

1 **A RESOLUTION TO APPROVE A FIRST AMENDMENT TO LEASE AGREEMENT**
2 **BETWEEN FULTON COUNTY, GEORGIA (LANDLORD), AND COMCAST CABLE**
3 **COMMUNICATIONS, LLC (TENANT), FOR THE PURPOSE OF EXTENDING THE**
4 **LEASE TERM AT 10735 JONES BRIDGE ROAD, ALPHARETTA, GEORGIA 30202;**
5 **TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE FIRST AMENDMENT TO LEASE**
6 **AGREEMENT AND RELATED DOCUMENTS; TO AUTHORIZE THE COUNTY**
7 **ATTORNEY TO APPROVE THE FIRST AMENDMENT TO LEASE AGREEMENT AS**
8 **TO FORM AND TO MAKE ANY MODIFICATIONS THERETO PRIOR TO EXECUTION;**
9 **AND FOR OTHER PURPOSES.**

10 **WHEREAS**, Fulton County is the owner of a tract of land located at 10735 Jones
11 Bridge Road, situated in the City of Alpharetta, commonly described as all that tract of
12 land or parcel of land lying and being in Land Lots 151 and 152 of the 11th District, Fulton
13 County, Georgia and said tract containing 148,959 square feet, or 3.4 acres, more or less,
14 on which the Fulton County Department of Public Works has constructed a water tank
15 structure; and

16 **WHEREAS**, the property already contains certain telecommunication facilities,
17 having been built by Tenant's predecessor in interest, pursuant to the terms of three
18 successive lease agreements with Landlord (the "Prior Leases") dated April 19, 1989,
19 August 16, 2000, January 1, 2010, and most recently October 17, 2018; and

20 **WHEREAS**, the current lease agreement between Fulton County and Comcast
21 Cable Communications, LLC, was approved October 17, 2018 as Agenda Item #18-0733
22 and unless extended will expire December 31, 2023; and

23 **WHEREAS**, it is in the mutual desire of Fulton County and Comcast Cable
24 Communications, LLC, to execute a lease amendment to extend the lease term for one
25 (1) year with four (4) one-year renewal options; and

26 **WHEREAS**, the approval of the Fulton County Board of Commissioners is required
27 to modify terms of all contractual agreements in which Fulton County is a party to the
28 agreement; and

29 **WHEREAS**, Article 9, § 2, Par. 1(a) of the Georgia Constitution states in part "[t]he
30 governing authority of each county shall have legislative power to adopt clearly

1 reasonable ordinances, resolutions, or regulations relating to its property, affairs, and
2 local government for which no provision has been made by general law and which is not
3 inconsistent with this Constitution or any local law applicable thereto.”

4 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
5 approves the First Amendment to Lease Agreement with Comcast Cable
6 Communications, LLC, in substantially the form attached hereto as Exhibit “A.”

7 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners
8 is hereby authorized to execute the First Amendment to Lease Agreement between
9 Fulton County and, Comcast Cable Communications, LLC.

10 **BE IT FURTHER RESOLVED**, that the County Attorney is hereby authorized to
11 approve the First Amendment to Lease Amendment as to form and to make such other
12 or additional modifications as are necessary to protect the County’s interests prior to
13 execution by the Chairman.

14 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
15 adoption, and that all resolutions and parts of resolutions in conflict with this Resolution
16 are hereby repealed to the extent of the conflict.

17 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
18 Georgia, this 15th day of November, 2023.

19 FULTON COUNTY BOARD OF
20 COMMISSIONERS

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24 _____
25 Robert Pitts, Chairman

26
27 ATTEST:

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30 _____
31 Tonya R. Grier, Clerk to the Commission
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1 APPROVED AS TO FORM:

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5 _____
Y. Soo Jo, County Attorney