

**FIRST AMENDMENT TO
AGREEMENT**

THIS FIRST AMENDMENT, is made as of the Executed Date (which is the date on which the Department of Administration, Division of General Services, executes this First Amendment as set forth on the signature page) by and between: WIS, LLC and the State of South Carolina by and through the Department of Administration, Division of General Services ("DGS"), an agency, institution, department (including any division or bureau thereof) or political subdivision of the State of South Carolina.

WITNESSETH;

WHEREAS, the State of South Carolina, by and through the South Carolina Budget and Control Board, entered into an Agreement with WIS, LLC on or about October 16, 2013 (the "Agreement") wherein WIS, LLC was granted, in accordance with the terms and conditions of the Agreement, the non-exclusive right of use of a certain alleyway along the northern boundary of property owned by the State of South Carolina known as 1429 Senate Street, running westwardly from Bull Street across the aforementioned State property;

Whereas, effective July 1, 2015, the South Carolina Restructuring Act of 2014 (Act 121 of 2014) abolished the Budget and Control Board and transferred certain programs, powers, duties, and responsibilities to the South Carolina Department of Administration; and

WHEREAS, WIS, LLC and DGS desire to amend the Agreement to allow WIS, LLC to utilize a second alleyway on the State's property and create an automatic exit gate at 1249 Sumter Street;

WHEREAS, DGS and WIS, LLC desire the First Amendment to be effective from 11/1/2015 (the "Effective Date") to the expiration of the Agreement; and

NOW THEREFORE, DGS and WIS, LLC for considerations herein mentioned agree the said Agreement is amended as follows:

1. As of the Effective Date, Section 1 of the Agreement is deleted in its entirety and replaced with the following:
 1. That said WIS, LLC shall have the non-exclusive right of use of those certain alleyways or ways for vehicular traffic which lie along the northern boundary of property owned by the State of South Carolina known as 1429 Senate Street, running westwardly from Bull Street across said State property and running southwardly toward Senate Street as set forth in the diagram attached hereto as Exhibit A and incorporated herein by reference.
2. As of the Effective Date, Section 2 of the Agreement is deleted in its entirety and replaced with the following:
 2. That such right to use of said alleyways for ingress and egress is granted from the Effective Date until midnight October 23, 2023. Rental shall be paid in advance annually as follows: \$3600.00 per year October 24, 2015 – October 23, 2018, \$3800.00 per year October 24, 2018 – October 23, 2021 and \$4000.00 per year October 24, 2021 – October 23, 2023.
5. If any provisions of this First Amendment conflict with any provisions contained in the Agreement, then provisions of this First Amendment shall govern and control.
6. Except as expressly provided for in this First Amendment, all other viable and applicable provisions of the Agreement shall remain unchanged and continue in full force and effect throughout the term of the Agreement

7. WIS, LLC ratifies and confirms the Agreement and covenants that this First Amendment shall bind and inure to the benefit of the parties hereby and their permitted successors, assigns and representatives effective as of the Effective Date.
8. All capitalized terms used herein shall have the meaning more particularly set forth in the Agreement unless otherwise expressly defined in this First Amendment.

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the day and year indicated under their signature.

WITNESS:

[Handwritten signature]

WIS, LLC

[Handwritten signature]

By: _____

Its: VICE PRESIDENT & GENERAL MANAGER

Date: 10/20/15

WITNESS:

[Handwritten signature]

The State of South Carolina, Department of Administration
Division of General Services

By: _____

Its: DIRECTOR - NOLAN WIGGINS
(printed name and title of signatory)

Date: 11/12/15

EXHIBIT "A"

WIS enter and exit gates traffic flow

