

Attorney Client Privileged - Confidential

proximity to Crafton Hills College which is not possible today, except through the shared use of single family housing by student groups; and

WHEREAS, the City desires to facilitate the development of college-oriented housing, a variety of enhanced educational and work force development opportunities and commercial businesses.

1. Non-Binding

The terms in Sections 2 ~~and 3~~, and 4 are not binding (notwithstanding the use of the words “will”, “shall”, “obligations”, or similar terms), and are subject to Section 5 below.

2. City’s Obligations

- (a) City will complete design guidelines for the College Village Overlay District no later than six (6) months after the date of this MOU.
- (b) City will cooperate with District to undertake and negotiate a Development Agreement between the Parties to the extent the District acquires sufficient interest in all or part of the Property:
 - (1) Any such Development Agreement will include terms regarding the College Village Overlay District.
 - (2) Any such Development Agreement will include a ten year term, or other agreed upon term, during which District’s rights to develop under the related entitlements may not be reduced or further restricted by the City, except by mutual agreement, or as required by state or federal law, or as otherwise provided in any such Development Agreement.
- (c) City will complete the construction documents for, permitting process (including compliance with the California Environmental Quality Act) for, and construction of the following backbone infrastructure:
 - (1) Approximately 1,200 feet of public roadway and on-street parking extending Chapman Heights Road westerly from Sand Canyon Road and 15th Street northerly from Yucaipa Boulevard to their intersection.
 - (2) Installation of water and sewer main lines in the extensions of 15th Street and Chapman Heights Road to their intersection and from 15th Street southerly 100 feet +/- to the existing sewer main on 15th Street consistent with the Western Heights Water Company and Yucaipa Valley Water District requirements.
 - (3) Installation of fiber optic conduit and related equipment sufficient to receive fiber optic network installation by others in the extensions of 15th Street and Chapman Heights Road to their intersection.
 - (4) The rough grading necessary for the construction of the roadway and Adjacent properties as required to grade the roadway.