

**STATE OF GEORGIA  
COUNTY OF CLAYTON**

**RESOLUTION NO. 2010- 17**

**A RESOLUTION TO AUTHORIZE AN AMENDMENT OF THE LEASE AGREEMENT WITH EXECUTIVE AIRCRAFT STORAGE, LLC TO PERMIT EXECUTIVE STORAGE TO ENTER INTO A SUB-LEASE WITH A PRODUCTION COMPANY FOR THE PURPOSE OF PERMITTING MOTION PICTURE FILM PRODUCTION FOR A PERIOD OF UP TO TWENTY-FOUR (24) MONTHS ON THE PREMISES LEASED BY EXECUTIVE AIRCRAFT STORAGE, LLC FROM CLAYTON COUNTY, GEORGIA AT TARA FIELD AIRPORT, WHICH USE SHALL NOT IMPACT OR INTERFERE WITH ANY AVIATION OR OTHER ACTIVITY AT THE AIRPORT; AND FOR OTHER PURPOSES.**

**WHEREAS**, Executive Aircraft Storage, LLC is the lessee of  $\pm$  2.60 acres tract of land lying and being in Land Lot 48 of the 3<sup>rd</sup> Land District and Land Lot 254 of the 6<sup>th</sup> Land District of Henry County, Georgia, known as "Parcel 9," located at Clayton County's Tara Field Airport (the "Premises"); and

**WHEREAS**, that Lease Agreement ("Lease") for the Premises was entered into as of October 27, 2006 by and between Clayton County and Executive Aircraft Storage, LLC ("Lessee") for an initial term of twenty-five years, which may be extended an additional 12  $\frac{1}{2}$  years; and

**WHEREAS**, the Lessee has the authority thereunder to use the premises for the storage, maintenance, repair of aircraft and related activities; and

**WHEREAS**, in addition, Lessee has the right to erect such hangars and other improvements of similar or dissimilar character which may be necessary and adequate to meet the needs of the Lessee in the conduct of its business, subject to the approval of Clayton County; and

**WHEREAS**, a copy of said Lease is attached hereto as Exhibit "A;" and

**WHEREAS**, in accordance with ARTICLE III, PARAGRAPHS A(5), E and F of the Lease, Executive Aircraft Storage, LLC must obtain permission from the Clayton County Airport Authority or the Clayton County Board of Commissioners to undertake any non-aviation activity on the Property; and

**WHEREAS**, Executive Aircraft Storage, LLC now wishes to enter into a sub-lease with a film production company for period of up to twenty-four (24) months, which activity will not negatively impact or interfere with any aviation or other activity at Tara Field Airport or with FAA Regulations related to the operations of Tara Field; and

**WHEREAS**, Executive Aircraft Storage, LLC has sought permission from Clayton County to enter into a sub-lease or usufruct, as required by the Lease; and

**WHEREAS**, the Board of Commissioners has determined that such approval is in the best interests of Clayton County.

**NOW, THEREFORE BE IT RESOLVED BY**

**THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY**

Section 1. The Board of Commissioners hereby authorizes the County to amend the Lease agreement with Executive Aircraft Storage, LLC to add motion picture production as a permitted use thereunder and to approve and authorize Executive Aircraft Storage LLC to enter into a sub-lease, for the purpose of engaging or allowing others to engage in motion picture production, for a period of twenty-four (24) months from the date of approval. Said sublease shall contain terms and conditions consistent with all provisions of the Lease agreement for all or a portion of the Premises, in accordance with the October 27, 2006 Lease. The approval is conditional and subject to the Board's approval of the sublease, all other terms and conditions of the October 27, 2006 Lease shall remain in full force and effect.

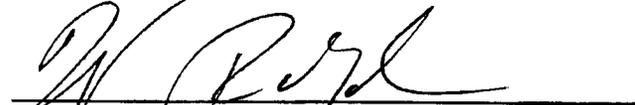
Section 2. This Resolution shall become effective on the date of its approval by the Board of Commissioners.

**{SIGNATURES NEXT PAGE}**

SO RESOLVED, this 12<sup>th</sup> day of January 2010.

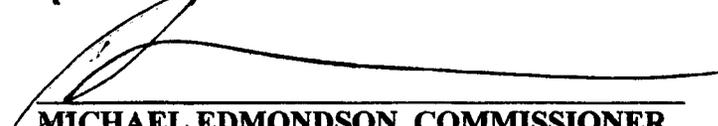
**CLAYTON COUNTY BOARD OF COMMISSIONERS**

  
ELDRIN BELL, CHAIRMAN (OPPOSED)

  
WOLE RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

**ATTEST:**

  
SHELBY D. HAYWOOD, CLERK