

**SUPPLEMENTAL SERIES 2021 PROJECT  
RESOLUTION**

**A RESOLUTION AUTHORIZING THE AMENDMENT OF THE PROJECT LIST RELATING TO THE URBAN REDEVELOPMENT PROJECTS EXPECTED TO BE FINANCED WITH THE PROCEEDS OF THE FULTON COUNTY URBAN REDEVELOPMENT AGENCY'S FACILITIES IMPROVEMENT REVENUE BONDS, SERIES 2021 (THE "SERIES 2021 BONDS"), AND FOR OTHER PURPOSES.**

**WHEREAS**, the Fulton County Board of Commissioners (the "Board of Commissioners"), by resolution adopted on June 2, 2021 (the "County Project Resolution"), approved the issuance, by the Fulton County Urban Redevelopment Agency (the "Issuer") of the captioned Series 2021 Bonds, and the use of the proceeds thereof for the payment of all or a portion of the costs of certain urban redevelopment projects, pursuant to the provisions of the Urban Redevelopment Law of the State of Georgia, O.C.G.A. § 36-61-1, *et seq.*, as amended (the "Act"); and

**WHEREAS**, the Board of Commissioners has determined, and wishes to direct the Issuer, to amend the project list (the "Series 2021 Projects"), attached as **Exhibit "A"** to the County Project Resolution and the resolution of the Issuer adopted on June 2, 2021, authorizing the Series 2021 Bonds ("the Bond Resolution"); and

**WHEREAS**, in this connection, the Board of Commissioners hereby authorizes and directs the replacement, in full, of Exhibit A to the County Project Resolution, with Exhibit A attached to this resolution; and further authorizes and directs the Issuer to make the same amendment to its list of Series 2021 Projects (as included in the Bond Resolution); and

**WHEREAS**, the Board of Commissioners, hereby finds, determines, acknowledges, ratifies and confirms that the Series 2021 Projects, as amended by this resolution, are consistent with the undertakings authorized in Fulton County's City of Atlanta Urban Redevelopment Plan adopted by Fulton County, Georgia (the "County") on August 18, 2010, as amended on June 7, 2017 (the "Fulton County Downtown URA Plan"), as such relates to the portion of the Series 2021 Projects to be located in the Fulton County Downtown URA (as defined in the County Project Resolution), and the Fulton Industrial Boulevard Redevelopment Framework (the "FIB Redevelopment Plan," and together with the Fulton County Downtown URA Plan, are collectively, the "Urban Redevelopment Plans"), adopted by the County in August of 2010, as such relates to the Series 2021 Projects to be located in the FIB URA (as defined in the County Project Resolution); and

**NOW, THEREFORE**, be it resolved by the Fulton County Board of Commissioners, in a public meeting properly and lawfully called and assembled, and it is hereby resolved by authority of the same, that the actions described in this resolution to be taken by or on behalf of the County shall be taken, that such actions are in the best interests of the citizens of the County and are necessary and appropriate to effect the revitalization of the Fulton County Downtown URA and the FIB URA, and it is further resolved as follows:

Section 1. **Incorporation of Recitals.** The recitals set forth above are adopted by the County as the findings of the County and are incorporated herein. The County further ratifies, confirms and approves the findings set forth herein and in the County Project Resolution, and further ratifies and confirms, in all respects, the authorizations and actions taken pursuant to the County Project Resolution, subject only to the amendment to the Series 2021 Projects as contemplated by this resolution.

Section 2. **Series 2021 Project List.** The Series 2021 Project list attached to the County Project Resolution shall be amended and replaced, in its entirety, by Exhibit A attached hereto and by this reference made a part hereof and of the County Project Resolution, and the execution, delivery and performance of the Agreement (as defined in the County Project Resolution) and all other actions, determinations and approvals shall remain in full force and effect, subject only to the amendment and replacement, in its entirety, of Exhibit A.

Section 3. **Actions of the County Manager, Chief Operating Officer, Chief Financial Officer, Interim County Attorney and Other Officials.** The County Manager, Chief Operating Officer, Chief Financial Officer, Interim County Attorney, Clerk of the Commission, and other appropriate officials of the County, as provided in the County Project Resolution, are authorized to take all of the actions, and to certify any documents and execute any receipts or other closing documents, instruments, agreements or papers necessary to effect the purposes of the County Project Resolution (as set forth in such County Project Resolution), including, without limitation, the execution and delivery of the Agreement.

Section 4. **Resolution Constitutes Contract.** The provisions, terms and conditions of the County Project Resolution, as amended by this resolution, shall constitute a contract by and between the County and the Issuer, and, upon the execution and delivery of the Agreement, this resolution shall not be repealed or amended in any respect which will adversely affect the rights and interest of the Issuer or the owners of the Series 2021 Bonds, nor shall the County adopt any resolution in any way ever adversely affecting the rights of such owners; provided, however, that the County may adopt such ordinance or resolutions supplemental hereto, as shall not be inconsistent with the terms and provisions hereof, to (i) correct any ambiguity or formal defect or omission or inconsistent provisions in this resolution, or (ii) to grant to or confer upon the owners of the Series 2021 Bonds any additional rights, remedies, power or authority that may be lawfully granted to or conferred upon such owners.

Section 5. **Partial Invalidity.** In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid by a court of competent jurisdiction, such illegality or invalidity shall not affect any other provisions hereof unless expressly so held, but this resolution shall be construed and enforced as if such illegal or invalid provisions had not been contained herein, and this resolution shall be construed to adopt, but not to enlarge upon, all applicable provisions of Georgia law, and, if any provisions hereof conflict with any applicable provision of such law, the latter as adopted by the legislature and as interpreted by the courts of this state shall prevail and shall be substituted for any provision hereof in conflict or not in harmony therewith.

Section 6. **Repealer.** Any and all resolutions or parts of resolutions in conflict with this resolution shall be and the same hereby are repealed (but solely as and to the extent of any

such conflict), and this resolution shall be in full force and effect from and after its adoption. For purposes of clarification and to avoid doubt, the County Resolution, subject only to the amendment of Exhibit A thereto by Exhibit A attached to this resolution, is hereby ratified and confirmed, shall be deemed supplemented and amended by this resolution, and shall remain in full force and effect as of its date of adoption.

Section 7. **Effective Date.** This resolution shall be in full force and effect immediately upon its adoption.

(SIGNATURE PAGE TO FOLLOW)

**PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE** this \_\_\_\_ day of November, 2021.

(SEAL)

**FULTON COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Robert L. Pitts, Chairman

**ATTEST:**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Clerk to the Commission

\_\_\_\_\_  
Kaye Woodard Burwell, Interim County Attorney

**EXHIBIT “A”**

**CAPITAL PROJECTS LIST**

**Projects located in the Fulton Industrial Boulevard Urban Redevelopment Area:**

1. Animal Shelter, located across parcels: 17 026800020231, (O Transmission Line NW) 17 026800020223 (Carrol RD NW #Rear) and 17 0268 LL0317 (O Carrol RD NW) all part of the Fulton County Executive Airport on Futon Industrial Boulevard.
2. Public Safety Building, located on 1259 Fulton Industrial Boulevard, NW, Atlanta, Georgia 30336.

**Projects located in the Fulton County Downtown Urban Redevelopment Area:**

3. Air Handling Unit Replacement “Swap” within: (i) the Justice Center Tower, located at 185 Central Avenue, SW, Atlanta, Georgia 30303 (27 units); and (ii) the Carnes Building, located at 160 Pryor Street, Atlanta, Georgia 30303 (1 unit).

Notwithstanding the foregoing, the County acknowledges and agrees that the above capital projects list, as well as the ultimate location of any capital projects set forth therein, shall be subject to revision as more fully provided in the Agreement (a form of which is set forth as Exhibit B to the County Project Resolution).