

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2008- 214

A RESOLUTION AUTHORIZING THE CLAYTON COUNTY BOARD OF COMMISSIONERS TO GRANT A REQUEST FOR A PERMIT TO STEPHENS MDS, LP TO RELOCATE UNION BETHEL AME CHURCH CEMETERY WHICH IS LOCATED WEST OF FOREST PARK, GEORGIA AND NORTH OF RIVERDALE, GEORGIA AND IS SPECIFICALLY SITUATED ALONG THE SOUTH CENTRAL BOUNDARY OF LAND LOT 74, CONTINUING INTO THE NORTH CENTRAL PORTION OF LAND LOT 87, IN THE 13<sup>th</sup> DISTRICT OF CLAYTON COUNTY, GEORGIA, CLAYTON COUNTY PLAT BOOK 29, PAGE 135. TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Stephens MDS, LP is one of the current owners of this property, and the cemetery meets the definition of an abandoned cemetery; and

WHEREAS, Stephens MDS, LP is requesting a permit to relocate the majority portion of the abandoned Union Bethel AME Church Cemetery located west of Forest Park, Georgia and North of Riverdale, Georgia, and is along the south central boundary of land lot 74, continuing into the northern portion of land lot 87, in the 13<sup>th</sup> district of Clayton County, Georgia, and has complied with the application for permit requirements set forth in O.C.G.A. 36-72-5; and

WHEREAS, required by law under O.C.G.A. Section 36-72-5, Stephens MDS, LP, submitted the information package which included the following: 1. The evidence of land ownership; 2. An archaeology report; 3. A survey of the property by a registered surveyor; 4. A descendant identification and notification plan; and 5. A cemetery relocation plan; and

WHEREAS, required by law under O.C.G.A. 36-72-6, Stephens MDS, LP has implemented the descendant identification and notification plan and documented results in their information package submitted with the permit application; and

WHEREAS, pursuant to the plan the re-interment of all human remains will be at the Carver Memorial Gardens which was established in 1951, and was the first African-American perpetual care cemetery in the Atlanta metropolitan area. The disinterment plan has been developed for relocation of graves from the portion of the Union Bethel AME Church Cemetery owned by Stephens MDS, LP, and ensures relocation of all graves and the sensitive treatment of all human remains ; and

WHEREAS, the land immediately surrounding the Bethel AME Church Cemetery has been quarried and the cemetery is not easily accessible to descendants or other visitors, the relocation would preserve rather than destroy cultural value of the cemetery.

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

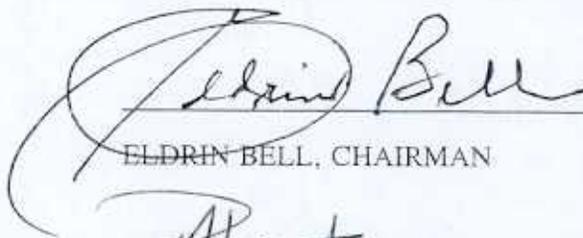
Section 1. The Board of Commissioners hereby authorizes Clayton County to grant the request for a permit to Stephens MDS, LP to relocate the Bethel AME Church Cemetery provided the terms and conditions set out in the application for which disinterment and re-interment will be handled. Further, the Board of Commissioners authorizes the Chairman to execute the Permit in the form and manner which is required by the applicable state law, and otherwise perform all acts necessary to accomplish the intent of this Resolution.

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

{SIGNATURES NEXT PAGE}

SO RESOLVED, this the 2<sup>nd</sup> day of December, 2008

CLAYTON COUNTY BOARD OF COMMISSIONER



ELDRIN BELL, CHAIRMAN



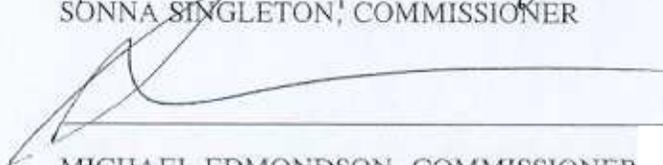
WOLE RALPH, VICE CHAIRMAN



VIRGINIA BURTON GRAY, COMMISSIONER

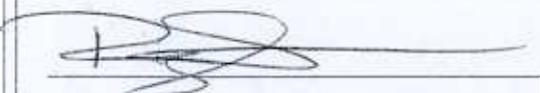


SONNA SINGLETON, COMMISSIONER



MICHAEL EDMONDSON, COMMISSIONER

ATTEST:



REGINA SMITH, ASSISTANT CLERK