



Contract Number

21-610 **A-1**

SAP Number

San Bernardino County Flood Control District

Department Contract Representative
Telephone Number

David L. Drake, P.E., Chief
(909) 387-7963

Contractor
Contractor Representative
Telephone Number
Contract Term
Original Contract Amount
Amendment Amount
Total Contract Amount
Cost Center

Arroyo Capital II-6, LLC
Jeffrey B. Brouelette
(949) 272-1172
December 7, 2021
N/A
1910002518-F02757, Zone 1

IT IS HEREBY AGREED AS FOLLOWS:

Assignment and Consent to Assignment

This Assignment and Consent to Assignment of Memorandum of Understanding Number 21-610 ("Assignment and Consent") is made and entered into, by and among the San Bernardino County Flood Control District ("District"), EPC HOLDINGS 944 LLC, a Washington limited liability company, ROSEVILLE INVESTMENTS, LLC, a Florida limited liability company, AMERICAN SUPERIOR LAND, LLC, a Delaware limited liability company, and RMD INLAND INVESTORS, LLC, a Delaware limited liability company (collectively "Assignor") and Arroyo Capital II-6, LLC ("Assignee").

1. Assignor and Assignee hereby agree that the Assignor shall assign all its right, title, and interest, and delegate all its obligations responsibilities and duties, in and to the Memorandum of Understanding No. 21-610 ("MOU"), to Assignee as of December 7, 2021.

2. Assignee hereby accepts the assignment of all of Assignor's obligations responsibilities and duties under the MOU and all of Assignor's right, title, and interest in and to the MOU.
3. The District, pursuant to Section 21 of the MOU, hereby consents to the assignment by Assignor to the Assignee.
4. The District, in executing its consent to this Assignment and Consent, does not release Assignor from any claims or remedies it may have against Assignor under the Contract for obligations incurred prior to the effective date of the assignment.
5. The Parties agree that this Assignment and Consent may be executed in counterparts, each of which shall be deemed to be an original, but both of which together shall constitute one and the same instrument, and that a photocopy or facsimile may serve as an original. If this Assignment and Consent is executed in counterparts, no signatory hereto shall be bound until both the parties have fully executed a counterpart of this Assignment and Consent. The Parties shall be entitled to sign and transmit an electronic signature of this Assignment and Consent whether by facsimile, PDF, or other email transmission), which signature shall be binding on the party whose name is contained therein. Each Party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Assignment and Consent upon request.

IN WITNESS WHEREOF, District, Assignor, and Assignee have each caused this Assignment and Consent to be subscribed on their behalves by their respective duly authorized officers.

**SAN BERNARDINO COUNTY FLOOD
CONTROL DISTRICT**


Curt Hagman, Board Chairman

Dated: **DEC 07 2021**
SIGNED AND CERTIFIED THAT A
COPY OF THIS DOCUMENT HAS BEEN
DELIVERED TO THE CHAIRMAN OF
THE BOARD


Lynna Monell, Clerk of the Board
By 

ASSIGNOR:
EPC HOLDINGS 823, LLC
a Washington limited liability company

By: 
(Authorized signature – sign in blue ink)

Name: John Troutman
(Print or type name of person signing contract)

Title: Vice President
(Print or Type)

Dated: **11/18/2021**

Address **3161 Michelson, Ste. 425**
Irvine, CA 92612

ROSEVILLE INVESTMENTS, LLC
a Florida limited liability company

By: 
(Authorized signature – sign in blue ink)

Name: John Troutman
(Print or type name of person signing contract)

Title: Vice President
(Print or Type)

Dated: **11/18/2021**

Address **3161 Michelson, Ste. 425**
Irvine, CA 92612

AMERICAN SUPERIOR LAND, LLC
a Delaware limited liability company

By 
(Authorized signature – sign in blue ink)

Name: John Troutman
(Print or type name of person signing contract)

Title: Vice President
(Print or Type)

Dated: 11/18/2021

Address 3161 Michelson, Ste. 425
Irvine, CA 92612

RMD INLAND INVESTORS, LLC
a Delaware limited liability company

By 
(Authorized signature – sign in blue ink)

Name: John Troutman
(Print or type name of person signing contract)

Title: Vice President
(Print or Type)

Dated: 11/18/2021

Address 3161 Michelson, Ste. 425
Irvine, CA 92612

ASSIGNEE:

ARRAYO CAP II - 6, LLC
(Print or type name of corporation, company,
contractor, etc.)

By Jeff B Brouelette
(Authorized signature - sign in blue ink)

Name: Jeffrey B. Brouelette
(Print or type name of person signing Contract)

Title: Jeffrey B. Brouelette
Executive Vice President
(Print or Type)

Dated: 11/10/21

Address 18575 Jamboree Rd., Suite 1550
Irvine, CA 92612

FOR COUNTY USE ONLY

Approved as to Legal Form

► **SEE ATTACHED**
Sophie A. Akins, Deputy County Counsel

Date _____

Reviewed for Contract Compliance

► Andy Silao
Andy Silao, P.E.,

Date 11/24/2021

Reviewed/Approved by District

► Brendon Biggs
Brendon Biggs, Chief Flood Control
Engineer

Date 11-19-21

ASSIGNEE:

ARROYO CAP II - G, LLC
(Print or type name of corporation, company,
contractor, etc.)

By Jeff B Brouelette
(Authorized signature - sign in blue ink)

Name: Jeffrey B. Brouelette
(Print or type name of person signing contract)

Title: Executive Vice President
(Print or Type)

Dated: 11/10/21

Address 10575 Jamboree Rd, Suite 5-350
Irvin, CA 92612

FOR COUNTY USE ONLY

Approved as to Legal Form

► Sophie Akins
Sophie A. Akins, Deputy County Counsel

Date November 19, 2021

Reviewed for Contract Compliance

► Andy Silao, P.E.,

Date _____

Reviewed/Approved by District

► Brendon Biggs, Chief Flood Control
Engineer

Date _____