action by the Planning Commission.

PETER VANEK

PRINTED NAME OF APPLICANT



SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

MERITANE HOMES

PRINTED NAME OF PROPERTY OWNER(S)



SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.