

AMENDMENT NO. 1
OF
NAPA COUNTY AGREEMENT NO. 230226B
PURCHASE AND SALE AGREEMENT

THIS AMENDMENT NO. 1 OF NAPA COUNTY AGREEMENT NO. 230266B is made and entered into as of this _____ day of _____, 2023, by and between **ANNA M. BAKER, MELISSA R. BAKER AND MERCEDES C. BAKER, AS TRUSTEES OF THE KAREN LOUISE BAKER BYPASS TRUST U/A DATED FEBRUARY 8, 1996, AS TO AN UNDIVIDED FIFTY PERCENT (50%) INTEREST;**

AND,

ANNA M. BAKER, AS TRUSTEE OF THE ANNA M. BAKER TRUST U/A DATED JULY 23, 2021; MELISSA R. BAKER, AS TRUSTEE OF THE MELISSA R. BAKER TRUST U/A DATED JULY 23, 2021; MERCEDES C. BAKER, AS TRUSTEE OF THE MERCEDES C. BAKER TRUST U/A DATED JULY 23, 2021, AS TO EQUAL TENANTS IN COMMON, AS TO AN UNDIVIDED 50% INTEREST (hereinafter referred to as "GRANTOR") and **NAPA COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA** (hereinafter referred to as "GRANTEE"). The GRANTOR and GRANTEE may be referred to below collectively as "Parties" and individually as "Party."

RECITALS

WHEREAS, the Parties entered into Napa County Agreement No. **230266B** with GRANTEE on February 28, 2023 (the "Agreement"), in order for the GRANTEE to purchase a Temporary Construction Easement from the GRANTOR for the Dry Creek Road Bridge over Dry Creek Replacement Project, RDS 15-22; and

WHEREAS, in accordance with the provisions set forth in the Agreement, the GRANTOR has been paid in full by GRANTEE for the Temporary Construction Easement (TCE) granted to GRANTEE and the Grant of Temporary Construction Easement has been recorded by GRANTEE; and

WHEREAS, after entering into the Agreement, the parties recognized that Caltrans-mandated language regarding the parties' commitment to compliance with the provisions of Title VI of The Civil Rights Act of 1964 that was inadvertently omitted from the Agreement; and

WHEREAS, the parties now desire to amend the Agreement to introduce the inadvertently omitted Civil Rights Act commitment;

TERMS

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, GRANTEE and GRANTOR hereby amend the Agreement as follows:

1. Paragraph 26 is added to the Agreement as follows:

26. Title VI of the Civil Rights Act of 1964.

The parties to this Agreement shall, pursuant to Section 21.7(a) of Title 49, Code of Federal Regulations, comply with all elements of Title VI of the Civil Rights Act of 1964. This requirement under Title VI and the Code of Federal Regulations is to complete the USDOT Non-Discrimination Assurance requiring compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Parts 21 and 28 C.F.R. Section 50.3.

Further, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that is the subject of this Agreement.”

2. Except as provided in (1) above, all other provisions of the Agreement shall remain in full force and effect as previously approved and amended.

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

GRANTEE:

NAPA COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
CALIFORNIA

By: 

Belia Ramos, Chair of the Board of
Supervisors

GRANTOR:

ANNA M. BAKER, MELISSA R. BAKER
AND MERCEDES C. BAKER, AS
TRUSTEES OF THE KAREN LOUISE
BAKER BYPASS TRUST U/A DATED
FEBRUARY 8, 1996, AS TO AN
UNDIVIDED FIFTY PERCENT (50%)
INTEREST;

AND

ANNA M. BAKER, AS TRUSTEE OF THE
ANNA M. BAKER TRUST U/A DATED JULY
23, 2021; MELISSA R. BAKER, AS TRUSTEE
OF THE MELISSA R. BAKER TRUST U/A
DATED JULY 23, 2021; MERCEDES C.
BAKER, AS TRUSTEE OF THE MERCEDES C.
BAKER TRUST U/A DATED JULY 23, 2021,
AS TO EQUAL TENANTS IN COMMON, AS
TO AN UNDIVIDED 50% INTEREST

By: 

Anna M. Baker, Trustee

Date: July 16, 2023

By: 

Melissa R. Baker, Trustee

Date: July 16, 2023

By: 

Mercedes C. Baker, Trustee

Date: 7/16/23

APPROVED AS TO FORM Office of County Counsel By: <u>Ryan FitzGerald (e-sign)</u> Deputy County Counsel Date: <u>May 23, 2023</u> PL No.: <u>91571</u>	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By: _____
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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

GRANTEE:

NAPA COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
CALIFORNIA

By: _____
Belia Ramos, Chair of the Board of
Supervisors

GRANTOR:

ANNA M. BAKER, MELISSA R. BAKER
AND MERCEDES C. BAKER, AS
TRUSTEES OF THE KAREN LOUISE
BAKER BYPASS TRUST U/A DATED
FEBRUARY 8, 1996, AS TO AN
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INTEREST;

AND

ANNA M. BAKER, AS TRUSTEE OF THE
ANNA M. BAKER TRUST U/A DATED
JULY 23, 2021; MELISSA R. BAKER, AS
TRUSTEE OF THE MELISSA R. BAKER
TRUST U/A DATED JULY 23, 2021;
MERCEDES C. BAKER, AS TRUSTEE OF
THE MERCEDES C. BAKER TRUST U/A
DATED JULY 23, 2021, AS TO EQUAL
TENANTS IN COMMON, AS TO AN
UNDIVIDED 50% INTEREST

By: _____
Anna M. Baker, Trustee

Date: _____

By: _____
Melissa R. Baker, Trustee

Date: _____

By: _____
Mercedes C. Baker, Trustee

Date: _____

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Ryan FitzGerald (e-sign)</u> Deputy County Counsel</p> <p>Date: <u>May 23, 2023</u></p> <p>PL No.: <u>91571</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____ Processed By: _____ Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p>
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