

February 9, 2015

Mr. Scott Plambaeck  
City of Mountain View  
Community Development Department  
500 Castro Street  
Mountain View, CA 94039

Re: Development Agreement for 575 Middlefield Road

Dear Scott:

vision  
speak

On behalf of Symantec, the Owner of 575 Middlefield Road, we offer this letter proposing an amendment to the Development Agreement for Transit-Oriented Development at 575 Middlefield Road. The original Development Agreement was entered into as of April 8, 2010 ("Effective Date") by and between CITY OF MOUNTAINVIEW, a California Charter City and municipal corporation ("City"), and EMBP 455 L.L.C., a California limited liability company ("Owner").

At the time of this Development Agreement, Verisign was the owner of this property. The new property owner as its successor is Symantec.

The Development Agreement provided entitlements for the project five (5) years after the Effective Date of the agreement, to April 8, 2015 with a possible extension of eight (8) years to April 8, 2018 if the following occurs:

1. Owner or its successors have dedicated an easement by parcel map or by separate instrument for the Class I bike trail;
2. Owner or its successors have improvement plans approved by the Public Works Director and enter into an improvement agreement with City to assure installation of these trail improvements by the fourth anniversary of the Effective Date of this Agreement; and
3. The trail is installed and accepted by City before the fifth anniversary of the Effective Date hereof.

Symantec continues to grow its corporate headquarters presence in Mountain View and wishes to proceed with the Project approvals as defined in the Development Agreement. Improvement plans for the Class I Bike Trail have been submit to the Building Inspection Division and Public Works Department and are currently under review.

However, understanding Symantec's delay in the initial submission of improvements and the limited time frame to complete the Class 1 Bike Trail and to be accepted by the City before the fifth anniversary of the Effective Date, Symantec hereby requests the following Amendment:

Under 5.2 Term. "The Term of this Agreement shall..." we request language to read..."automatically expire **six (6)** years after the Effective Date."

Under 5.2 Term. a. "Notwithstanding the foregoing, the Term..." we request revised language to read..."(2) Owner or its successors have improvement plans approved by the Public Works Director and enter into an improvement agreement with City to assure installation of these trail improvements by **September 1, 2015**; and (3) the trail is installed and accepted by City before the **sixth** anniversary of the Effective Date hereof."

build experience

Please accept this letter and Planning Application for amendment to the Development Agreement in conjunction with Plan Check application Project No. 2015-0062 submitted 1/7/2015.

Sincerely,



Russ Nichols  
RMW architecture & interiors