

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

MEETING DATE: NOVEMBER 28, 2016 AGENDA ITEM NUMBER: 8

**SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH LIBERTY PLAZA, LLC AS LANDLORD AND ATLANTIC COAST COMMERCIAL, LLC AS MANAGING AGENT FOR SPACE FOR THE PUBLIC DEFENDER'S OFFICE (GENERAL SERVICES DEPARTMENT)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

**SUMMARY OF INFORMATION:**

See attached

ATTACHMENTS:  YES  NO

SIGNATURE: *J. Dudley Abetter, Jr. /cdh* DATE: November 16, 2016  
COUNTY MANAGER

**RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT  
WITH LIBERTY PLAZA, LLC AS LANDLORD AND ATLANTIC COAST  
COMMERCIAL, LLC AS MANAGING AGENT FOR SPACE FOR  
THE PUBLIC DEFENDER'S OFFICE  
(GENERAL SERVICES DEPARTMENT)**

**BE IT RESOLVED** by the Forsyth County Board of Commissioners that, as recommended by the County Manager, the Chairman or County Manager and Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, the attached Lease Agreement between Forsyth County, as Tenant, Liberty Plaza, LLC, as Landlord, and Atlantic Coast Commercial, LLC as Managing Agent, for the lease of 9,712 square feet of space for the Public Defender's Office for a three-year term, at an annual rate of \$116,058.40 in year one, \$119,554.72 in year two, and \$123,126.36 in year three, subject to a pre-audit certificate thereon by the County Chief Financial Officer, where applicable, and approval as to form and legality by the County Attorney. The original contract is incorporated herein by reference.

Adopted this the 28<sup>th</sup> of November 2016.

A)

LEASE AGREEMENT

By and Between

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LIBERTY PLAZA, LLC,

Landlord,

- by -

ATLANTIC COAST COMMERCIAL, LLC

Managing Agent,

and

FORSYTH COUNTY

NORTH CAROLINA

Tenant

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LIBERTY PLAZA LLC

102 West Third Street, Suite 470  
Winston Salem, North Carolina 27101

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Dated: \_\_\_\_\_

DATE OF EXECUTION: \_\_\_\_\_

ARTICLE I - REFERENCE DATA

1.1 References. Each reference in this Lease to any of the following subjects shall be construed to incorporate the data stated for that subject in this Section 1.1:

LANDLORD: Liberty Plaza, LLC

MANAGING AGENT: Atlantic Coast Commercial

LANDLORD'S &  
MANAGING AGENT'S  
ADDRESS: 102 West Third Street  
Suite 470  
Winston Salem, North Carolina 27101

LANDLORD'S  
REPRESENTATIVE: Atlantic Coast Commercial

TENANT'S SPACE: The area(s) outlined by broad lines on Exhibit B attached

Address:

102 West Third Street  
Suite 300 on the 3<sup>rd</sup> Floor  
Winston Salem, North Carolina 27101

BUILDING: That certain office building located at the Building Address set forth below and commonly known as Liberty Plaza Building.

BUILDING ADDRESS: 102 West Third Street  
Winston Salem, North Carolina 27101

1753573.01  
LIB:

NAME & ADDRESS FOR RENTAL REMITTANCE: Liberty Plaza LLC  
Atlantic Coast Commercial/Agent  
102 West Third Street  
Suite 470  
Winston Salem, North Carolina 27101

TENANT: Forsyth County North Carolina

TENANT'S ADDRESS 102 West Third Street  
Liberty Plaza  
Suite 300  
*(for notice and billing)* Winston Salem, North Carolina 27101

TENANT'S REPRESENTATIVE: Chelsea Swaim & Kirby Robinson

RENTABLE FLOOR AREA OF TENANT'S SPACE: 9,712 Rentable Square Feet  
(Includes 12% increase over actual square feet for Tenant's use of the common areas)

TOTAL RENTABLE FLOOR AREA OF THE BUILDING: 198,551

SCHEDULED LEASE COMMENCEMENT DATE: March 1, 2017

RENT COMMENCEMENT DATE: March 1, 2017

SCHEDULED EXPIRATION DATE: February 28, 2020

RENT: *Base Rent: \$11.95*  
Rents calculated on 9,712 square feet

| <u>Months</u> | <u>\$/SF</u> | <u>Monthly</u> | <u>Annually</u> |
|---------------|--------------|----------------|-----------------|
| 1-12          | \$11.95      | \$9,671.53     | \$116,058.40    |
| 13-24         | \$12.31      | \$9,962.89     | \$119,554.72    |
| 25-36         | \$12.68      | \$10,260.53    | \$123,126.36    |