

RESOLUTION NO. 2022 - 032

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF POWDER SPRINGS AND COBB COUNTY RELATING TO POWDER SPRINGS PARK; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Lessor and Lessee are the current lessor and lessee, respectively, under that certain Lease Agreement dated January 5, 1989 (hereinafter, “the Lease”) pursuant to which the City of Powder Springs (the “Lessor”) leased to Cobb County (the “Lessee”) certain real property in Land Lot 901 of the 19th District, 2nd Section of Cobb County, Georgia being commonly known as Powder Springs Park (the “Premises”) in accordance with the terms and provisions of the Lease; and

WHEREAS, pursuant to the terms of the Lease, Lessor retained the use and operation of a museum on the Premises as well as a well, pump, and pavilion; and

WHEREAS, Lessor now desires to construct, operate, and maintain an additional pavilion, a dog park and A farmer’s market on the Premises, the details and location of which are more particularly shown and described in the attached Exhibit A, which is incorporated herein by way of reference; and


WHEREAS, Lessee is willing to consent to Lessee’s use and operation of the pavilion, dog park and farmer’s market and has also requested that the Lessor take steps to take over and maintain the Premises; and

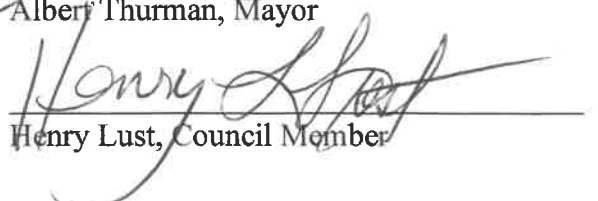
WHEREAS, Lessor and Lessee desire to amend the Lease to allow the pavilion, dog park and farmer’s market but otherwise leave the Lease unchanged for a temporary period of time while the parties prepare the necessary documentation to terminate the Lease and transfer the use and responsibility for maintenance to the Lessor.

NOW THEREFORE, be it hereby resolved by the Mayor and Council of the City of Powder Springs that it approves and authorizes the Mayor to execute an amendment to the Lease in a form substantially similar to the attached Exhibit B, subject to review and approval by the City Attorney.

BE IT FURTHER RESOLVED, that Council authorizes the City Attorney and City Manager to take steps to complete the termination of the Lease and transfer the use and responsibility for maintenance of the Premises to the City and authorizes the Mayor to execute documents to effectuate same. This resolution shall be effective immediately upon adoption.

SO RESOLVED this 21st day of February, 2022.


Albert Thurman, Mayor

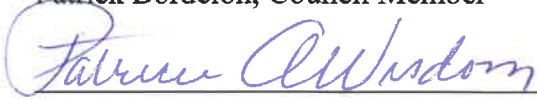

Henry Lust, Council Member

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Deris Dawkins, Council Member


Dwayne Green, Council Member


Patrick Bordelon, Council Member


Patricia Wisdom, Council Member

ATTEST: 
Kelly Axt, City Clerk