

1 **RESOLUTION APPROVING THE FIRST AMENDMENT TO LEASE AGREEMENT**
2 **BETWEEN SK ARO, LLC (LESSOR) AND FULTON COUNTY, GEORGIA (LESSEE),**
3 **TO TEMPORARILY EXPAND THE LEASED SPACE BY 1,256 SQUARE FEET UNDER**
4 **A PREVIOUSLY EXECUTED LEASE AGREEMENT FOR THE PURPOSE OF**
5 **DISPLAYING ART EXHIBITS; TO AUTHORIZE THE COUNTY ATTORNEY TO**
6 **APPROVE THE FIRST AMENDMENT TO LEASE AGREEMENT AS TO FORM AND**
7 **MAKE NECESSARY MODIFICATIONS AS NECESSARY PRIOR TO EXECUTION;**
8 **AUTHORIZING THE CHAIRMAN OR VICE CHAIR TO EXECUTE THE FIRST**
9 **AMENDMENT TO LEASE AGREEMENT AND RELATED DOCUMENTS; AND FOR**
10 **OTHER PURPOSES**

11 **WHEREAS**, the daily operations of the Fulton County Government require the
12 leasing of office, retail and warehouse space from private entities for the purpose of
13 providing government services to include Arts and Culture; and

14 **WHEREAS**, the Fulton County Board of Commissioners previously approved
15 Agenda Item #21-0703 at the Board of Commissioners' Meeting held on October 6, 2021
16 for the purpose of leasing approximately 25,269 square feet of office space for the daily
17 operations of the Office of the Fulton County District Attorney at 86 Pryor Street, Atlanta,
18 Georgia, which is part of the Atlanta Underground Retail Development, from SK ARO,
19 LLC; and

20 **WHEREAS**, the Department of Arts and Culture has identified approximately 1,256
21 square feet of retail space within the Atlanta Underground Retail Development which is
22 owned and operated by SK ARO, LLC, that can be repurposed and used to display arts
23 and culture related items; and

24 **WHEREAS**, SK ARO, LLC desires to have the Department of Arts and Culture
25 display arts and culture related items in this space; and

26 **WHEREAS**, the Department of Real Estate and Asset Management, at the request
27 of the Department of Arts and Culture, has negotiated mutually acceptable lease terms
28 to temporarily expand, at no additional cost to the County, the leased space by 1,256
29 square for seven (7) months, May 1, 2022 through December 31, 2022, with SK ARO,
30 LLC; and

31 **WHEREAS**, the approval of the Fulton County Board of Commissioners is being
32 requested so as to allow the Department of Arts and Culture to occupy additional space
33 in the Atlanta Underground Retail Development based on the negotiated rental terms
34 included within the First Amendment to Lease Agreement for the purpose formalizing the
35 rental terms for occupancy by staff; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby approves a First Amendment to Lease Agreement with SK ARO, LLC in substantially the form attached hereto as Exhibit "A."

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners (or Vice-Chair, in the Chairman's absence) is hereby authorized to execute the First Amendment to Agreement between Fulton County and SK ARO.

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

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.

PASSED AND ADOPTED by the Board of Commissioners of Fulton County, Georgia, this ____ day of _____, 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