

1 A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN FULTON COUNTY,
2 GEORGIA (“TENANT”) AND SOUTHPOINT FARMS LPIV, LLC, A GEORGIA LIMITED
3 LIABILITY COMPANY (“Prime Lessee”), SOUTHPOINT FARMS VERTICAL PIV1,
4 LLC, A DELAWARE LIMITED LIABILITY COMPANY (“PIV SUBLESSEE”), and
5 SOUTHPOINT FARMS VERTICAL DP, LLC, A DELAWARE LIMITED LIABILITY
6 COMPANY (“DP SUBLESSEE”) (PRIME LESSEE, PIV SUBLESSEE and DP
7 SUBLESSEE COLLECTIVELY "LANDLORD") FOR THE PURPOSE OF LEASING
8 WAREHOUSE SPACE TO CONSOLIDATE ALL FULTON COUNTY WAREHOUSE
9 OPERATIONS INTO A SINGLE WAREHOUSE FACILITY THAT IS UNDER
10 CONSTRUCTION ON STATE ROUTE 92 (CAMPBELLTON FAIRBURN ROAD),
11 UNION CITY, FULTON COUNTY, GEORGIA; AUTHORIZING THE CHAIRMAN TO
12 EXECUTE A LEASE AGREEMENT AND RELATED DOCUMENTS; AUTHORIZING
13 THE COUNTY ATTORNEY TO APPROVE A LEASE AGREEMENT AND RELATED
14 DOCUMENTS AS TO FORM AND TO MAKE ANY MODIFICATIONS THERETO PRIOR
15 TO EXECUTION; AND FOR OTHER PURPOSES.

16 **WHEREAS**, the Fulton County Board of Commissioners approved a resolution as
17 Agenda Item Number 21-0584 that authorize the County Manager and the Department of
18 Real Estate and Asset Management to complete due diligence and lease negotiations for
19 the purpose of consolidating all Fulton County warehouse operations into a single
20 location, inclusive of evidence storage warehouse space for the Office of the Fulton
21 County District Attorney and the Fulton County Sheriff; and

22 **WHEREAS**, Fulton County leases approximately 300,000 square feet of
23 warehouse space at multiple locations within Fulton County for daily operations, including
24 but not limited to, computer storage, the operation of elections and voting equipment
25 storage, criminal evidence storage, medical supplies, Fulton County Jail Operations and
26 Superior Court Records storage; and

27 **WHEREAS**, Fulton County owns a warehouse location at 79 Milton Ave Atlanta,
28 Georgia that is no longer conducive to provide optimal level services for operations and
29 it is the recommendation the Department of Real Estate and Asset Management that this
30 property be considered for surplus and possibly sold for redevelopment into affordable in-
31 town housing; and

32 **WHEREAS**, the Department of Real Estate and Asset Management have
33 negotiated mutually acceptable leasing terms with SOUTHPOINT FARMS LPIV, LLC, a
34 Georgia limited liability company (“Prime Lessee”), SOUTHPOINT FARMS VERTICAL
35 PIV1, LLC, a Delaware limited liability company (“PIV Sublessee”), and SOUTHPOINT
36 FARMS VERTICAL DP, LLC, a Delaware limited liability company (“DP Sublessee”)
37 (Prime Lessee, PIV Sublessee and DP Sublessee collectively "Landlord") to leased

1 600,000 square feet of warehouse space on State Route 92 (Campbellton Fairburn
2 Road); and

3 **WHEREAS**, the approval of the Fulton County Board of Commissioners is required
4 prior to the Chairman executing a lease agreement that will consolidate and centralize all
5 warehouse operations into a single stand-alone 600,000 square feet facility which will
6 increase available warehouse space and service efficiency levels, improve work place
7 moral among staff and expand the state and federal mandated public viewing areas of
8 the election process; and

9 **WHEREAS**, it is the desire of Fulton County and SOUTHPOINT FARMS LPIV,
10 LLC, a Georgia limited liability company ("Prime Lessee"), SOUTHPOINT FARMS
11 VERTICAL PIV1, LLC, a Delaware limited liability company ("PIV Sublessee"), and
12 SOUTHPOINT FARMS VERTICAL DP, LLC, a Delaware limited liability company ("DP
13 Sublessee") (Prime Lessee, PIV Sublessee and DP Sublessee collectively "Landlord") to
14 enter into a Lease Agreement that will consolidate and centralize all warehouse
15 operations into a 600,000 square feet facility; and

16 **WHEREAS**, if the Board of Commissioners approves the new Lease Agreement
17 with SOUTHPOINT FARMS LPIV, LLC, a Georgia limited liability company ("Prime
18 Lessee"), SOUTHPOINT FARMS VERTICAL PIV1, LLC, a Delaware limited liability
19 company ("PIV Sublessee"), and SOUTHPOINT FARMS VERTICAL DP, LLC, a
20 Delaware limited liability company ("DP Sublessee") (Prime Lessee, PIV Sublessee and
21 DP Sublessee collectively "Landlord"), the County Manager and the Department of Real
22 Estate and Asset Management will recommend the termination of all current warehouse
23 lease agreements; and

24 **WHEREAS**, pursuant to O.C.G.A. §§ 36-10-1 and 36-60-13 and Fulton County
25 Code § 102-394, the County is authorized to enter into multiyear lease contracts for real
26 property and such contracts shall be in writing and entered on its minutes.

27 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
28 approves a Lease Agreement with SOUTHPOINT FARMS LPIV, LLC, a Georgia limited
29 liability company ("Prime Lessee"), SOUTHPOINT FARMS VERTICAL PIV1, LLC, a
30 Delaware limited liability company ("PIV Sublessee"), and SOUTHPOINT FARMS
31 VERTICAL DP, LLC, a Delaware limited liability company ("DP Sublessee") (Prime
32 Lessee, PIV Sublessee and DP Sublessee collectively "Landlord"), in substantially the
33 form attached hereto as Exhibit "A."

34 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of Commissioners
35 (or Vice-Chairman, in the Chairman's absence) is hereby authorized to execute Lease
36 Agreement between Fulton County and SOUTHPOINT FARMS LPIV, LLC, a Georgia
37 limited liability company ("Prime Lessee"), SOUTHPOINT FARMS VERTICAL PIV1, LLC,

1 a Delaware limited liability company ("PIV Sublessee"), and SOUTHPOINT FARMS
2 VERTICAL DP, LLC, a Delaware limited liability company ("DP Sublessee") (Prime
3 Lessee, PIV Sublessee and DP Sublessee collectively "Landlord").

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

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

11 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
12 Georgia, this _____ day of _____, 2021.

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14
15 FULTON COUNTY BOARD OF
16 COMMISSIONERS

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19
20 _____
21 Robert L. Pitts, Chairman

22
23 ATTEST:

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25
26 _____
27 Tonya R. Grier, Clerk to the Commission

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29
30 APPROVED AS TO FORM:

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34 _____
35 Kaye W. Burwell, Interim County Attorney
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