

RESOLUTION 2026 - 098

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE DEVELOPMENT PURCHASE AND SALE AGREEMENT BETWEEN THE CITY, THE DOWNTOWN DEVELOPMENT AUTHORITY AND A THIRD PARTY PURCHASER OF PROPERTY LOCATED AT THE CORNER OF MARIETTA STREET AND LEWIS ROAD AS AUTHORIZED UNDER THE INTERGOVERNMENTAL AGREEMENT WITH THE DOWNTOWN DEVELOPMENT AUTHORITY; SPECIFYING THAT THE NAME OF THE PURCHASER IS MARIETTA-LEWIS, LLC; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS pursuant to the Official Code of Georgia Annotated (O.C.G.A.) § 36-37-6 (e)(2)(D) and § 36-61-10, as authorized under Resolution 2024-118, the City of Powder Springs previously approved the transfer of certain real property to the Downtown Development Authority and executed an intergovernmental agreement with the DDA to sell or transfer said property for the purpose of redevelopment for commercial use; and

WHEREAS the Mayor did execute quitclaim deeds and other documentation needed to complete the conveyance of said property to the DDA, and the DDA entered into a purchase and sales agreement to a private developer for the purpose of redeveloping the property for commercial use; and

WHEREAS the purchaser desired to assign the deed to a different company owned by the purchaser, which requires the approval of the DDA and the City, which was approved by said parties as a part of Resolution 2026-071; and

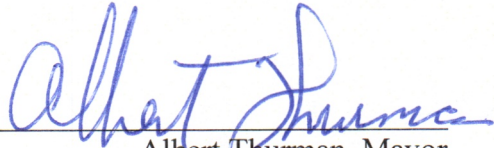
WHEREAS subsequent to the amendment, DDA staff noted that the Agreement identified the purchaser as Lewis-Marietta, LLC and submitted a request to correct and properly name the purchaser as Marietta-Lewis, LLC, and the City desires to approve the request and authorize an amendment to the purchase and sale agreement to properly reflect the correct name as Marietta-Lewis, LLC.

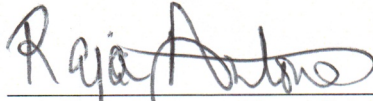
NOW THEREFORE BE IT HEREBY RESOLVED by the Mayor and Council of the City of Powder Springs that the second amendment to the development purchase and sales agreement between the City, the downtown development authority and a third party purchaser of property located at Marietta Street and Lewis Road is approved and the Mayor is authorized to execute the second amendment to correct the agreement and correctly identify the purchaser as Marietta-Lewis, LLC, subject to review and approval by the City Attorney.

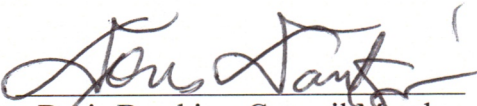
SO RESOLVED AND EFFECTIVE on this 1st day of June 2026.

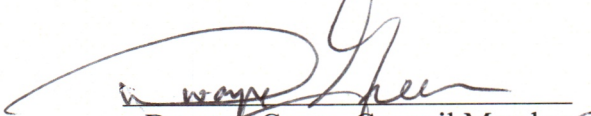
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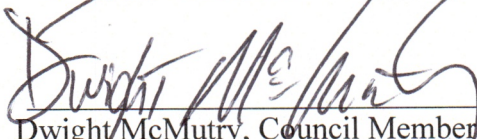
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Albert Thurman, Mayor


Raja Antone, Council Member

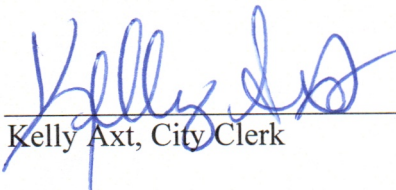

Doris Dawkins, Council Member


Dwayne Green, Council Member


Dwight McMutry, Council Member


Patricia Wisdom, Council Member

Attest:


Kelly Axt, City Clerk