

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2007 - 37

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO AN ESTOPPEL CERTIFICATE PROVIDING FOR AN AFFIDAVIT AND CERTIFICATION BY CLAYTON COUNTY AND CLAYTON COUNTY AIRPORT AUTHORITY AS SUCCESSORS IN INTEREST IN THAT CERTAIN AGREEMENT DATED NOVEMBER 30, 1989 WITH EXECUTIVE AIRCRAFT STORAGE, LLC.; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT AND OTHERWISE TO PERFORM ALL OTHER ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, an Estoppel Agreement for an Affidavit and Certification by Clayton County and Clayton County Airport Authority as successors in interest in that certain Agreement (the "Agreement"), dated November 30, 1989, recorded in Deed Book 1405, page 209 Henry County, Georgia records, as amended by Amendment to Agreement dated February 3, 1992, recorded in Deed Book 1405, page 215 of the aforesaid records has been presented by Executive Aircraft Storage, LLC for signature by Clayton County in anticipation of a loan from Midtown Bank & Trust Company (a Georgia banking corporation); and

WHEREAS, this Affidavit and Certification is given in anticipation of the loan and the foregoing information may be relied upon by Midtown Bank & Trust Company and Executive Aircraft Storage, LLC and their respective successors in interest to the property; and

WHEREAS, the Agreement remains in full force and effect; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into an Estoppel Certificate for the above-stated purpose

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

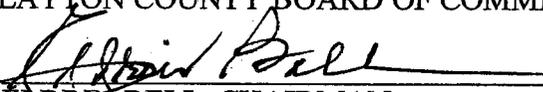
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

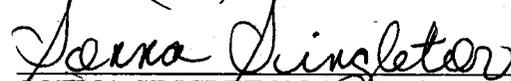
Section 1. The Board of Commissioners authorizes Clayton County to enter into an Estoppel Certificate, an Affidavit and Certification by Clayton County and Clayton County Airport Authority as successors in interest in that certain agreement dated November 30, 1989, recorded in Deed Book 1405, page 209, Henry County, Georgia records, as amended by Amendment to the Agreement dated February 3, 1992, recorded in Deed Book 1405, page 215 of the aforesaid records. The Board of Commissioners authorizes the Chairman to execute the Certificate and to otherwise perform all acts necessary to accomplish the intent of this Resolution. The Certificate shall be subject to such minor changes, insertions or deletions as the Chairman of the Board of Commissioners may approve.

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

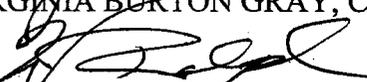
SO RESOLVED, this the 20th day of February 2007.

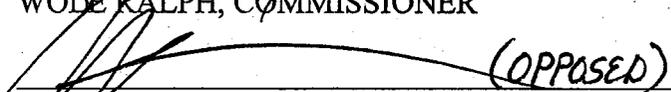
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


SONNA SINGLETON, VICE-CHAIRWOMAN


VIRGINIA BURTON GRAY, COMMISSIONER


WOLE RALPH, COMMISSIONER

 (OPPOSED)
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK