

1 A RESOLUTION APPROVING A FIRST AMENDMENT TO LEASE AGREEMENT
2 BETWEEN WILMINGTON TRUST, NATIONAL ASSOCIATION, AS TRUSTEE, FOR
3 THE BENEFIT OF HOLDERS OF J.P. MORGAN CHASE COMMERCIAL MORTGAGE
4 SECURITIES TRUST 2018-PTC, COMMERCIAL MORTGAGE PASS-THROUGH
5 CERTIFICATES, SERIES 2018-PTC AND THE FUTURE ADVANCE LENDER
6 ("LANDLORD") AND FULTON COUNTY, GEORGIA ("TENANT") FOR THE
7 PURPOSE OF EXTENDING THE LEASE TERM FOR OFFICE SPACE FOR THE
8 OPERATIONS OF THE OFFICE OF THE FULTON COUNTY TAX ASSESSOR AT 235
9 PEACHTREE STREET, ATLANTA, GEORGIA; TO AUTHORIZE THE CHAIRMAN TO
10 APPROVE THE FIRST AMENDMENT TO LEASE AGREEMENT AND RELATED
11 DOCUMENTS; TO AUTHORIZE THE COUNTY ATTORNEY TO APPROVE THE FIRST
12 AMENDMENT TO LEASE AGREEMENT AND RELATED DOCUMENTS AS TO FORM
13 AND TO MAKE ANY MODIFICATIONS THERETO IN ORDER TO PROTECT THE
14 INTERESTS OF FULTON COUNTY PRIOR TO EXECUTION; AND FOR OTHER
15 PURPOSES

16 **WHEREAS**, The Office of the Fulton County Tax Assessor is responsible for
17 confirming the fair market values for real and personal property Fulton County; and

18 **WHEREAS**, the Fulton County Board of Commissioners approved a Lease
19 Agreement (the "Lease") for the operations of the Fulton County Tax Commissioners at
20 235 Peachtree Street, Atlanta, Georgia with ACP Peachtree Center LLC on December
21 17, 2014 as Agenda Item #14-1123; and

22 **WHEREAS**, on September 6, 2022 a Deed Under the Power of Sale was recorded
23 in the real estate records of Fulton County and pursuant to the terms of the Lease
24 Wilmington Trust, National Association, as Trustee, for the benefit of Holders of J.P.
25 Morgan Chase Commercial Mortgage Securities Trust 2018-PTC, Commercial Mortgage
26 Pass-Through Certificates, Series 2018-PTC and the Future Advance Lender became
27 the Landlord under the Lease; and

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29 **WHEREAS**, the Office of the Fulton County Tax Assessor desires to remain within
30 the current leased space at 235 Peachtree Street, Atlanta, Georgia consisting of
31 approximately 37,853 square feet for the purpose of providing office space for the
32 operations of the Tax Assessor and his staff; and

33 **WHEREAS**, it is the mutual desire of Fulton County and Wilmington Trust, National
34 Association, as Trustee, for the benefit of Holders of J.P. Morgan Chase Commercial
35 Mortgage Securities Trust 2018-PTC, Commercial Mortgage Pass-Through Certificates,
36 Series 2018-PTC and the Future Advance Lender to enter into a First Amendment to
37 Lease Agreement for the purpose of extending the current lease term and to formalize

1 the terms of the continued occupancy for the Office of the Fulton County Tax Assessor;
2 and

3 **WHEREAS**, O.C.G.A. § 36-60-13 authorizes Fulton County to enter into multiyear
4 lease, purchase, or lease-purchase contracts of all kinds for the acquisition of goods,
5 materials, real and personal property, services, and supplies under certain
6 circumstances.

7 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
8 approves the First Amendment to Lease Agreement with Wilmington Trust, National
9 Association, as Trustee, for the benefit of Holders of J.P. Morgan Chase Commercial
10 Mortgage Securities Trust 2018-PTC, Commercial Mortgage Pass-Through Certificates,
11 Series 2018-PTC and the Future Advance Lender in substantially the form attached
12 hereto as Exhibit "A."

13 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners
14 (or Vice-Chairman, in the Chairman's absence) is hereby authorized to execute the First
15 Amendment to Lease Agreement between Fulton County and Wilmington Trust, National
16 Association, as Trustee, for the benefit of Holders of J.P. Morgan Chase Commercial
17 Mortgage Securities Trust 2018-PTC, Commercial Mortgage Pass-Through Certificates,
18 Series 2018-PTC and the Future Advance Lender.

19 **BE IT FURTHER RESOLVED**, that the County Attorney is hereby authorized to
20 approve the First Amendment to Lease Agreement as to form and to make such other or
21 additional modifications as are necessary to protect the County's interests prior to
22 execution by the Chairman.

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

26 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
27 Georgia, this _____ day of _____, 2023.

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FULTON COUNTY BOARD OF
COMMISSIONERS

Robert L. Pitts, Chairman

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ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney