

1 A RESOLUTION BY THE BUILDING AUTHORITY OF FULTON COUNTY
2 AUTHORIZING THE TRANSFER OR CONVEYANCE TO FULTON COUNTY,
3 GEORGIA OF CERTAIN LEASEHOLD INTERESTS HELD BY THE BUILDING
4 AUTHORITY; AUTHORIZING THE TRANSFER OR CONVEYANCE TO
5 FULTON COUNTY OF TITLE IN FEE SIMPLE OF CERTAIN REAL PROPERTY
6 OWNED BY THE BUILDING AUTHORITY; AUTHORIZING THE TRANSFER OR
7 CONVEYANCE TO FULTON COUNTY OF ALL REAL OR PERSONAL
8 PROPERTY, EQUIPMENT, LEASES, AGREEMENTS, AND ASSETS OF ANY
9 KIND, INCLUDING ASSETS LATER DISCOVERED, HELD OR OWNED BY THE
10 BUILDING AUTHORITY; AUTHORIZING THE EXECUTION OF ALL
11 NECESSARY DOCUMENTS TO EFFECTUATE THE TRANSFERS OR
12 CONVEYANCES OF THE LEASEHOLD INTERESTS, THE REAL
13 PROPERTIES, AND ALL REAL OR PERSONAL PROPERTY, EQUIPMENT,
14 LEASES, AGREEMENTS, AND ASSETS OF ANY KIND, INCLUDING ASSETS
15 LATER DISCOVERED; AND FOR OTHER PURPOSES.
16

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

21 **WHEREAS**, the Authority was created for the purpose of financing, in whole
22 or in part, the construction of buildings, facilities, and improvements for various
23 departments, boards, commissions and agencies located in Fulton County; and

24 **WHEREAS**, Fulton County, Georgia (“County”) is a political subdivision of
25 the State of Georgia with the authority to enter into agreements with the Authority
26 to fulfill certain public purposes; and

27 **WHEREAS**, the Authority agreed to issue various bonds to finance the
28 acquisition, construction, installation, and equipping of County facilities; and

29 **WHEREAS**, the various facilities have been completed, and the bonds
30 issued to finance the projects have been paid in full; and

1 **WHEREAS**, the Authority, as Lessor, entered into two Land Lease
2 Agreements for communications towers: (1) a Land Lease Agreement dated April
3 16, 2014 between the Authority, as Lessor, and TV6-W, LLC, a Delaware limited
4 liability company, as lessee, for a portion of the property located at 3175 Bethsaida
5 Rd, South Fulton, GA 30213, Parcel No. 13-0162-LL0230, for use as a
6 communications tower (the "Bethsaida Cell Tower Lease") and (2) a Land Lease
7 Agreement, dated September 17, 2014, between the Authority, as Lessor, and
8 Tower Assets Newco IX, LLC, as Lessee, for a portion of the property located at
9 4760 Fulton Industrial Blvd, Atlanta, GA, 30336, Parcel No. 14-F-0057-LL-0305,
10 for use as a communications tower (the "Fulton Industrial Cell Tower Lease"); and

11 **WHEREAS**, both Land Lease Agreements had an initial term of five (5)
12 years with nine (9) additional five (5) year renewal options, and both leases are
13 still in place; and

14 **WHEREAS**, the Authority desires to transfer and convey to the County its
15 leasehold interest in the Land Lease Agreements concerning (1) the Bethsaida
16 Cell Tower Lease; and (2) the Fulton Industrial Cell Tower Lease; and

17 **WHEREAS**, Fulton County is willing to accept the transfer of the leasehold
18 interests held by the Building Authority; and

19 **WHEREAS**, the Authority is owner of real property consisting of (1) a
20 commercial building located at 162 Mitchell Street SW, Atlanta, Georgia 30303,
21 Parcel No. 14-0077-0006-058-1, by virtue of that Limited Warranty Deed dated
22 April 19, 1995 and recorded in Deed Book 19748, Page 302 of the Fulton County,
23 Georgia records, and all other improvements thereon ("162 Mitchell St"); and (2) a

1 commercial building, located at 166 Mitchell Street SW, Atlanta, Georgia 30303,
2 Parcel No. 14-0077-0006-057-3, by virtue of that Limited Warranty Deed dated
3 January 2, 1985 and recorded in Deed book 9895, page 383 of the Fulton County,
4 Georgia records, and all other improvements thereon ("166 Mitchell St"); and

5 **WHEREAS**, the Authority desires to transfer and convey to the County its
6 fee simple real property interest and title to the real property consisting of (1) the
7 commercial building located at 162 Mitchell St; and (2) the commercial building
8 located at 166 Mitchell St; and

9 **WHEREAS**, Fulton County is willing to accept the transfer of the fee simple
10 real estate interest and title to 162 Mithcell St and 166 Mitchell St; and

11 **WHEREAS**, the Building Authority desires to authorize the transfer of any
12 and all real or personal property, equipment, agreements, or any other assets, as
13 well as any later discovered assets of any kind, owned by the Building Authority to
14 Fulton County; and

15 **WHEREAS**, Fulton County is willing to accept the transfer of any and all
16 real or personal property, equipment, or any other assets, as well as any later
17 discovered assets of any kind, owned by the Building Authority.

18 **NOW, THEREFORE, BE IT RESOLVED**, that the Building Authority of
19 Fulton County hereby approves and authorizes the transfer and conveyance to
20 Fulton County, Georgia of its leasehold interest in (1) the Land Lease Agreement
21 dated April 16, 2014 between the Authority, as Lessor, and TV6-W, LLC, a
22 Delaware limited liability company, as lessee, for a portion of the property located
23 at 3175 Bethsaida Rd, South Fulton, GA 30213, Parcel No. 13-0162-LL0230, for

1 use as a communications tower and (2) the Land Lease Agreement, dated
2 September 17, 2014, between the Authority, as Lessor, and Tower Assets Newco
3 IX, LLC, as Lessee, for a portion of the property located at 4760 Fulton Industrial
4 Blvd, Atlanta, GA, 30336, Parcel No. 14-F-0057-LL-0305.

5 **BE IT FURTHER RESOLVED**, that the Building Authority of Fulton County
6 hereby approves and authorizes the transfer and conveyance to Fulton County,
7 Georgia of its fee simple property interest and title to the real property consisting
8 of (1) a commercial building located at 162 Mitchell Street SW, Atlanta, Georgia
9 30303, Parcel No. 14-0077-0006-058-1, and all other improvements thereon; and
10 (2) a commercial building, located at 166 Mitchell Street SW, Atlanta, Georgia
11 30303, Parcel No. 14-0077-0006-057-3, and all other improvements thereon.

12 **BE IT FURTHER RESOLVED**, that the Building Authority of Fulton County
13 hereby approves and authorizes the sale, transfer or conveyance to Fulton County
14 of any and all real or personal property, equipment, or any other assets, as well as
15 any later discovered assets of any kind, owned by the Building Authority.

16 **BE IT FURTHER RESOLVED**, that the Chairman of the Building Authority
17 of Fulton County is hereby authorized to execute all necessary documents to
18 effectuate the transfers approved herein, including via quit claim deed in
19 substantially the form attached hereto as Exhibit A and Assignment of Lease and
20 Novation in substantially the form attached hereto as Exhibit B, after approval of
21 such documents as to form and making any necessary modifications thereto by
22 the Building Authority's Attorney.

1 **BE IT FURTHER RESOLVED**, that the Attorney for the Building Authority
2 of Fulton County is authorized to prepare the appropriate documents to effectuate
3 the sales, transfers or conveyances, specified in this Resolution.

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

7 **SO PASSED AND ADOPTED**, this 18 day of February, 2026.

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**THE BUILDING AUTHORITY OF FULTON
COUNTY:**

By: 
Robert. L. Pitts, Chairman

Attest: _____
Ray Turner, Building Authority Treasurer

APPROVED AS TO FORM:

Y. Soo Jo, Building Authority Attorney

Exhibit A

Form of Quit Claim Deed

Exhibit B

Form of Assignment of Lease and Novation