

STATE OF GEORGIA

COUNTY OF FULTON

RESOLUTION OF THE CITY OF SANDY SPRINGS PUBLIC FACILITIES AUTHORITY TO APPROVE SETTLEMENT AMONG THE CITY OF SANDY SPRINGS, THE CITY OF SANDY SPRINGS PUBLIC FACILITIES AUTHORITY, CITY SPRINGS OWNER, LLC, AND C&A DEVELOPMENT, LLC, TO RESOLVE OUTSTANDING ISSUES RELATING TO THE PRIVATE DEVELOPMENT AT CITY SPRINGS AND TO AUTHORIZE THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND ENTER INTO AN AGREEMENT TO MEMORIALIZE SUCH SETTLEMENT

WHEREAS, the City of Sandy Springs (“City”), the City of Sandy Springs Public Facilities Authority (“PFA”), City Springs Owner, LLC (“Private Developer”), and C&A Development, LLC (“Program Manager”) previously executed and entered into certain documents and instruments (“Documents”) related to the private construction component and management of the entire City Springs development (“Project”); and

WHEREAS, the parties have cooperated in successfully completing the Project and now desire to resolve issues related to financial responsibility for certain outstanding costs under the Documents related to the Project (“Outstanding Claims”); and

WHEREAS, the parties have agreed to resolve and settle the Outstanding Claims as set forth in Exhibit A attached hereto; and

WHEREAS, the PFA desires that the Attorney for the PFA and the General Manager of the PFA negotiate and enter into a settlement agreement among the parties based on the amount set forth in Exhibit A upon such terms and conditions as may be in the best interest of the PFA.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF SANDY SPRINGS PUBLIC FACILITIES AUTHORITY, AS FOLLOWS:

1. That the amounts proposed for settlement of Outstanding Claims with respect to the Project set forth in Exhibit A attached hereto are hereby approved.
2. That the Attorney for the PFA and the General Manager of the PFA are hereby authorized to negotiate and enter into a settlement agreement with the City, the Private Developer, and the Program Manager based on the amount set forth in Exhibit A upon such terms and conditions as may be in the best interest of the PFA.

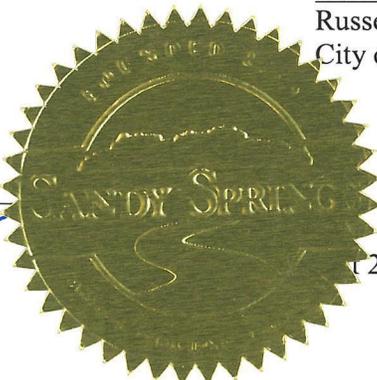
RESOLVED, this 19th day of May, 2020.

Approved:

Russell K. Paul, Chairman
City of Sandy Springs Public Facilities Authority

Attest:

Raquel González, Secretary



(SEAL)

EXHIBIT A

SETTLEMENT OF OUTSTANDING CLAIMS

Document Item	Amount to be Paid by Private Developer and Program Manager
Parking Declaration, Master Declaration and Master Lease and Respective Estoppels	\$ 180, 880.00
Contingent Payments under Contingent Payment Agreement	\$1,519,120.00
Payments in Lieu of Taxes (Tax Abatement)	\$ 343,390.85*
TOTAL	\$2,043,390.85

*Paid to the City on behalf of the City of Sandy Springs Development Authority.