

THIS ADDENDUM AGREEMENT is made this 21st day of December, 1981, by and between the CITY OF AURORA, COLORADO, hereinafter referred to as "CITY" and MISSION VIEJO COMPANY, a California corporation, hereinafter referred to as "MISSION."

In consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. "Annexation Agreement" shall mean that certain Agreement dated May 24, 1971 by and between the City and Mission as amended by that certain Addendum dated February 26, 1979 by and between the City and Mission and amended by that certain Amendment dated December 3, 1980, by and between the City and Mission.

2. Purpose of Addendum. Under terms of the Annexation Agreement the City agrees to reimburse Mission for certain expenses incurred by Mission. These reimbursable items and amounts are as follows:

REIMBURSEMENTS DUE MISSION

<u>Item</u>	<u>AMOUNT</u>
1. Half of street improvements adjacent to public use property	\$197,501.98
2. Half of street improvements adjacent to fire station and library	34,015.01
3. Tollgate Channel oversizing	97,741.88
4. Land dedicated for public use	133,594.59
5. Tollgate Channel seeding	<u>30,000.00</u>
Total	\$492,853.46

3. Offset. The City is entitled to offset the reimbursable amount due and owing to Mission by the amount of \$45,431.00. This being the expense the City incurred in installing the Chambers Road Water line. Therefore, it is mutually agreed that the net amount due to Mission by the City for reimbursements shall be \$447,422.46.

4. Pay Schedule. The City agrees to pay to Mission, without interest, the net amount of \$447,422.46 according to

the following schedule:

- | | |
|--|--------------|
| a. Within 30 days of execution of this Agreement | \$116,325.89 |
| b. January 1, 1982 | \$170,000.00 |
| c. January 1, 1983 | \$161,096.57 |

Upon payment of the last installment, Mission agrees the City is released and discharged from any and all claims for reimbursement under terms of the Annexation Agreement.

5. Park Improvements. Mission agrees to pay to the City for use by the Department of Parks, Recreation and Public Works the sum of \$100,000.00 upon receipt of the first payment due Mission as set forth in the schedule above. Payment of such amount shall fulfill Mission's obligation under the Annexation Agreement to pay improvement funds to the City. It is mutually understood that this amount shall be used solely for constructing park improvements (as defined in Amendment to the Annexation Agreement dated December 3, 1980) and for no other purpose whatsoever.

6. Annexation Agreement Incorporated. The terms and provisions of this Amendment are hereby incorporated into the Annexation Agreement and, except as specifically amended hereby, all the terms and provisions of the Annexation Agreement shall remain in full force and effect, unaltered and unchanged by this Amendment.

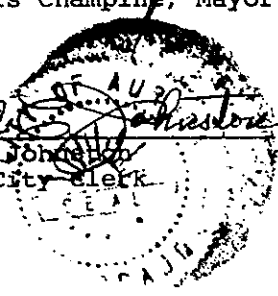
7. Captions for Convenience. The headings and captions hereof are for convenience only and shall not be considered in interpreting the provisions hereof.

CITY OF AURORA, COLORADO
A municipal corporation

BY *Dennis Champine*
Dennis Champine, Mayor

ATTEST:

Gail C. Johnston
Gail C. Johnston
Deputy City Clerk



MISSION VIEJO COMPANY
A California corporation

BY *James G. Toepfer*
James G. Toepfer
President, Colorado Division

ATTEST:

Joseph B. Blake
Joseph B. Blake
Assistant Secretary

STATES

STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 11th day of November, 1981, by James G. Toeffer, President, Colorado Division, and Joseph B. Blake, Assistant Secretary, on behalf of Mission Viejo Company, a California corporation.

Witness my hand and official seal.

My commission expires 9-8-83.



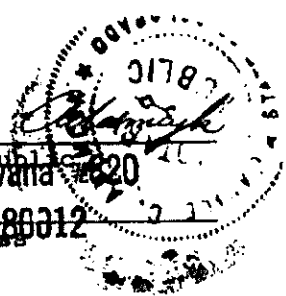
Sharon A. Ingram
Notary Public
6 Inverness Court East
Address
Englewood, CO 80112

STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 21st day of December, 1981, by Dennis Champine as Mayor and Gail C. Johnston as Deputy City Clerk of the City of Aurora, Colorado, a Colorado municipal corporation.

Witness my hand and official seal.

My commission expires August 7, 1985.



Janice C. Chalmers
Notary Public
1470 S. Havana #20
Address
Aurora, CO 80012