


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> First Amendment to Real Estate Listing Agreement with Transwestern Property Company SW, GP, L.L.C. d/b/a Transwestern for marketing services in connection with the sale of 1.273 acres of land located at 4215 Leeland Avenue, Houston, Harris County, Texas.	<b>Page</b> 1 of 1	<b>Agenda Item</b>
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<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b>
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<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix 	<b>Council District(s) affected:</b> 1
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<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2015-279; April 1, 2015
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**RECOMMENDATION:** Approve and authorize a First Amendment to Real Estate Listing Agreement between the City of Houston and Transwestern Property Company SW, GP, L.L.C. d/b/a Transwestern for marketing services in connection with the sale of 1.273 acres of land located at 4215 Leeland Avenue, Houston, Harris County, Texas.

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
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**SPECIFIC EXPLANATION:** On April 1, 2015, Ordinance No. 2015 - 279, the City and Transwestern entered into a Real Estate Listing Agreement for the marketing and sale of 1.273 acres of land owned by the City and located at 4215 Leeland Avenue. Subsequent to Council's approval of the Agreement, the City entered into discussions with the Southwestern Athletic Conference (SWAC) to relocate its headquarters to Houston. The City identified 4215 Leeland Avenue as a proposed lease site for the SWAC headquarters. Nevertheless, a lease agreement did not materialize and the City desires to market the property again. Transwestern did not previously earn a fee.

The Real Estate Listing Agreement with Transwestern will terminate on April 10, 2016. The proposed First Amendment will extend the term of the Agreement and provides that the Agreement will commence on April 11, 2016 and terminate on the earlier of: (a) April 10, 2017, or (b) upon closing and funding of the City's sale of the property. The director of the General Services Department may extend the termination date in writing, if necessary, without further Council approval

All other terms, provisions and conditions of the original Agreement shall remain the same.

**SCOPE OF CONTRACT AND FEE:** Under the terms of the Agreement, Transwestern will perform the following tasks:

- (1) Gather relevant information and develop listing materials, including brochures and flyers in print and electronic form;
- (2) List or advertise the property in appropriate publications, web sites, etc.;
- (3) Install agreed-upon signage on the property;
- (4) Identify and target qualified prospects;
- (5) Respond to information requests concerning the property and provide property tours;
- (6) Assist with the City's sale process; and
- (7) Provide periodic progress reports to the City.

The City will pay Transwestern a one-time fee of 4.5% of the sales price of the property, or 4.5% to be split 50/50 if the purchaser is represented by a broker other than Transwestern. The sale of the property will be conducted in accordance with all applicable state and city laws and will require City Council approval.

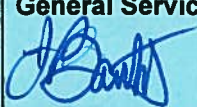

Accordingly, the General Services Department recommends that City Council approve and authorize a First Amendment to Real Estate Listing Agreement between the City of Houston and Transwestern to assist with the marketing and sale of 1.273 acres of land located at 4215 Leeland Avenue.

SM:JLN:HB:RB:npb

xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby

REQUIRED AUTHORIZATION

CUIC # 25 RB 185

<b>General Services Department:</b>  Humberto Bautista, P.E. Assistant Director	<b>Mayor's Office of Economic Development:</b>  Andrew F. Icken Chief Development Officer
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