

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2008 – 176

A RESOLUTION GRANTING APPROVAL TO THE CLAYTON COUNTY WATER AUTHORITY IN ACCORDANCE WITH GA. LAWS 1955, P. 3344, ET SEQ. FOR THE ACQUISITION BY EMINENT DOMAIN SUCH PROPERTY RIGHTS NECESSARY FOR SANITARY SEWER EASEMENTS FOR SEWER LINE IMPROVEMENTS AFFILIATED WITH THE PROPOSED ATLANTA LIFT STATION; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Water Authority (the “Water Authority”) is in need of a 174 Sq. Ft. permanent sanitary sewer easement and a 2,011 Sq. Ft. construction easement across and through property owned by Ron Holcomb, located at 151 Main Street, Land Lot 45 of the 13th District of Clayton County, Georgia; a 8,048 Sq. Ft. permanent sanitary sewer easement and a 11,393 Sq. Ft. construction easement across and through property owned by Freedom Park Conservancy/Caution, Incorporated located in the northeast quadrant of the intersection of Conley Road and Interstate 285, Land Lot 14 of the 13th District of Clayton County, Georgia; 16,718 Sq. Ft. in Fee Simple ownership, a 63,462 Sq. Ft. permanent sanitary sewer easement, a 49,725 Sq. Ft. construction easement, and a 86,179 Sq. Ft. permanent ingress/egress easement across and through property owned by Gilbert Road Joint Venture located at 3970 Gilbert Road, Land Lot 14 of the 13th District of Clayton County, Georgia; a 752 Sq. Ft. permanent sanitary sewer easement across and through property owned by Georgia Truck Parts Company, Incorporated

located at 4623 Old Dixie Road, Land Lot 45 of the 13th District of Clayton County, Georgia; a 10,335 Sq. Ft. construction easement across and through property owned by Freedom Park Conservancy/Caution, Incorporated located in the southeast quadrant of the intersection Conley Road and Interstate 285/Ballard Road, Land Lot 19 of the 13th District of Clayton County, Georgia for sewer line improvements affiliated with the proposed Atlanta Lift Station Project; and

WHEREAS, Ga. Laws 1955, P. 3344, et seq. authorizes the Water Authority—with approval of the county governing authority—to acquire property rights by eminent domain where necessary for the expansion and development of the water and sewerage system; and

WHEREAS, efforts to acquire the aforementioned necessary easements across and through these properties have not materialized, and institution of condemnation proceedings are now necessary to effectuate the acquisition of the necessary easements and property rights in accordance with applicable Georgia law.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby grants to the Clayton County Water Authority and it's Legal Counsel approval to acquire by Declaration of Taking the necessary easements and property rights from Ron Holcomb, across and through the property located at 151 Main Street, Land Lot 45 of the 13th District of Clayton County, Georgia; from Freedom Park Conservancy/Caution, Incorporated, across and through the property located at the northeast quadrant of the intersection of Conley Road and Interstate 285, Land Lot 14 of the 13th District of Clayton County, Georgia; from Gilbert Road Joint Venture, across and through the property located at 3970 Gilbert Road, Land Lot 14 of the 13th District of Clayton County, Georgia; from Georgia Truck Parts Company,

Incorporated, across and through the property located at 4623 Old Dixie Road, Land Lot 45 of the 13th District of Clayton County Georgia; from Freedom Park Conservancy/Caution, Incorporated, across and through the property located in the southeast quadrant of the intersection of Conley Road and Interstate 285/Ballard Road, Land Lot 19 of the 13th District of Clayton County, Georgia; Further, the Board of Commissioners hereby authorizes the Chairman to do all acts necessary to accomplish the intent of this Resolution. Copies of the plats of survey reflecting the locations of the proposed easements are attached hereto.

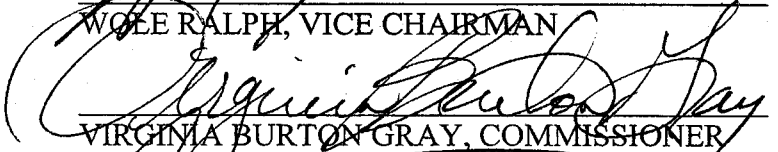
Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 21st day of October, 2008.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

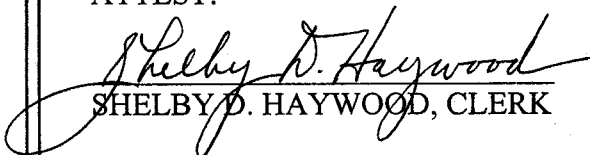

WOLE RALPH, VICE CHAIRMAN


VIRGINIA BURTON GRAY, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER


SONNA SINGLETON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK