

1 A RESOLUTION APPROVING A GROUND LEASE AGREEMENT BETWEEN FULTON  
2 COUNTY, GEORGIA (LANDLORD ) AND PRO PLAYER HOLDINGS, LLC (TENANT )  
3 FOR THE PURPOSE OF LEASING APPROXIMATELY 19 ACRES OF REAL  
4 PROPERTY AT CAMP TRUITT FOR THE PURPOSE OF DEVELOPING ATHLETIC  
5 FACILITIES ONSITE WITH RENTAL PROCEEDS TO BE USED IN THE  
6 FURTHERANCE OF 4H ACTIVITIES; AUTHORIZING THE CHAIRMAN TO EXECUTE  
7 THE GROUND LEASE AGREEMENT AND RELATED DOCUMENTS; AUTHORIZING  
8 THE COUNTY ATTORNEY TO APPROVE THE GROUND LEASE AGREEMENT AND  
9 RELATED DOCUMENTS AS TO FORM AND TO MAKE NECESSARY  
10 MODIFICATIONS THERETO PRIOR TO EXECUTION; AND FOR OTHER PURPOSES.  
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12 **WHEREAS**, Fulton County, Georgia is the fee simple owner of the real property  
13 located at 3124 Lake Shore Drive, College Park, Georgia, consisting of approximately  
14 37.78 acres formally known as Camp Truitt by virtue of a Limited Warranty Deed from  
15 John W. Chaplan as Grantor dated May 27, 1937 and recorded in Deed Book Page 1655  
16 and Page 142; and

17 **WHEREAS**, Fulton County's Limited Warranty Deed contains a right of reversion  
18 and use restriction that requires the subject property to be used "exclusively for park,  
19 recreation grounds, and educational purposes [among other things].," and in the event a  
20 use is permitted other than those stipulated, ownership of the real property shall revert  
21 back to the Grantor and or Grantor's heirs, devisees and assigns; and

22 **WHEREAS**, on June 29, 1958, the Executrix of Mr. Chapman's estate, the grantor  
23 of the property to the County, recorded a document in the Real Estate Records for Fulton  
24 County in Deed Book Page 3551, Page 97, which modified the reversion and use  
25 restriction to provide:

26 Notwithstanding any of the restrictions contained in the deed dated May 27,  
27 1937 above referred to, or the right of reversion contained in said deed, and  
28 reserved to John M. Chapman, his heirs, successors and assigns, the use  
29 of said property conveyed in said deed, by Fulton County or the State of  
30 Georgia for any purpose to serve the 4-H Clubs of Fulton County and  
31 Georgia and to promote agricultural, social and economic interest of the  
32 rural people of Fulton County and the State of Georgia, are declared to be  
33 proper uses of said property and not in violation of the restrictions imposed  
34 thereon by the deed dated May 27, 1937 above referred to, and no violation  
35 of said deed or right of reversion of any interest in said property shall ever  
36 exist as long as said property is used for such purposes, or any other  
37 purpose specifically described and set forth in said deed; and

38 **WHEREAS**, the Executrix's recording further provided:

1 The rental or use of any portion of the property conveyed in the deed date  
2 May 27, 1937 so as to produce an income derived from any person, shall  
3 not constitute a violation of said deed or give rise to any right of reversion,  
4 provided the income from such property so received, shall itself be reserved  
5 for, and used for the purposes authorized in the original deed dated May  
6 27, 1937 and in this Agreement; and

7 **WHEREAS**, presently the University of Georgia Cooperative Extension provides  
8 4-H related and other services to resident of Fulton County at Camp Truitt; and  
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10 **WHEREAS**, Pro Player Holdings, LLC has proposed to Fulton County that they be  
11 allowed to ground lease and develop approximately 19 acres of the Camp Truitt Site with  
12 a \$20 million dollar 50,000 square feet facility with indoor basketball and volleyball courts,  
13 indoor soccer fields, retractable bleacher seating for attendees, a 300-meter multi-lane  
14 indoor track, training rooms, an aquatic pool, and other amenities; and

15 **WHEREAS**, the addition of the proposed development is to provide Fulton County  
16 residents multiple amenities and health benefits to include; improvements with overall  
17 community health that can be obtain when residents work out at a state of the art  
18 community health facility within their community, reductions in teen crimes that results  
19 when teens are provided alternate activities to engage themselves in, and national  
20 exposure when sports events are held onsite; and

21  
22 **WHEREAS**, the Department of Real Estate and Asset Management has  
23 negotiated mutually acceptable ground leasing terms with Pro Player Holdings, LLC to  
24 lease approximately 19 acres of real property at 3124 Lake Shore Drive, College Park,  
25 Georgia; and

26 **WHEREAS**, said lease terms include (i) a 30 year term with two optional 10 year  
27 renewal options, (ii) yearly rent of \$27,200 (\$2,266.67 per month) based on the results of  
28 a ground rent appraisal report, (iii) the obligation of Pro Player Holdings to complete  
29 construction of their improvements within four (4) years of the Effective Date of the ground  
30 lease agreement, and (iv) a one-time payment of \$1,000,000.00 to be made 30 days after  
31 the end of the Due Diligence Period (120 days after lease execution), to be held in escrow  
32 until the date construction of the improvements begins; and

33 **WHEREAS**, the approval of the Fulton County Board of Commissioners is required  
34 prior to the Chairman executing a ground lease agreement that will permit the  
35 development of approximately 19 acres of real property owned within the site formally  
36 known as Camp Truitt; and

1           **WHEREAS**, it is the desire of Fulton County and Pro Player Holding, LLC to enter  
2 into a ground lease agreement; and

3           **WHEREAS**, pursuant to Fulton County Code § 1-117, the Fulton County Board of  
4 Commissions has exclusive jurisdiction and control over directing and controlling all  
5 property of the county.

6           **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby  
7 approves a Ground Lease Agreement with Pro Player Holding, LLC, in substantially the  
8 form attached hereto as Exhibit "A."

9           **BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners  
10 (or Vice-Chairman, in the Chairman's absence) is hereby authorized to execute the  
11 Ground Lease Agreement between Fulton County and Pro Player Holding, LLC.

12           **BE IT FURTHER RESOLVED**, that the County Attorney is hereby authorized to  
13 approve the Ground Lease Agreement as to form, and to make such other or additional  
14 modifications as are necessary to protect the County's interests prior to execution by the  
15 Chairman.

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

19           **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,  
20 Georgia, this \_\_\_\_ day of \_\_\_\_\_, 2021.

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FULTON COUNTY BOARD OF  
COMMISSIONERS

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

ATTEST:

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Tonya R. Grier, Clerk to the Commission

1 APPROVED AS TO FORM:

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Kaye W. Burwell, Interim County Attorney

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