

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY OF CHINO
PO BOX 667
CHINO, CA 91708-0667
ATTN: DEVELOPMENT SERVICES
DEPARTMENT

Fee Exempt – Government Code 6103

SPACE ABOVE THIS LINE FOR RECORDER’S USE

CERTIFICATE OF AGREEMENT COMPLIANCE
FALLONCREST DEVELOPMENT AGREEMENT/ANNUAL MONITORING REPORT
2024-2025

WHEREAS, the City of Chino (“City”) and Loyola Properties 1, L.P. a California Limited Partnership and Ronald C. Pietersma and Kristine B. Pietersma, Trustees of the Pietersma Family Trust (collectively, “Owner” of the property) entered into the FALLONCREST DEVELOPMENT AGREEMENT (the “Agreement”) on July 6, 2021, effective on August 5, 2021; as Contract No. 2022-141; and

WHEREAS, the City Council of the City of Chino approved the Agreement by adoption of Ordinance No. 2021-009 on July 6, 2021;

WHEREAS, the City Clerk of the City of Chino recorded a copy of the Agreement with the County Recorder of San Bernardino County as Document No. 2021-0440320, pursuant to Government Code Section 65868.5; and

WHEREAS, the Owner submitted a request in June 2025 for a Certificate of Agreement Compliance related to the Annual Monitoring Report for the years 2024-2025 pursuant to Article 12.4 of the Agreement; and

WHEREAS, at the October 7, 2025 City Council meeting, the City Manager submitted a report to the City Council containing City staff’s analysis of such annual monitoring report, setting forth the evidence of good faith compliance with the terms of the Agreement; and

WHEREAS, at the October 7, 2025 City Council meeting, the City Council reviewed the annual monitoring report and authorized staff to execute a Certificate of Agreement Compliance for the Falloncrest Development Agreement covering the years 2024-2025.

NOW THEREFORE, the City Council of the City of Chino hereby finds, determines, and declares as follows:

SECTION 1.

- A. The Owners are in good faith compliance with the Agreement; and
- B. The Owners have sold and closed several tracts to homebuilders (KB – TTM 19979/ TTM 20399 & TriPointe Homes (TPH) – TTM 20312-1 and -2) and copies of the Agreement were provided to homebuilders, and any related rights and obligations have been assigned. The remainder of the site (TTM 20312-3) is vacant and the dairy operations have ceased. The Owners are preparing site plans to initiate the sale and development of this remaining phase.
- C. The City recognizes that regarding Section 2.6.1 of the Agreement, sales of parcels to homebuilders are progressing according to the phasing plan, along with the development of the Public and Private parks as outlined in Section 2.8 of the Agreement.
- D. Although the development of all phases has not yet occurred as mentioned in Section 2.4 of the Agreement, the City acknowledges that eight more years remain for this obligation to be met.
- E. That Phase 1 of the Water District Improvement Financing was paid by TPH on July 21, 2022 prior to the first anniversary of the effective date completing this obligation.
- F. The Owner has entered into a Pine Avenue DIF Pre-Payment agreement and has paid to the City the approximate \$1.8 million owed and the \$30,000 maintenance obligation.
- G. TPH has included the 0.4-acre park within its approved map for Phase 1 and is constructing approximately seven (7) acres of the 10.78-acre park in accordance with the Park phasing plan. The balance of the 10.7-acre park shall be constructed with Phase 3 as required by the DA. The second 0.4-acre park will be constructed with Phase 2 by the current owner TPH.
- H. Based on the information known or made known to the City Council of the City of Chino after the most recent Annual Review, the Agreement remains in effect; and the Owner is not in default; and
- I. The date of the next Annual Review is anticipated to be in October 2026.

SECTION 2.

- A. Any Owner may record this Certificate with the County Recorder.

- B. Whether or not this Certificate is relied upon by an Owner or an assignee of transferee of an Owner, the City shall not be bound by such a Certificate if a default existed at the time of the Annual Review but was concealed from or otherwise not known to the City Council of the City of Chino.

CITY OF CHINO

By: _____

Warren Morelion, AICP
Director of Development Services

ATTEST:

By: _____
Natalie Gonzaga, City Clerk