



CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

BY TRANSPORTATION COMMITTEE

04-*R*-0640

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDATORY AGREEMENT WITH DELTA AIR LINES, INC. ("DELTA"), COVERING THE TEMPORARY SURRENDER TO THE CITY OF APPROXIMATELY 5.8424 ACRES OF LAND, AND THE PERMANENT SURRENDER TO THE CITY OF APPROXIMATELY 5.9946 ACRES OF LAND, LEASED TO DELTA BY THE CITY UNDER THE AMENDED AND RESTATED LEASE AGREEMENT, DATED DECEMBER 1, 1989, FOR DELTA'S TECHNICAL OPERATIONS CENTER AND CENTRAL TERMINAL SUPPORT AREA AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") and Delta Air Lines, Inc. ("Delta") are parties to an Amended and Restated Lease Agreement ("TOC/CTSA Lease"), dated December 1, 1989, for Delta's Technical Operations Center and Central Terminal Support Area, which serves as Delta's primary aircraft maintenance facility at Hartsfield-Jackson Atlanta International Airport ("H-JAIA"); and

WHEREAS, the City has undertaken the design and construction of the Maynard Holbrook Jackson Jr. International Terminal (MHJIT) and related aircraft ramp, entrance roadway, and vehicle parking facilities, to improve service to international airlines and their passengers at H-JAIA; and

WHEREAS, the City requires the use of a portion of Delta's TOC/CTSA Leased Premises in connection with the MHJIT site development projects, and Delta is ready and willing to temporarily surrender approximately 5.8424 acres of land to support the temporary relocation of the AGT/FIS parking facility, the Georgia Power Substation relocation laydown/staging area, and the eastern half of the Georgia Power duct bank system, for various periods of time expected not to exceed forty-eight (48) months during which time periods land rentals will be abated in the approximate total amount of \$44,300; and is further ready and willing to permanently surrender approximately 5.9946 acres of land to support the relocation of the Georgia Power Substation (Delta Substation), the Utility Corridor, and the Non-Licensed Vehicle Road area; all as more particularly shown on a drawing attached hereto as Exhibit A; and

WHEREAS, the City and Delta desire and intend to enter into an agreement amending the TOC/CTSA Lease and memorializing the surrender of those portions of Delta's TOC/CTSA Leased Premises needed for the MHJIT site development (the "Third Amendment"); and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and is hereby authorized to execute on behalf of the City of Atlanta a Third Amendment with Delta Air Lines, Inc., which shall provide for the surrender by Delta to the City of approximately 5.8424 acres of land on a temporary basis with a rental abatement during the time period of the temporary surrender in the approximate total amount of \$44,300; and the surrender of approximately 5.9946 acres of land on a permanent basis, within its Leased Premises under



the Amended and Restated Lease Agreement for the Technical Operations Center and Central Terminal Support Area at Hartsfield-Jackson Atlanta International Airport, and for the temporary continued use by Delta of Georgia Power duct bank system for time periods that will not exceed one (1) year thereafter.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare said Third Amendment for execution by the Mayor.

BE IT FINALLY RESOLVED, that said Third Amendment shall not become binding upon the City, and the City shall incur no obligation or liability thereunder until the same has been signed by the Mayor and delivered to Delta.

A true copy,

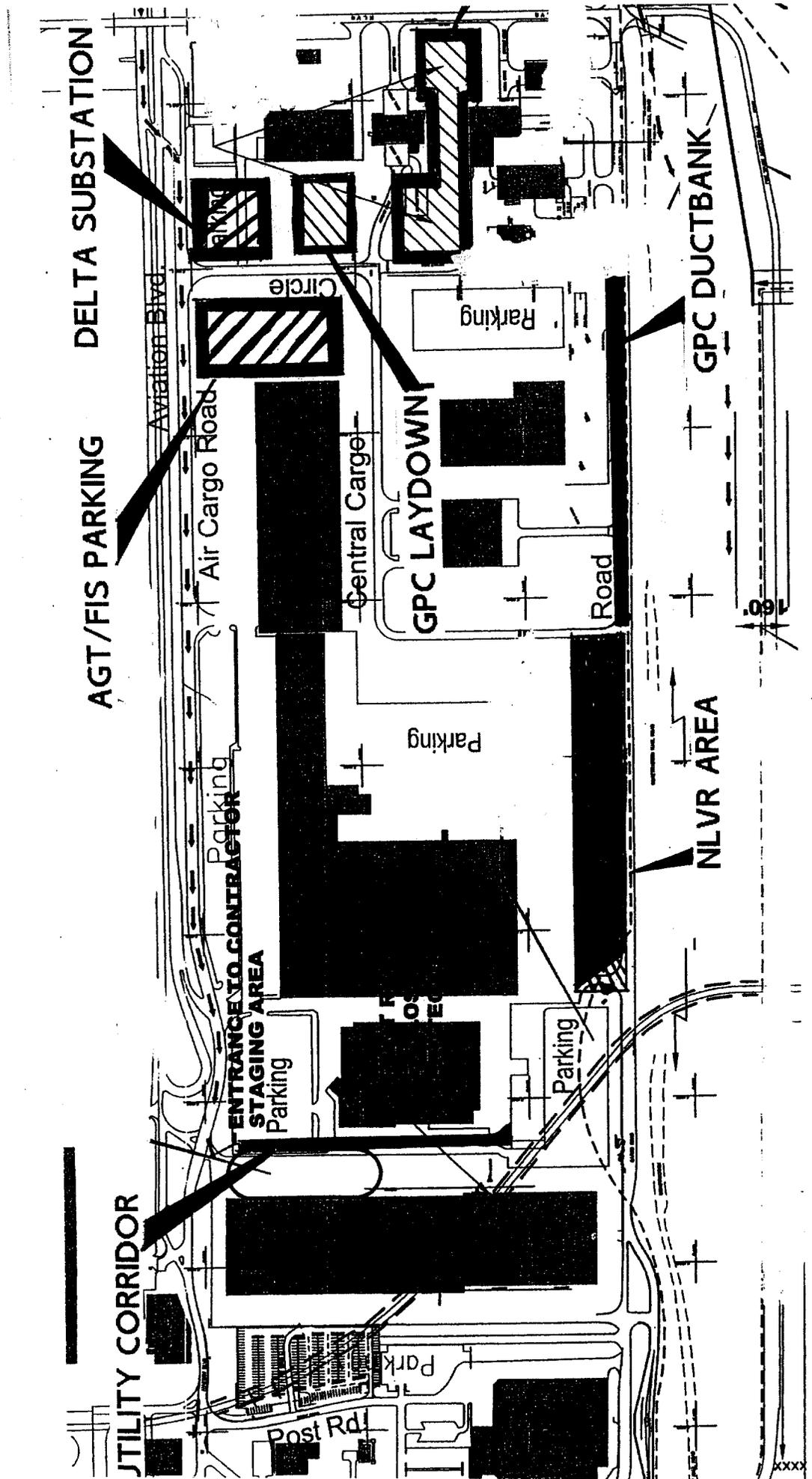
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

May 3, 2004
May 11, 2004



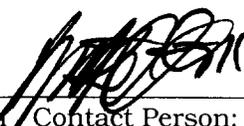
EXHIBIT A



TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

General Manager's Signature: ms



From: Originating Department: Aviation Contact Person: Anita Williams(404-530-6600)

Committee of Purview: Transportation Committee Deadline: 03/23/04

Committee Meeting: 03/31/04 Council Meeting: 04/19/04

CAPTION:

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDATORY AGREEMENT WITH DELTA AIR LINES, INC. ("DELTA"), COVERING THE TEMPORARY SURRENDER TO THE CITY OF APPROXIMATELY 5.8424 ACRES OF LAND, AND THE PERMANENT SURRENDER TO THE CITY OF APPROXIMATELY 5.9946 ACRES OF LAND, LEASED TO DELTA BY THE CITY UNDER THE AMENDED AND RESTATED LEASE AGREEMENT, DATED DECEMBER 1, 1989, FOR DELTA'S TECHNICAL OPERATIONS CENTER AND CENTRAL TERMINAL SUPPORT AREA AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

BACKGROUND/DISCUSSION:

The construction of the site development Phase 1 and Phase 2 projects for the Maynard Holbrook Jackson Jr. International Terminal (MHJIT), and the construction of the Georgia Power Substation (Delta Substation) and associated duct bank system require the relocation of several facilities impacted by these projects. The sites selected for the relocation of these facilities are on land owned by the City of Atlanta and leased to Delta Air Lines. The Third Amendment to the Amended and Restated Lease Agreement will memorialize the surrender of the Lease rights for these properties from Delta to the City.

FINANCIAL IMPACT: NA

SOURCE: NA

Fund Account Center numbers and availability of funds verified by Financial Analyst, Tracy Curry.

Mayor's Staff Only:

Received by Mayor's Office: 3.22.04 (Date) Reviewed RP (Initials) _____ (Date)

Submitted to Council: _____

Action by Committee: _____ Approved _____ Adversed _____ Held

_____ Amended _____ Substituted _____ Referred _____ Other



the Amended and Restated Lease Agreement for the Technical Operations Center and Central Terminal Support Area at Hartsfield-Jackson Atlanta International Airport, and for the temporary continued use by Delta of Georgia Power duct bank system for time periods that will not exceed one (1) year thereafter.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare said Third Amendment for execution by the Mayor.

BE IT FINALLY RESOLVED, that said Third Amendment shall not become binding upon the City, and the City shall incur no obligation or liability thereunder until the same has been signed by the Mayor and delivered to Delta.

Final Council Action

Consent Voice Vote

Roll Call Vote

Authors _____

Legislation Summary Sheet

Legislation Number _____

AGREEMENTS @ AIRPORT Comments

- 04-R-0040 — DELTA

- 04-R-0038 — ATL. AIRLINES TERMINAL CORP.

- 04-R-0037 — AIRTRAN AIRWAYS, INC.

- 03-R-1389 — BETTERBY RENT-A-CAR, INC.

- 03-R-1388 — DOLLAR SYSTEMS, INC.

- 03-R-1386 — COURTESY RENTALS, INC.

- 03-R-1385 — ALC CORP.

- 03-R-1384 — AVIS RENT-A-CAR

Recommended Action

Approval <input checked="" type="checkbox"/>	No Signature <input type="checkbox"/>	Veto <input type="checkbox"/>
V		

Submitted by: 

Date: 5/7/04

04-0-0640
 (Do Not Write Above This Line)

A RESOLUTION
 BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDATORY AGREEMENT WITH DELTA AIR LINES, INC. ("DELTA"), COVERING THE TEMPORARY SURRENDER TO THE CITY OF APPROXIMATELY 5.8424 ACRES OF LAND, AND THE PERMANENT SURRENDER TO THE CITY OF APPROXIMATELY 5.9946 ACRES OF LAND, LEASED TO DELTA BY THE CITY UNDER THE AMENDED AND RESTATED LEASE AGREEMENT, DATED DECEMBER 1, 1989, FOR DELTA'S TECHNICAL OPERATIONS CENTER AND CENTRAL TERMINAL SUPPORT AREA AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

ADOPTED BY

MAY 3 2004

- CONSENT REFER
- REGULAR REPORT REFER **COUNCIL**
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

TRANSPORTATION
 Committee

4/28/04
 Date

Chair

Fav, Adv, Hold (see rev. side)
 Action

Other

Members

[Signature]
Chair

Refer To

Committee

Date

Chair

Fav, Adv, Hold (see rev. side)
 Action

Other

Members

Committee

Date

Chair

Fav, Adv, Hold (see rev. side)
 Action

Other

Members

Refer To

Committee

Date

Chair

Fav, Adv, Hold (see rev. side)
 Action

Other

Members

CERTIFIED

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED
 MAY 3 2004
 COUNCIL PRESIDENT PROTEM

CERTIFIED
 MAY 3 2004

MAYOR'S ACTION

APPROVED
 MAY 11 2004
 MAYOR