

12-R-1186
 (Do Not Write Above This Line)

**A RESOLUTION
 BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH UNITED PARCEL SERVICE, INC. COVERING THE OCCUPANCY AND USE OF SPACE AT 1220 TOFFIE TERRACE AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 17 2012

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- 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 _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

on objection

Members _____

[Signature]

[Signature]

Refer To _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

- FINAL COUNCIL ACTION**
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

SEP 17 2012

COUNCIL RESIDENT PROTÉM

SEP 17 2012

Ronald Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 26 2012

WITHOUT SIGNATURE
 BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

12-²-1186

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH UNITED PARCEL SERVICE, INC. COVERING THE OCCUPANCY AND USE OF SPACE AT 1220 TOFFIE TERRACE AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") owns the building located at 1220 Toffie Terrace at Hartsfield-Jackson Atlanta International Airport ("Airport") used for air cargo and air freight business and other related support business at the Airport; and

WHEREAS, United Parcel Service, Inc. ("UPS") is engaged in the air cargo business at the Airport and occupies space adjacent to 1220 Toffie Terrace pursuant to that certain Lease Agreement for Air Cargo Facility in Tract C of the North Cargo Expansion Area at Hartsfield-Jackson Atlanta International Airport ("Lease") and has requested the Lease be amended to provide for the construction and lease of additional space for vehicular parking at 1220 Toffie Terrace; and

WHEREAS, the Airport has negotiated the terms and conditions of Amendment No. 1 to the Lease with UPS and will submit such terms for approval by Council; and

WHEREAS, the expiration of the term of Amendment No. 1 to the Lease shall be concurrent with the expiration date of April 30, 2020 as set forth in the Lease; and

WHEREAS, the payment of rental for the lease of the additional space set forth in Amendment No. 1 to the Lease shall be computed at rates that are applicable to other air cargo and warehouse facility tenants at the Airport; and

WHEREAS, UPS, at no expense to the City, shall be responsible for all costs related to the maintenance and repair of the existing vehicular parking facilities and for construction, maintenance and repair of the new vehicular parking area located at 1220 Toffie Terrace; and

WHEREAS, the Aviation General Manager has determined that sufficient space is available at 1220 Toffie Terrace to meet UPS's requirements and has recommended that the City modify and amend the Lease.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute, on behalf of the



City of Atlanta, Amendment No. 1 to the Lease agreement with UPS, which shall provide for, among other terms and conditions:

- (a) the use by UPS of parking spaces at 1220 Toffie Terrace for a term that is coterminous with the Lease; and
- (b) the payment of increased rent for the improvements to the leased premises computed at rates that are applicable to other air cargo and warehouse facility tenants at the Airport; and
- (c) where all costs associated with the maintenance and repair of the existing vehicular parking facilities as well as the construction and maintenance and repair of the new vehicular parking area shall be at the sole expense of UPS.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare Amendment No. 1 to the Lease for execution by the Mayor, with same to be approved as to form by the City Attorney.

BE IT FINALLY RESOLVED, that Amendment No. 1 to the Lease will not become binding on the City and the City will incur no liability hereunder it until the same has been executed by the Mayor and delivered to UPS.

A true copy,

A handwritten signature in black ink, appearing to be "GB" followed by a stylized flourish.

Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

SEP 17, 2012
SEP 26, 2012

RCS# 2300
9/17/12
3:44 PM

Atlanta City Council

12-R-1186

AUTHORIZING AMENDMENT NO.1 WITH UPS, INC
SPACE AT 1220 TOFFIE TERRACE HJAJA
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	B Mitchell

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