

**AMENDMENT TO
PROGRAMMATIC AGREEMENT**

**BY AND AMONG
THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS
AND THE
SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICE
AND THE
ADVISORY COUNCIL ON HISTORIC PRESERVATION
AND THE
KEENAN DEVELOPMENT ASSOCIATES OF SOUTH CAROLINA, LLC**

**REGARDING THE
ENHANCED USE LEASE AT THE
WILLIAM JENNINGS BRYAN DORN VA MEDICAL CENTER,
COLUMBIA, SOUTH CAROLINA**

WHEREAS, in August 2010, the United States Department of Veterans Affairs (hereinafter VA), the South Carolina State Historic Preservation Office (hereinafter SHPO), the Advisory Council on Historic Preservation (hereinafter ACHP), and the Keenan Development Associates of South Carolina, LLC (hereinafter Keenan), entered into the Agreement (hereinafter Agreement) in order to take into account the effect of the undertaking of an Enhanced-Use Lease (“Lease”) on historic properties; and

WHEREAS, it is desirable that the Agreement be amended in order to document the following changes to the original undertaking: an amended scope and terms of the Columbia Lease resulting in VA taking back possession and control of an approximately 13-acre parcel from the original 28-acre Lease to enable VA to make use of land and improvements to provide clinical, parking, and other services to the Columbia VA Medical Center; and

WHEREAS, it is desirable that the Agreement be amended in order to document the following change in effect to historic properties as a result of the amended Lease: the 15-acre parcel remaining under Lease to Keenan is located outside the boundary of the Veterans Hospital historic district, a property listed in the National Register of Historic Places, and all new construction within this parcel has been completed, while the 13-acre parcel being returned to VA for its use contains historic properties contributing to the Veterans Hospital historic district; and

WHEREAS, it is desirable that the Agreement be amended in order to document the satisfactory completion of Stipulations 4 and 10 as confirmed via an August 19, 2016 letter from the SHPO to Keenan, and to document a required change to existing Stipulation 9 under the Agreement; and

WHEREAS, it is desirable that the Agreement be amended in order to confirm that VA will consult on any future actions undertaken on the parcel remaining under Lease to Keenan and on the re-acquired parcel that have the potential to affect historic properties, pursuant to 36 CFR 800; and

WHEREAS, Stipulation 14 of the Agreement allows for amendment of the Agreement when such an amendment is agreed to in writing by all parties to the Agreement; and

WHEREAS, this Amendment shall take effect on the date a copy signed by all of the parties is filed with the ACHP;

NOW, THEREFORE, in accordance with Stipulation 14 of the Agreement, the VA, SHPO, ACHP, and Keenan agree to amend the Agreement as follows:

1. Amend Stipulation 1 – Development of Property – to add the following language:
 - c. Having fully discharged its obligations under this Agreement, Keenan is no longer deemed a Party to this Agreement.

2. Amend Stipulation 9 – Public Education – to add the following language:
 - c. The VA will take responsibility for this outstanding stipulation and consult with the SHPO to ensure that the requirement of erecting an on-site historic marker is fulfilled.

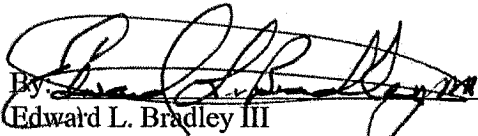
3. Add new Stipulation 18:

18. Sunset Clause:

Upon VA's notification to signatories that all stipulations have been completed, including that the on-site historic marker as described in Stipulation 9 has been installed, this Agreement shall expire.

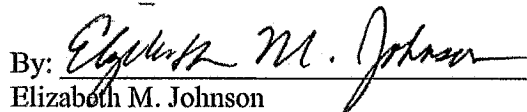
SIGNATURES FOLLOW ON NEXT PAGE

DEPARTMENT OF VETERANS AFFAIRS:

By: 
Edward L. Bradley III
Office of Asset Enterprise Management
Department of Veterans Affairs

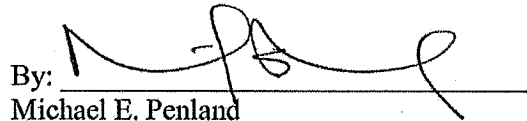
Date: 12/16/2016

SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER:

By: 
Elizabeth M. Johnson
Deputy State Historic Preservation Officer
South Carolina Department of Archives and History


Date: 12/20/2016

KEENAN DEVELOPMENT ASSOCIATES OF SOUTH CAROLINA, LLC:

By: 
Michael E. Penland
Principal
Keenan Development Associates of South Carolina, LLC

Date: 12.21.16

ADVISORY COUNCIL ON HISTORIC PRESERVATION:

By: 
John M. Fowler
Executive Director
Advisory Council on Historic Preservation

Date: 12-27-2016