EXHIBIT "A"

ITEM #: 25 Prepared by: Bill Goss

Commissioner: THOMPSON Approved by: John Zelinka
County Attorney

RESOLUTION TO APPROVE A LONG TERM LAND LEASE, DEVELOPMENT AND USE AGREEMENT BETWEEN SHELBY COUNTY AND THE SHELBY COUNTY 911 EMERGENCY COMMUNICATIONS BOARD TO LEASE 15.00 ACRES OF COUNTY OWNED REAL PROPERTY LOCATED APPROXIMATELY 860 FEET SOUTH OF HALEY ROAD AND 1,080 FEET WEST OF FARM ROAD, FOR A NEW COMBINED EMERGENCY COMMUNICATIONS FACILITY, AND TO AUTHORIZE THE MAYOR TO EXECUTE THE LAND LEASE, DEVELOPMENT AND USE AGREEMENT LEASING SAID REAL PROPERTY TO THE SHELBY COUNTY 911 EMERGENCY COMMUNICATIONS BOARD.

WHEREAS, The Shelby County 911 Emergency Communications Board; the City of Memphis, Tennessee; Shelby County, Tennessee; and the Shelby County Sheriff have determined that the establishment and operation of a combined emergency communications facility would permit the elimination of duplicate facilities and communication equipment and systems while enhancing the quality of law enforcement, fire and emergency aid and medical services in Shelby County and would thereby promote the health, safety, and general welfare of the citizens of Shelby County; and

WHEREAS, The Shelby County 911 Emergency Communications Board; the City of Memphis, Tennessee; Shelby County, Tennessee; and the Shelby County Sheriff have now entered into a Memorandum of Understanding to effect the establishment and operation of the combined emergency communications facility; and

WHEREAS, Under the provisions of this Memorandum of Understanding, Shelby County is obligated to provide up to fifteen (15) acres of County owned real property, upon which to construct the new combined emergency communications facility, under a long term lease arrangement, at a rental rate that shall be fixed at $ 1.00 per year for a term that is not less than the useful life of the same; and

WHEREAS, The County owns certain real property known as Area 10 of the old Shelby County Penal Farm (approximately 512 acres in size), situated in the City of Memphis, which property being further identified and included as part of Shelby County Tax Parcel No. 089-022-00006; and

WHEREAS, The Shelby County 911 Emergency Communications Board has requested that Shelby County lease it 15.00 acres of the above described 512 acre tract of County owned property, located approximately 860 feet south of Haley Road and 1,080 feet west of Farm Road, for an initial term of fifty (50) years, with the option to extend the initial term for three (3) renewal terms of ten (10) years each, under the terms and conditions outlined in the attached Land Lease, Development and Use Agreement, which is hereby incorporated by reference, for the lease rental price of One ($1.00) Dollar per year for the term of said lease; and

WHEREAS, It is deemed to be in the best interest of Shelby County to lease the hereinabove said 15.00 acres of land to the Shelby County 911 Emergency Communications Board for its use as the site for a new combined emergency communications facility and the public service activities to be conducted therein, including, but not limited to, services for public safety and emergency response communications, general administrative offices, and such other uses as may be customary and/or necessary in the furtherance of these purposes, all to promote the health, safety and general welfare of the citizens of Shelby County, under the terms and conditions outlined in the aforedescribed Land Lease, Development and Use Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforedescribed lease of 15.00 acres of County owned real property to the Shelby

County 911 Emergency Communications Board for its use as the site for a new combined emergency communications facility and the public service activities to be conducted therein, including, but not limited to, services for public safety and emergency response communications, general administrative offices, and such other uses as may be customary and/or necessary in the furtherance of these purposes, all to promote the health, safety and general welfare of the citizens of Shelby County, under the terms and conditions outlined in said Land Lease, Development and Use Agreement be and the same are hereby approved.

BE IT FURTHER RESOLVED, That the Mayor be and he is authorized to execute the attached Land Lease, Development and Use Agreement and any other documents necessary to effect the lease of said real property to the Shelby County 911 Emergency Communications Board for the aforementioned purpose.

A C Wharton, Jr., County Mayor

Date: 6/25/04

ATTEST:

Clerk of County Commission

ADOPTED: JUNE 21, 2004