

FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT

This First Amendment to Purchase and Sale Agreement ("First Amendment"), dated for reference purposes only as October 16, 2019, is by and between the COUNTY OF SAN MATEO, a political subdivision of the State of California ("County"), and THE PENINSULA OPEN SPACE TRUST ("POST"), a California non-profit public benefit corporation. When referenced together hereinafter, the entities are collectively referred to as "Parties".

Recitals

A. **WHEREAS**, on May 14, 2019, the Parties executed a Purchase and Sale Agreement ("Agreement") in which County agreed to purchase from POST and POST agreed to sell to County that certain real property located approximately eight miles south of the City of Half Moon Bay within an unincorporated area of the County of San Mateo, State of California, described as San Mateo County Assessor's Parcel Numbers (APNs): 081-060-020, 081-060-030, and 081-060-130; and

B. **WHEREAS**, pursuant to the terms of the Agreement, Parties are to execute a Post Transfer Agreement which details how specified funds are to be managed and used, and a separate Cowell-Purisima Trail Agreement which specifies roles and responsibilities for the management of the Cowell-Purisima Trail, both of which were to be executed on or before October 31, 2019, for the consummation of the transaction detailed in the Agreement to occur; and

C. **WHEREAS**, Parties have not executed the Post Transfer Agreement or Cowell-Purisima Trail Agreement, but still desire for the transaction to occur and therefore desire to extend the term of the Agreement.

Agreement

NOW THEREFORE, for good and valuable consideration as hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties agree to amend and modify the Agreement as follows:

1. **Term**. Notwithstanding any other references to the term in the Agreement, the Parties agree to extend the term of the Agreement to December 31, 2019.
2. **No Further Amendments; Conflicts Other Changes**. All the terms and conditions of the Agreement remain in full force and effect except as expressly provided in this First Amendment.
3. **Counterparts**. This First Amendment may be executed in two counterparts, each of which shall be deemed an original, but both of which taken together shall constitute one and the same instrument. Execution and delivery of this First Amendment by portable document format ("PDF") copy bearing the PDF signature of any party hereto shall

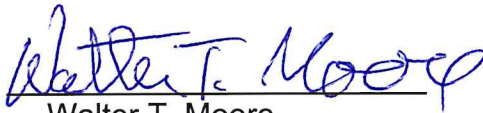
constitute a valid and binding execution and delivery of this First Amendment by such party. Such PDF copies shall constitute enforceable original documents.

Intending to be legally bound, the Parties have caused this First Amendment to be executed and delivered as of the effective date first above written.

POST:

THE PENINSULA OPEN SPACE TRUST

A California non-profit public benefit corporation

By: 

Walter T. Moore
President

COUNTY:

COUNTY OF SAN MATEO,

a political subdivision of the State of California

By: _____

Michael P. Callagy
County Manager