

ORDINANCE NO.: 2005-026

Authorizing execution of an Agreement to Sell and Buy between the City of Columbia and Forum Development II, L.L.C. for the transfer of 3.53 acres (153,620 square feet) in Columbia Industrial Park, Richland County TMS NO.: 13512-04-01 (portion)

BE IT ORDAINED by the Mayor and Council of the City of Columbia, South Carolina, this 23rd day of March, 2005, that the City Manager is hereby authorized to execute the attached

ORIGINAL
STAMPED IN REC

Agreement to Sell and Buy between the City of Columbia and Forum Development II, L.L.C. for the transfer of the property known as 3.53 acres (153,620 square feet) in Columbia Industrial Park, Richland County TMS #13512-04-01 (portion), for the sum of One Hundred Seventy-six Thousand Five Hundred and No/100 (\$176,500.00) Dollars (Fifty Thousand and No/100 (\$50,000.00) Dollars per acre).

Requested by:



MAYOR

Approved by:



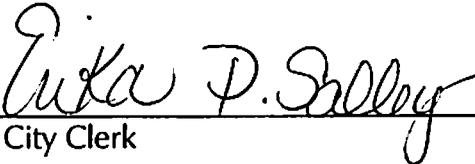
City Manager

Approved as to form:

ATTEST:



Assistant City Attorney



City Clerk

Introduced: 3/16/2005

Final Reading: 3/23/2005

**ASSIGNMENT OF REAL ESTATE
AGREEMENT TO SELL AND BUY
(Contract of Sale)**

ASSIGNMENT made this 24 day of March, 2005 by and between Forum Development II, LLC (Assignor) and Forum Development, LLC (Assignee).

WHEREAS, Assignor, as Buyer entered into a certain Real Estate Agreement To Sell and Buy with the City of Columbia (Seller) dated Mach 24, 2005 for the purchase and sale of real property described as follows:

All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being in Richland County, State of South Carolina, containing 3.53 acres (153,620 square feet), Columbia Industrial Park, as shown on a plat prepared for the City Of Columbia Office of Economic Development by Cox and Dinkins, Inc., dated January 6, 2005, to be recorded, bounded and measuring as follows: on the North by the right-of-way of First Street South Extension whereon it fronts and measures for distances of 49.67 feet, 299.00 feet by its chord and 84.39 feet; on the East by undesignated property formerly a portion of Parcel A whereon it measures in a broken line for a total distance 336.88 feet; on the South by property now or formerly of Bluff Road Associates, LLC whereon it measures for a distance of 353.46 feet; and on the West by property now or formerly of ARM Properties, LLC whereon it measures for a distance of 435.25 feet, reference being craved to said plat for a more accurate and full description.

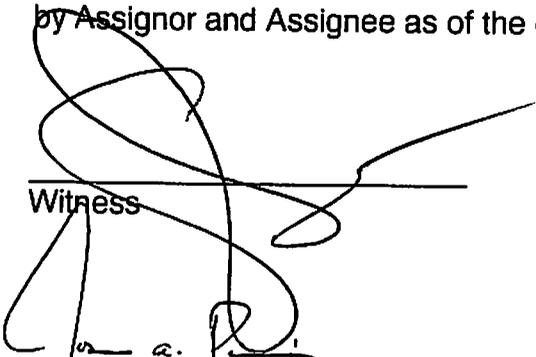
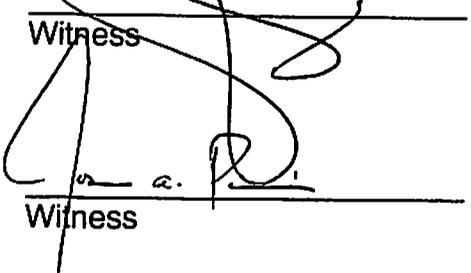
WHEREAS, Assignor desires to assign, transfer, sell and convey to Assignee all of Assignor's right, title and interest in, to and under said Real Estate Agreement to Sell and Buy; and,

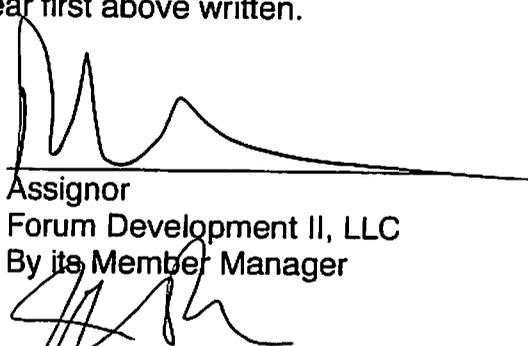
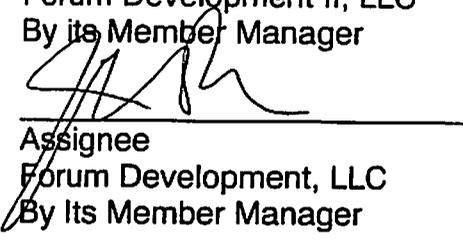
WHEREAS, Assignee is desirous of receiving all of Assignor's right, title and interest in, to and under said Real Estate Agreement to Sell and Buy;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign, transfer, sell and convey unto Assignee all of Assignor's right, title and interest in, to and under said Real Estate Purchase Agreement to Sell and Buy. Assignee hereby assumes all of Assignor's duties

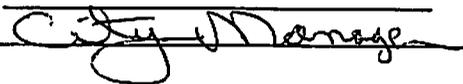
and obligations under said Real Estate Agreement to Sell and Buy. This Assignment shall be binding upon Assignor and shall inure to the benefit of Assignee, its successors and assigns.

IN WITNESS WHEREOF this Assignment has been signed, sealed and delivered by Assignor and Assignee as of the day and year first above written.

Witness

Witness


Assignor
Forum Development II, LLC
By its Member Manager

Assignee
Forum Development, LLC
By Its Member Manager


The undersigned hereby consents to the Assignment as set forth herein above.


City of Columbia
By
Its 

FORUM DEVELOPMENT, LLC
CERTIFICATE AS TO RESOLUTION

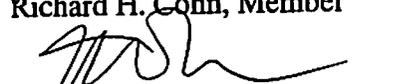
We, J. William Noeltner and Richard H. Cohn , hereby certify to Carl L. Holloway, PA, as Settlement Agent and Closing Attorney and First Community Bank, Lender, that we are the designated members of Forum Development, LLC a South Carolina Limited Liability Company ("Forum"), that we are duly authorized in such capacity to execute this Certificate on behalf of the Company, and that attached hereto is a complete and correct copy of a Resolution of Forum by its members, effective March 24, 2005, which has not been amended, modified or revoked, and which is presently in full force and effect as of the date hereof; and that Carl L. Holloway, PA and First Community Bank, shall be notified in writing of any subsequent amendments, modifications, or revocations hereof.

IN WITNESS WHEREOF, We have executed and delivered this Certificate this _____ day of March, 2005.

FORUM DEVELOPMENT, LLC



Richard H. Cohn, Member



J. William Noeltner, Member