

Information

Title:

Adopt Resolution #21-121 Approving Third Amendment to Purchase Agreement with Gigi's Salon and Spa, Inc. (Portions of case may be closed to the public)

Purpose/Background:

Purpose:

Gigi's Salon and Spa, Inc. has requested the City extend the Closing Date from April 30, 2021 to May 31, 2021 at no additional cost.

Background:

Gigi's Salon and Spa, Inc. has received approvals for the Final Plat and Site Plan. Local bank financing has been approved but the federal approval from SBA is still outstanding. A Building Permit has been submitted for review. It is clear the Gigi's has every intention to move forward with this project. The Covid-19 Pandemic has impacted retail and service businesses greatly. Gigi's has given a "Notice to Proceed" and has provided \$7,000 in non-refundable earnest money. In January 2021, the City Council did provided a previous Closing Date extension in until April 30, 2021 but the Buyer still needs an additional month to secure all its financing.

Staff believes the request to extend the Closing Date through a Third Amendment to Purchase Agreement is reasonable based on the status of city approvals and obtaining financing.

Notification:

N/A

Observations/Alternatives:

Staff has drafted the attached Third Amendment to Purchase Agreement. The only change from the Original Purchase Agreement and First Amendment to Purchase Agreement and Second Amendment to Purchase Agreement is to change the **Closing Date** from April 30, 2021 to May 31, 2021.

Staff is not recommending the collection of "additional non-refundable earnest money" as part of this amendment.

Alternatives include:

1. Adopt Resolution #21-121 Approving Third Amendment to Purchase Agreement with Gigi's Salon and Spa, Inc. (as presented)
2. Adopt Resolution #21-121 Approving Third Amendment to Purchase Agreement with Gigi's Salon and Spa, Inc. (with amendments)
3. Something else

Funding Source:

This action is being covered under Staff duties.

Recommendation:

Staff is not recommending the collection of "additional non-refundable earnest money" as part of this amendment.

Staff recommends approval of Resolution #21-121 as presented; subject to City Attorney review.

Action:

Motion to adopt Resolution #21-121 Approving Third Amendment to Purchase Agreement with Gigi's Salon and Spa, Inc.; subject to City Attorney review.

Attachments

[ACTION - Resolution #21-121](#)

[ACTION - Draft Third Amendment to Purchase Agreement Amendment to PA Request for Closing Extension](#)

Form Review

Inbox

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Tim Gladhill
Kurt Ulrich
Form Started By: Sean Sullivan
Final Approval Date: 01/21/2021

Reviewed By

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Date

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