

1 **A RESOLUTION APPROVING A GROUND LEASE AGREEMENT BETWEEN FULTON**
2 **COUNTY, GEORGIA AND THE CITY OF ROSWELL, GEORGIA TO LEASE COUNTY-**
3 **OWNED REAL PROPERTY COMMONLY KNOWN AS CHATTAHOOCHEE RIVER**
4 **PARK, LOCATED AT 575 RIVERSIDE RD, ROSWELL, GEORGIA 30075;**
5 **AUTHORIZING THE CHAIRMAN OF THE FULTON COUNTY BOARD OF**
6 **COMMISSIONERS TO EXECUTE THE GROUND LEASE AGREEMENT AND ANY**
7 **RELATED DOCUMENTS; AUTHORIZING THE COUNTY ATTORNEY TO APPROVE**
8 **THE GROUND LEASE AGREEMENT AND ANY RELATED DOCUMENTS AS TO**
9 **FORM AND MAKE NECESSARY MODIFICATIONS THERETO PRIOR TO**
10 **EXECUTION; AND FOR OTHER PURPOSES.**

11 **WHEREAS**, Fulton County, Georgia ("Fulton County") is a political subdivision of
12 the State of Georgia, existing as such under and by the Constitution, statutes, and laws
13 of the State; and

14 **WHEREAS**, Fulton County owns certain real property located at 575 Riverside Rd,
15 Roswell, GA 30075, consisting of approximately 80.95 acres, commonly known as
16 Chattahoochee River Park ("Property"); and

17 **WHEREAS**, the City of Roswell, a municipal corporation of the state of Georgia
18 ("Roswell"), and Fulton County previously entered into an Intergovernmental Agreement
19 as of December 31, 1998 (as amended August 18, 1999, the "IGA") pursuant to which
20 Fulton County leased to Roswell the Chattahoochee River Park and other related County-
21 owned properties; and

22 **WHEREAS**, pursuant to the IGA, Roswell operates the Chattahoochee River Park
23 and provides other services on the Property, for the benefit of the residents of the City of
24 Roswell and Fulton County; and

25 **WHEREAS**, the term of the IGA has expired; and

26 **WHEREAS**, Roswell submitted a request to the Fulton County Department of Real
27 Estate and Asset Management Department ("DREAM") to enter into a new long-term

1 ground lease of the Property (“Ground Lease”) so that Roswell may initiate new programs
2 and renovate the Property as needed, and continue to operate, maintain, and provide
3 additional services within the Property for the benefit of Roswell and Fulton County; and

4 **WHEREAS**, DREAM and Roswell have negotiated mutually acceptable terms for
5 Roswell’s lease of the Property, which include an initial term of twenty-five (25) years with
6 an option to renew for an additional twenty-five (25) years; and

7 **WHEREAS**, in lieu of monetary compensation for Roswell’s lease of the Property,
8 Roswell will maintain, operate, and repair the Property, including designing, constructing,
9 maintaining and operating renovations, all at Roswell’s sole expense, in addition to
10 providing other services within the Property, as further described in the Ground Lease, to
11 County residents; and

12 **WHEREAS**, in the event the County terminates the Ground Lease for convenience
13 prior to the twentieth anniversary of such Lease, the County has agreed to reimburse
14 Roswell for the then-outstanding bond debt associated with Roswell’s renovations of the
15 amenities on the Property; and

16 **WHEREAS**, Article 9, Section 3, Paragraph 1(a) of the Constitution of the State of
17 Georgia authorizes counties to contract with municipalities for any period not exceeding
18 fifty (50) years for the provision of facilities or services which they are authorized by law
19 to provide; and

20 **WHEREAS**, pursuant to Fulton County Code § 1-117, the Fulton County Board of
21 Commissioners has exclusive jurisdiction and control over directing and controlling all the
22 property of the County, as they may deem expedient, according to law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves the Ground Lease Agreement between Fulton County, Georgia, and the City of Roswell, Georgia, a municipal corporation of the State of Georgia, in substantially the form attached hereto as Exhibit A, for the purpose of leasing County-owned property located at 575 Riverside Rd, Roswell, Georgia 30075, to Roswell to provide government services.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is hereby authorized to execute the Ground Lease Agreement and any related documents.

BE IT FURTHER RESOLVED, that the County Attorney is hereby authorized to approve the Ground Lease Agreement and any related documents as to form, and to make modifications thereto as are necessary to protect the interests of Fulton County, prior to execution by the Chairman.

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

PASSED AND ADOPTED by the Board of Commissioners of Fulton County,
Georgia, this day of , 2025.

FULTON COUNTY BOARD OF COMMISSIONERS

Robert L. Pitts, Chairman

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ATTEST:

Tonya R. Grier, Clerk to the Commission

10 **APPROVED AS TO FORM:**

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Y. Soo Jo
County Attorney

Exhibit A

Form of Ground Lease Agreement