

**ORDINANCE NO.: 2013-134**

ORIGINAL  
STAMPED IN RED

*Authorizing the City Manager to execute Amendment No. 5 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of Parcel "A" containing approximately 27,664 square feet (0.64 acre) and Parcel "B" containing approximately 25,444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and 09005-02-23*

BE IT ORDAINED by the Mayor and Council this 7th day of January, 2014, that the City Manager is authorized to execute the attached Amendment No. 5 to Amended and Restated Agreement of Sale and Purchase, or in a form to be approved by the City Attorney, between the City of Columbia and Baker and Baker Real Estate Development, LLC for the sale of Parcel "A" containing approximately 27,664 square feet (0.64 acre) for the sum of Three Hundred Twenty-five Thousand Five Hundred Sixty-three and No/100 (\$325,563.00) Dollars and Parcel "B" containing approximately 25,444 square feet (0.58 acre) for the sum of Two Hundred Ninety-nine Thousand Four Hundred Thirty-seven and No/100 (\$299,437.00) Dollars. Parcel "A" and Parcel "B" being located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS #09005-02-44 and 09005-02-23.

Requested by:

\_\_\_\_\_

  
\_\_\_\_\_

MAYOR

Approved by:

  
\_\_\_\_\_

City Manager

Approved as to form:

  
\_\_\_\_\_

City Attorney

ATTEST:

  
\_\_\_\_\_

City Clerk

Introduced: 12/10/2013

Final Reading: 1/7/2014

**AMENDMENT NO. 5 TO AMENDED AND  
RESTATED AGREEMENT OF SALE AND PURCHASE**

THIS AMENDMENT NO. 5 TO AMENDED AND RESTATED AGREEMENT OF SALE AND PURCHASE, made and entered into as of \_\_\_\_\_, 2014, by and between **THE CITY OF COLUMBIA** (the "Seller") and **BAKER AND BAKER REAL ESTATE DEVELOPERS, LLC** (the "Purchaser")

**Background Statement**

Seller and Purchaser entered into that certain Amended and Restated Agreement of Sale and Purchase, effective date of February 20, 2013 (the "Agreement"). The Seller and Purchaser wish to amend certain terms of the Agreement.

NOW THEREFORE, for and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, do hereby agree as follows:

1. Notwithstanding anything to the contrary contained in the Agreement, the Closing shall be extended until February 1, 2014.
2. Any terms not otherwise defined herein shall have the meaning attributed thereto in the Agreement. The Purchaser and Seller hereby ratify and confirm the Agreement as hereby amended in all respects. This Amendment No. 4 may be executed in multiple counterparts, all of which, when considered together, shall be considered as one instrument. Signatures delivered by facsimile or scanned images delivered by email shall be considered as original signatures.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 4 under seal as of the day and year first above written.

**SELLER:**

THE CITY OF COLUMBIA

By: Teresa B. Wilson  
Teresa B. Wilson

Its: City Manager

Date: 1-10-2014

**PURCHASER:**

BAKER AND BAKER REAL ESTATE DEVELOPERS, LLC

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

Ashley M. Anderson  
Tasha Stegman  
Witness

\_\_\_\_\_  
\_\_\_\_\_  
Witness