

STATE OF GEORGIA
COUNTY OF FULTON

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS,
GEORGIA, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND
EXECUTE A SURFACE PARKING LICENSE AGREEMENT ASSOCIATED WITH
RETAIL LEASE SPACE AT CITY SPRINGS DEVELOPMENT**

WHEREAS, the City of Sandy Springs Public Facilities Authority (“Authority”) is the owner of certain property located within the City Springs development (“Project”), including the surface level parking spaces located on the west side of Blue Stone Road; and

WHEREAS, the City of Sandy Springs (“City”) is responsible for the improvement, repair and maintenance of the surface level parking spaces located on the west side of Blue Stone Road; and

WHEREAS, City Springs Owner, LLC (“Developer”) is the owner of certain retail space within the Project, located adjacent to the west side of Blue Stone Road; and

WHEREAS, Developer is negotiating with an entity (“Potential Lessee”) to enter into a retail lease agreement (“Lease”) for the operation of a restaurant (“Restaurant”) in its retail space located adjacent to the west side of Blue Stone Road; and

WHEREAS, the Potential Lessee requires, as a condition to entering into the Lease, three (3) surface level parking spaces (“Spaces”) located in front of the Restaurant for exclusive use by its customers and invitees; and

WHEREAS, Developer has represented to the City that without a license for exclusive use of the Spaces, the Potential Lessee will not enter into the Lease; and

WHEREAS, the City desires to locate a restaurant within the retail space of the Project and further desires to facilitate the Lease and the success of the Restaurant by granting Developer a license for use of the Spaces (“License”) during the term of the Lease;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy Springs, Georgia, while in regular session on March 6, 2018 at 6:00 p.m., that:

1. The granting of the License to Developer for use of the Spaces during the term of the Lease is hereby approved; and
2. The City Manager is hereby authorized to negotiate and enter into an agreement to provide for such License upon terms and conditions in the best interest of the City, subject to approval of the City Attorney; and
3. The City Manager and the City Attorney are hereby authorized to take such actions as may be deemed necessary to effectuate the intent of this Resolution; and

4. In the event the Developer is successful in negotiating the Lease, resulting in an agreement executed by the City Manager granting the License, the City Manager shall update the Mayor and City Council at a subsequent meeting regarding the transaction.

RESOLVED this the 6th day of March, 2018.

Approved:


Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)

