



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 12/5/2024

File ID: TMP-4884

Department: Parks and Recreation

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute a Termination of Ground Lease Agreement between the City of Huntsville and the Food Bank of North Alabama.

Resolution No.

Finance Information:

Account Number: NA

City Cost Amount: NA

Total Cost: NA

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location: (list below)

Address: NA

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments:

To terminate the lease agreement entered into by Resolution 12-52.

RESOLUTION NO. 24-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that they Mayor be, and he is hereby authorized to enter into a Termination of Ground Lease Agreement by and between the City of Huntsville and Food Bank of North Alabama, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said agreement is substantially in words and figures similar to that certain document attached hereto and identified as “Termination of Ground Lease Agreement between the City of Huntsville and Food Bank of North Alabama,” consisting of two (2) pages and the date of December 5, 2024, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 5th day of December, 2024.

President of the City Council for the City of
Huntsville, Alabama

APPROVED this the 5th day of December, 2024.

Mayor of the City of Huntsville, Alabama

TERMINATION OF LEASE AGREEMENT

This **TERMINATION OF LEASE AGREEMENT** is made and entered into as of the **5th** day of **December, 2024**, by and between the **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation ("Lessor"), and **FOOD BANK OF NORTH ALABAMA**, an Alabama 501(C)(3) Non-Profit Corporation ("Lessee").

RECITALS

WHEREAS, Lessor and Lessee entered into that certain Lease Agreement dated January 12, 2012, as previously approved by the City of Huntsville Resolution No. 12-52 (the "Lease"), pursuant to which Lessor leased to Lessee an interest in that certain premises consisting of a building known as the Martin Luther King, Jr. Service Center (the "Center") and more particularly described therein, to which Lease reference is hereby made for all its terms and conditions.

WHEREAS, Lessor and Lessee do now desire to terminate the Lease on the terms and conditions hereinafter set forth.

AGREEMENT

NOW THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) in hand paid by Lessee to Lessor, the premises, the promises and covenants of the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Effective as of **November 1, 2024** (the "Termination Date"), the Lease previously approved by Resolution No. 12-52, shall be and is hereby terminated and thereafter shall be deemed null, void, and of no force and effect whatsoever; provided, however, each party shall remain obligated to perform all duties, obligations, and indemnities that accrued under the Lease prior to the Termination Date, and such obligations shall survive the termination of the Lease.

IN WITNESS WHEREOF, the parties have executed this Termination of Ground Lease Agreement as of the date first above written.

CITY OF HUNTSVILLE, ALABAMA,
an Alabama municipal corporation

By: _____
Tommy Battle, its Mayor

President of the City Council of
the City of Huntsville, Alabama
Date: December 5, 2024

FOOD BANK OF NORTH ALABAMA, an
Alabama 501(C)(3) Non-Profit Corporation

(SEAL)

By: _____
its Chairman