

MEMORANDUM

To: Mayor and City Council
CC: Eric Linton, City Manager
From: Ben Prickett, Assistant City Attorney
Date: August 8, 2017
Subject: Assignment and Assumption Of Development Performance and Maintenance Agreement Indemnity

This memorandum is an overview of the assignment and assumption of development performance and maintenance agreement indemnity proposed by ATLANTA OFFICE INVESTMENT PHASE I, L.L.C. (State Farm).

The Assignment

State Farm is selling Phase I of the Park Center I project development to CORPORATE PROPERTIES TRUST II SPE, L.L.C., an affiliate of Transwestern Investment Group, LLC. As such, they are seeking to assign their rights and obligations under the Development Performance and Maintenance Agreement. This is standard procedure, and for the City of Dunwoody it would simply mean that the Development Performance and Maintenance Agreement that the City had with the previous owner of Phase I will now exist between the City and the current owner of Phase I. In other words, the new owner will "step into the shoes" of the previous owner.

Purchaser/Assignee

Transwestern Corporate Properties I Investor, L.P., a Delaware limited partnership (an affiliate of Transwestern Investment Group, LLC). The company currently has over 3 billion dollars in assets under management, and their credit and sophistication is very similar to the prior owner.