

AGREEMENT

This Agreement made by and between Olena Investments, LLC (hereinafter “Olena”), and the City of Columbus, a Wisconsin Municipal Corporation (hereinafter “City”).

WHEREAS, on or about May 4, 2016, Olena sold Lot 1 of Certified Survey Map No. 5730, as recorded in Volume 40 of Certified Survey Maps for Columbia County, on page 106, as Document No. 880191 (hereinafter “the Property”) to Karl A. Green and Brent A. Van Gysel (hereinafter “Buyers”); and

WHEREAS, as part of the closing of this transaction, Olena and Buyers entered into an Agreement titled “Agreements Surviving Closing” (hereinafter “Agreement”) in which Olena and Buyers made certain representations concerning the future development of the Property; and

WHEREAS, City, with the purchase of the Property, has agreed to assume all of the responsibilities and obligations of Buyer pursuant to the terms of the Agreement.

NOW, THEREFORE, Olena and City now desire to amend certain provisions of the Agreement as follows:

1. Paragraph 2 of the Agreement is amended to provide that Olena and City agree to work together regarding the development of Lots 2, 3 and 4 of Certified Survey Map No. 5730, other lands owned by Olena adjacent to the Property, and agree to work together concerning street and utility construction in the area around the Property.
2. Paragraph 3 of the Agreement is amended to provide that the use of the Property shall be for a municipal facility (ie. public safety building).
3. In the event that the City does not use the property for City use and puts the property for sale, Olena has right to repurchase at the same terms as sold to the City with 1st Refusal of any part.
4. If no building or improvement are made within five years of this signing Olena has right to repurchase at the same terms as sold to the City.
5. All other terms of the Agreement remain in full force and effect.

OLENA INVESTMENTS, LLC

CITY OF COLUMBUS

Curt Hanson

Joseph Hammer, Mayor

Susan Caine, Clerk