

## **RESOLUTION NO.**

**WHEREAS**, on September 22, 2005, the City leased the café space in City Hall to Austin Java City Hall, LP, which by merger in 2008, was succeeded by Austin Java Holdings, LLC; and

**WHEREAS**, the Austin Java City Hall Café lease requires that the City consent to assignment by the tenant defined to include not only assignment to a new tenant but also a transfer of the ownership of a tenant; and

**WHEREAS**, the Austin Java City Hall Café lease also provides that an assignee is not allowed to take advantage of the renewal options available to the tenant that would otherwise be available to the original tenant; and

**WHEREAS**, owners of the current tenant, Austin Java Holdings, LLC, have notified the City that they intend to transfer a majority of the ownership interests of Austin Java Holdings, LLC on or about September 1, 2014 to a new owner, AJCC Holdings, LLC; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council consents to the transfer of the ownership interests in Austin Java Holdings, LLC, to AJCC Holdings, LLC.

**BE IT FURTHER RESOLVED:**

The provision in Exhibit E to the Austin Java City Hall Café lease that does not allow an assignee to renew the lease is waived, but only to the extent

that provision would prevent AJCC Holdings, LLC, as assignee, from exercising an option to renew should it chose to do so.

**ADOPTED:** \_\_\_\_\_, 2014    **ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk

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