

ORDINANCE NO.: 2016-025


ORIGINAL
STAMPED IN RED

Authorizing the City Manager to execute a Fifth Amendment to Lease between the City of Columbia and Old Boy Properties, LLC for property consisting of 100± acres in Richland County, South Carolina being a portion of the property formerly owned by Columbia Venture, LLC and Sunday School, LLC

BE IT RESOLVED by the Mayor and City Council this 4th day of April, 2017, that the City Manager is authorized to execute the attached Fifth Amendment of Hunting Lease between the City of Columbia and Old Boy Properties, LLC.

Requested by:

Assistant City Manager Gentry



Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 4/19/2016

Final Reading: 4/4/2017

FIFTH AMENDMENT OF HUNTING LEASE

THIS FIFTH AMENDMENT OF HUNTING LEASE made effective as of the 20 day of April, 2017, by and between the City of Columbia (hereinafter called "LESSOR") and Old Boy Properties, LLC, a South Carolina limited liability company (hereinafter called "LESSEE").

WITNESSETH:

WHEREAS, LESSOR and LESSEE entered into that certain Hunting Lease dated June 7, 2011, (the "LEASE");

WHEREAS, LESSOR and LESSEE entered into that certain First Amendment of Hunting Lease effective as of February 21, 2012; and, LESSOR and LESSEE entered into that certain Second Amendment of Hunting Lease effective as of May 21, 2013; and LESSOR and LESSEE entered into that certain Third Amendment of Hunting Lease effective as of May 20, 2014; and LESSOR and LESSEE entered into that certain Fourth Amendment of Hunting Lease effective as of May 26, 2015; and,

WHEREAS, LESSOR and LESSEE have agreed to modify the terms of the LEASE pursuant to the terms set forth herein;

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) paid by each of the parties hereto to the other, the receipt and sufficiency of which is hereby acknowledged, and in the further consideration of the agreements contained herein, the parties agree that the LEASE is amended as follows:

Section Two, "Term", shall be amended to the following:

The term of this Hunting Lease shall cover a one-year period commencing on April 1, 2016, and expiring on March 31, 2017.

Except as specifically modified herein, the terms of the LEASE are hereby ratified and confirmed by LESSOR and LESSEE and such terms contained therein shall continue with the same force and effect as if set forth herein and are incorporated herein by reference.

IN WITNESS WHEREOF, the undersigned have executed this Fourth Amendment as of the day and year first above written.

Witnesses:

[Handwritten signatures of witnesses]

CITY OF COLUMBIA

By: [Signature of Teresa B. Wilson]
Teresa B. Wilson
Its: City Manager
Date: 4/20/2017

OLD BOY PROPERTIES, LLC

By:
Print Name:
Its:
Date: