

**CONSTRUCTION AND TRANSFER OF WATER, SEWER, AND RECYCLED
WATER INFRASTRUCTURE AGREEMENT WITH CYPRESS MARINA
HEIGHTS, LP AT CYPRESS MARINA HEIGHTS
PHASES I, II, AND III**

**AMENDMENT NO. 2
AGREEMENT TERM EXTENSION**

The Infrastructure Agreement for Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District (DISTRICT) and Cypress Marina Heights, LP at Cypress Marina Heights (DEVELOPER) Phases I, II, and III and dated January 13, 2006 (AGREEMENT) is hereby amended in accordance with Article 25 - "Integrated Agreement."

Article 17 - "Performance," is modified as follows:

The term of the original AGREEMENT (dated January 13, 2006), is extended; the new termination date of the AGREEMENT is January 1, 2014.

One-year (1-year) extensions to the AGREEMENT may be granted in writing by the DISTRICT'S General Manager/Deputy General Manager upon written request from the DEVELOPER. A maximum of two (2) such one-year extensions may be granted.

All other articles of the AGREEMENT remain the same.

DISTRICT and DEVELOPER have caused this AGREEMENT to be amended by representatives duly authorized to act, all as of the effective date of October 12, 2010.

Prepared by: _____ Date: _____
 Brian True, MCWD
 Capital Projects Manager

DEVELOPER:
Cypress Marina Heights LP

DISTRICT:
Marina Coast Water District

By _____
Charles R. Lande

By _____
Jim Heitzman
General Manager

Date _____

Date _____