

AGENDA REPORT

Meeting Date: July 19, 2023; Department: WEDC; Prepared By: Jason Greiner; Date Prepared: 7/11/23; Item Number: 2; Account Code: ; Exhibits: 1

Subject

Consider and act upon a Second Amendment to the Purchase and Sale Agreement between the WEDC and McClure Partners Construction Company.

Recommendation

Motion to approve a Second Amendment to the Purchase and Sale Agreement between the WEDC and McClure Partners Construction Company and further authorize WEDC President Dawkins to execute said agreement.

Discussion

As the Board will recall, the WEDC has been working toward the redevelopment of the Highway 78 and Brown Street properties since early 2018. The Purchase and Sale Agreement between McClure Partners Construction Company and the WEDC was approved by the Board on August 19, 2020. A First Amendment to the Purchase and Sale Agreement was approved on March 16, 2022 to address issues with the completion of the water line relocation, which was required to be completed prior to closing.

V. Water Line Relocation. The Water Line shall have been relocated by NTMWD from the Land and all work in connection thereto shall have been completed and the relocated water line shall be in service (i.e., delivering water) and the Water Line removed from the Land or filled where necessary in order to permit the Purchaser's vertical improvements, and the Water Line Easement shall have been abandoned and released by NTMWD.

W. Water Line Relocation Date. The date the Water Line Relocation has been completed.

X. Water Line Relocation Deadline. March 31, 2022.

The final walk-thru of the project was completed the week of April 10th and NTMWD formally approved the finalization of the project on May 25, 2023. While WEDC Staff anticipates the final closure of the project in the next 60 days, we do not have the Water Line Easement abandonment completed at this time. Vasquez Engineering needs a little more time to wrap up the civils and submit a Final Plat for the city's approval. Once we have the final plat, the old easement will be abandoned.

The proposed Second Amendment extends the water line relocation deadline by six months, from March 31, 2023 to September 30, 2023.

Analysis:

- Corner Lot: 1.74 acres or 75,804 square feet
- Sales Price: \$20/SF or approximately \$1,516,080
- Water Line Relocation Deadline: September 30, 2023
- Inspection Period: 120 Days
- Closing Date: 60 Days