

1 A RESOLUTION AUTHORIZING THE ACCEPTANCE BY FULTON COUNTY,
2 GEORGIA OF TITLE IN FEE SIMPLE OF CERTAIN REAL PROPERTIES FROM THE
3 BUILDING AUTHORITY OF FULTON COUNTY; AUTHORIZING THE CHAIRMAN TO
4 EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE ACCEPTANCE
5 OF CERTAIN REAL PROPERTIES AND FACILITIES FROM THE BUILDING
6 AUTHORITY OF FULTON COUNTY; AUTHORIZING THE COUNTY ATTORNEY TO
7 PREPARE AND APPROVE AS TO FORM ALL DOCUMENTS NECESSARY AND
8 APPROPRIATE TO ACCOMPLISH THESE TRANSACTIONS; AND FOR OTHER
9 PURPOSES.

10
11 WHEREAS, Fulton County, Georgia ("County") is a political subdivision of the
12 State of Georgia with the authority to enter into agreements to fulfill certain public
13 purposes; and

14 WHEREAS, the Building Authority of Fulton County ("Authority") is a body
15 corporate and politic, duly created and existing as an instrumentality of the State of
16 Georgia and a public corporation under the County Building Authorities Act, Ga. Laws
17 1980, p. 4488 *et seq.*, as amended; and

18 WHEREAS, the Authority was created for the purpose of providing buildings,
19 facilities, and improvements for various departments, boards, commissions and agencies
20 located in Fulton County, by financing, in whole or in part, the construction of such
21 buildings, facilities, and improvements; and

22 WHEREAS, the Authority issued revenue bonds for the purpose of financing the
23 costs of acquiring, constructing, renovating, and equipping various public purpose
24 facilities; and

25 WHEREAS, as part of the bond program, the Authority currently holds fee simple
26 title to the following properties located in Fulton County (hereinafter collectively referred
27 to as "Properties"):

28 (1) MLK Public Plaza located at Fort Extension Street, Atlanta (Tax ID No. 14-

004600102506) and 300 Edgewood Avenue, Atlanta (Tax ID No. 14-004600102514);

(2) Parking Lot, located at Mitchell Street and Peachtree Street, Atlanta (Tax ID Nos. 14-007700060136, 14-007700060144, and 14-007700060151);

(3) Parking Lot, located at 162/166 Mitchell Street, Atlanta (Tax ID Nos. 00-770006058114 and 14-007700060573);

(4) Fulton County Health Department - Oak Hill Teen Clinic, located at 2805 Metropolitan Pkwy, Atlanta (Tax ID No. 14-0100LL0456);

(5) Chattahoochee Hills Fire Department, located at 6615 Rico Road, Palmetto (Tax ID No. 08-240001020655); and

(6) Fulton County Jail, located at 901 Rice Street, Atlanta (Tax ID No. 14-0113LL0113); and

WHEREAS, the County and the Authority entered into a Lease Agreement dated November 1, 1985, and amended from time-to-time thereafter, which provides that upon full payment of the bonds, the County shall have the right and option to purchase the projects financed by the bonds for ten dollars (\$10.00); and

WHEREAS, a November 1, 1990 amendment to the Lease provides that the Lease shall expire on January 2, 2015 or such later date on which the principal of, redemption premium, if any, and interest on the bonds are paid in full; and

WHEREAS, US Bank, N.A. has confirmed in writing that the bonds issued by the Authority for projects (a/k/a, the Properties) financed by the bonds issued by the Authority have been satisfied (specifically, Series 1986; Series 1991 and 1995; Series 2002 A, B, and C); and

1 **WHEREAS**, with all of the bonds being satisfied, the Authority transferred its fee
2 simple ownership interest in the Properties to the County as contemplated by the bond
3 program at its special called meeting held on September 7, 2022; and

4 **WHEREAS**, Fulton County is willing to accept the transfer of the Properties.

5 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
6 approves and authorizes acceptance from the Authority its fee simple property interest
7 and title to the following Properties:

8 (1) MLK Public Plaza located at Fort Extension Street, Atlanta (Tax ID No. 14-
9 004600102506) and 300 Edgewood Avenue, Atlanta (Tax ID No. 14-
10 004600102514);

11 (2) Parking Lot, located at Mitchell Street and Peachtree Street, Atlanta (Tax ID
12 Nos. 14-007700060136, 14-007700060144, and 14-007700060151);

13 (3) Parking Lot, located at 162/166 Mitchell Street, Atlanta (Tax ID Nos. 00-
14 770006058114 and 14-007700060573);

15 (4) Fulton County Health Department - Oak Hill Teen Clinic, located at 2805
16 Metropolitan Pkwy, Atlanta (Tax ID No. 14-0100LL0456);

17 (5) Chattahoochee Hills Fire Department, located at 6615 Rico Road, Palmetto
18 (Tax ID No. 08-240001020655); and

19 (6) Fulton County Jail, located at 901 Rice Street, Atlanta (Tax ID No. 14-
20 0113LL0113).

21 **BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized to execute
22 all documents necessary to effectuate the acceptance of the Properties and
23 improvements thereon from the Authority.

BE IT FURTHER RESOLVED, that the County Attorney is hereby authorized to prepare and approve as to form any and all documents that are necessary and appropriate to accomplish the transactions authorized by this Resolution and other necessarily related purposes and functions, 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.

SO PASSED AND ADOPTED, this 7th day of September 2022.

FULTON COUNTY BOARD OF COMMISSIONERS

Robert L. Pitts, Chairman

ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney