

RESOLUTION NO. R-27-05

**Authorizing Amended and Restated Lease with Cook & Boyd
(Dairyman's Supply)**

Whereas, pursuant to Resolution R-443-04 adopted October 19, 2004, the City approved the lease of certain property at the Gadsden Air Service Depot to Cook & Boyd, a partnership, more particularly described as follows;

Parcel A

Commence at the northeast corner of Section 19, Township 12 South, Range 7 East of the Huntsville Meridian; thence run southerly along the east line of said section 19, a distance of 1,495.93 feet, more or less, to a point; thence deflect 90°04' right and run along the centerline of Houston Street, a distance of 658.93 feet, more or less; thence deflect 90° left and run southerly, parallel with the centerline of Rains Air Depot Road, a distance of 390.0 feet to the point of beginning; thence continue southerly, along the previous course, a distance of 424.2 feet to a point; thence deflect 90° left and run easterly a distance of 174.0 feet to a point; thence deflect 90°00' left and run northerly, a distance of 424.2 feet to a point; thence deflect 90°00' left and run westerly, a distance of 174.0 feet, to the point of beginning, containing 1.7 acres, more or less, and embracing portions of the SE¼ of the NE¼, of said Section 19 of Township 12 South, Range 7 East of the Huntsville Meridian, Gadsden, Etowah County, Alabama.

Parcel B

Commence at the northeast corner of Section 19, Township 12 South, Range 7 East of the Huntsville Meridian; thence run southerly along the east line of said section 19, a distance of 1,495.9 feet, more or less; thence deflect 90°04' right and run along the centerline of Houston Street a distance of 1,310.0 feet, more or less, to the centerline of McElroy Avenue; thence deflect 90° left and run southerly, along said centerline, a distance of 1,354.9 feet, more or less; thence deflect 90° right and run a distance of 57.9 feet, more or less, to the point of beginning; thence deflect 90° left and run southerly, a distance of 898.8 feet to a point; thence deflect 90° right and run westerly, a distance of 66.0 feet to a point; thence deflect 89°23' right and run northerly a distance of 898.8 feet to a point; thence deflect 90°37' right and run easterly, a distance of 75.8 feet, to the point of beginning; embracing a portion of the NW¼ of the SE¼ of said Section 19, lying in Etowah County, Alabama, City of Gadsden, and containing 1.46 acres, more or less.

Whereas, pursuant to Resolution R-418-04 adopted October 5, 2004, the City approved the lease of certain property at the Gadsden Air Service Depot to Cook & Boyd more particularly described as follows:

Building T-3-D on the Gadsden Air Force Depot Building Layout Plan dated January 1, 1953, in Plan No. GAFD-94, and as presently numbered on the Gadsden Air Service Depot.

Whereas, Cook & Boyd, a partnership, has requested that these leases be combined and that the term of the combined and restated lease commence on October 1, 2004, and terminate on September 30, 2007, with three options to renew of one year each, at the option of Lessee;

Now, Therefore, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GADSDEN, ALABAMA, that the Mayor is authorized to execute an amended and restated lease with Cook & Boyd, a partnership, in the form exhibited to the Council.

I certify that the City Council of Gadsden, Alabama, duly adopted this resolution at a meeting held on January 25, 2005.



Iva Nelson, City Clerk