



Legislation Text

File #: 19-0929, **Version:** 1

MOTION TO APPROVE THE EIGHTH AMENDMENT TO THE AGREEMENT FOR PURCHASE AND SALE BETWEEN TERRA WORLD INVESTMENTS, LLC AND THE CITY OF PEMBROKE PINES.

SUMMARY EXPLANATION AND BACKGROUND:

1. Terra World Investments, LLC and the City of Pembroke Pines are seeking to amend the terms of the Purchase and Sale agreement for the City Center property through the eighth amendment to the agreement.
2. The eighth amendment to the Purchase and Sale agreement will require Terra City Center Investments III, LLC, at closing, to reimburse and repay the City for the City's share of the recorded Traffic Concurrency Agreement in the amount of \$122,148.00.
3. The Traffic Concurrency Agreement between the City and Broward Co was approved by the City Commission and Broward County in 2001 and was recorded against the City Hall Plat. The eighth amendment will allow the Terra group and their assigns the ability to utilize the credits generated by the payment of the Traffic Concurrency Agreement for their development plans on the former City hall parcel (phase 3).
4. The City Commission at its August 6, 2014 meeting approved the purchase and sale agreement between the City of Pembroke Pines and Turnberry Pines, LLC for the purchase of +-47.5 acres of property including the northern portion of the City Hall parcel and the remaining acreage of the City Center property.
5. The initial "Investigation Period" as stipulated in the Purchase and Sale agreement ended on December 8, 2014. On December 3, 2014, the City Commission approved the First Amendment to the purchase and sale agreement extending the Investigation Period to January 8, 2015. On January 7, 2015 the City Commission approved the Second Amendment of the purchase and sale agreement extending the Investigation Period to February 9, 2015.
6. On February 4, 2015, the City Commission approved the Assignment of the Agreement for Purchase and Sale from Turnberry Pines LLC to Terra World Investment, LLC. At the same meeting, the City Commission approved the Third Amendment of the Purchase and Sale Agreement providing an extension to the Investigation Period to March 9, 2015.
7. On March 4, 2015, the City Commission approved the Fourth Amendment to the Purchase and Sale Agreement to allow Terra World Investments to modify the breakdown of the three phases in which the property is being purchased.
8. On May 6, 2015, the City Commission approved the Fifth Amendment to the Purchase and Sale

Agreement to add SunTrust Bank as a party to the agreement as they own a portion of the Property as a Trustee under a Land Trust Agreement dated July 10, 2003.

9. On June 15, 2016 the City Commission approved an assignment of phase one, which consisted of 17.23 acres from Terra World Investments, LLC to Terra City Center Investments, LLC.

10. In September 2016, Terra City Center Investments, LLC and the City of Pembroke Pines closed on the real estate transaction for phase one.

11. In October 2017, Terra City Center Investments II, LLC and the City of Pembroke Pines closed on the real estate transaction for phase two A.

12. In December 2017, Terra City Center Investments MF, LLC and the City of Pembroke Pines closed on the real estate transaction for phase two B.

13. In June 2018, Terra World Investments, LLC and the City of Pembroke Pines agreed to the seventh amendment to the Agreement for Purchase and Sale which assigned the City hall north parcel to Terra City Center Investments III, LLC and clarified the thresholds for closing.

14. Administration recommends the City Commission approve the eighth amendment to the agreement for purchase and sale between the City of Pembroke Pines and Terra World Investments, LLC.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: None. The City will pay \$122,148 to the Broward County and Terra World will reimburse the City \$122,148 upon closing.

b) Amount budgeted for this item in Account No: Payment and reimbursement coded to account 320-151502-136 - investment in real estate

c) Source of funding for difference, if not fully budgeted: Not Applicable

d) 5 year projection of the operational cost of the project Not Applicable

e) Detail of additional staff requirements: Not Applicable