



Sunnyvale

September ____, 2018

William A. Witte
 Related California
 44 Montgomery Street, Suite 1300
 San Francisco, CA 94104

City Hall
 456 West Olive Avenue
 Sunnyvale, CA 94088-3707
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Re: ENA Extension Letter Agreement

This Letter Agreement to extend the term of the Exclusive Negotiating Agreement (“Extension Letter”) is entered as of September ____, 2018 (the “Effective Date”), by and between the City of Sunnyvale, a California municipal corporation (“City”), and The Related Companies of California, LLC, a California limited liability company (“Developer”), based on the terms and provisions set forth below. The City and Developer may sometimes be referred to individually as “Party” and collectively as “Parties.”

1. The Parties have entered into an Exclusive Negotiating Agreement (“ENA”) dated March 14, 2017, which obligated the Parties to negotiate for a period of one year the long-term lease of the Property for the development of an affordable housing project and which expired on March 13, 2018 at 5:00 p.m.
2. Pursuant to Section 1.1. of the ENA, the term may be extended by mutual written agreement between the Parties at the discretion of the City Manager.
3. On March 12, 2018, the Parties extended the term for an additional fourteen (14) day period until March 27, 2018 at 5:00 p.m.
4. On March 27, 2018, the Parties extended the term for an additional six (6) week period until May 22, 2018.
5. On May 14, 2018, the Parties extended the term up to the maximum six (6) month period from the original ENA expiration date until September 13, 2018 at 5:00 p.m.
6. The Parties wish to extend the term for an additional two (2) month period until November 13, 2018 at 5:00 p.m. so that further negotiations can take place regarding the Development and Disposition Agreement and associated documents.
7. All other terms and conditions of the ENA remain the same.
8. This Extension Letter may be executed in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

This Extension Letter has been executed by the Parties on the effective date written above.

CITY:

City of Sunnyvale,
a California municipal corporation

By: _____
Kent Steffens, City Manager

DEVELOPER:

The Related Companies of California, LLC,
a California limited liability company

By: _____
William A. Witte, Chairman and CEO