

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2008- 163

A RESOLUTION TO GIVE NOTICE OF THE INTENT OF THE CLAYTON COUNTY BOARD OF COMMISSIONERS ON BEHALF OF CLAYTON COUNTY TO ABANDON FOREST CHASE DRIVE, CEDAR SHOALS DRIVE AND OAK PARK DRIVE AS MORE PARTICULARLY DESCRIBED HEREIN; TO AUTHORIZE PUBLICATION OF NOTICE; TO SET A PUBLIC HEARING; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County has been vested with the power and authority to dispose of property no longer needed for any public purpose; and

WHEREAS, the Clayton County Board of Commissioners has determined that Forest Chase Drive, Cedar Shoals Drive and Oak Park Drive in the County road system, all lying and being in Land Lot 87 of the 13<sup>th</sup> Land District of Clayton County, Georgia, no longer serve a substantial public purpose, and that said portions of the County road system should be abandoned; and

WHEREAS, the Clayton County Board of Commissioners wishes to give notice that it intends to declare abandoned said portions of the County road system, as more particularly described herein; and

WHEREAS, the portions of the County road system to be abandoned are not located within the city limits of any municipality; and

WHEREAS, once said portions of the County road system are abandoned, they shall no longer be a part of the County road system, and the rights of the public in and to said rights of way as public roadways shall cease.

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

Section 1. It is hereby determined that the portions of the County road system shown as Forest Chase Drive, Cedar Shoals Drive and Oak Park Drive, all lying and being in Land Lot 87 of the 13<sup>th</sup> Land District of Clayton County, Georgia, and being more particularly described on the plat attached hereto as Exhibit "A" and incorporated herein by this reference, serve no substantial public purpose, as Stephens MDS, LP owns all real property served by these roads, which the County has no interest in maintaining in the foreseeable future. Therefore, the Board of Commissioners hereby declares its intent to abandon said portions of the County road system under O.C.G.A. § 32-3-7.

In furtherance of its intent to abandon said portions of the County road system, notice shall be given, in writing to the property owner located on the rights of way intended to be abandoned. Further, a public hearing shall be held on this issue on November 4, 2008, at seven o'clock in the evening (7:00 p.m.) in the Boardroom of the Clayton County Administration Building, 112 Smith Street, Jonesboro, Georgia, 30236, in accordance with O.C.G.A. § 32-7-2(b)(1). Notice of the intent to abandon said portions of the County road system, together with the date, time, and location of the public hearing thereon, shall be published once a week for two (2) consecutive weeks in the newspaper in which Sheriff's advertisements for Clayton County are published. Said Notice to be published is attached hereto as Exhibit "B" and incorporated herein by this reference.

The Chairman of the Board of Commissioners is hereby authorized to execute any and all documents necessary to carry out and effectuate the intent of this Resolution. Michael Smith, Esq., County Attorney, and his designees, are hereby authorized and directed to take any and all steps necessary to render such notices as set forth herein.

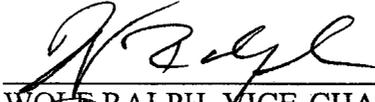
Section 2. If any section, sentence, clause or phrase of this Resolution is for any reason held invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and such remainder shall remain in full force and effect.

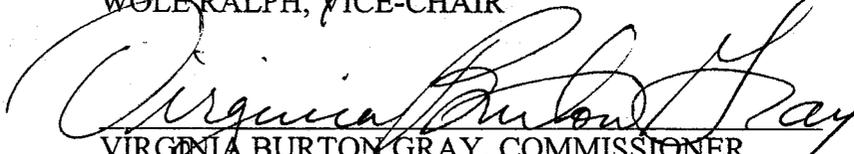
Section 3. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED this 7<sup>th</sup> day of October, 2008.

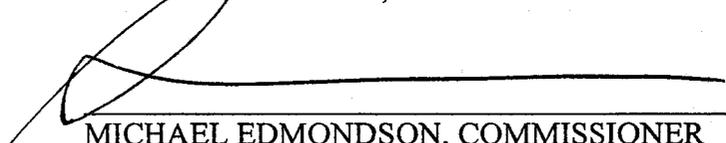
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN

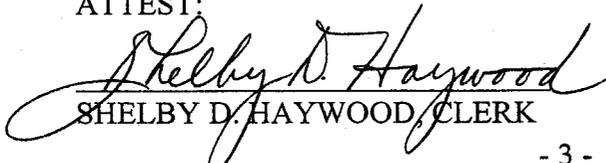
  
WOLE RALPH, VICE-CHAIR

  
VIRGINIA BURTON GRAY, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK