

STATE OF GEORGIA
COUNTY OF CLAYTON

RESOLUTION NO. 2011 - 14

A RESOLUTION TO APPROVE THE PARAMETERS OF A GROUND LEASE TO THE NATIONAL MUSEUM OF COMMERCIAL AVIATION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Department of Transportation has quitclaimed to Clayton County a tract of land on Fulford Drive, adjacent to Interstate 75, containing approximately 9.05 acres previously used as a park and ride lot, together with a 10 foot wide permanent easement, containing approximately 0.32 acres (collectively, the "Property"), to be used for public transportation purposes; and

WHEREAS, the National Museum of Commercial Aviation (the "Museum") desires to construct and operate a museum of commercial aviation on the Property, which use is a public transportation use; and

WHEREAS, the Board of Commissioners deems and finds it to be in the best interest of the citizens of Clayton County to lease the Property to the National Museum of Commercial Aviation for said public transportation purpose; and

WHEREAS, the Board of Commissioners desires to set forth and approve the terms and conditions upon which the Property may be leased to the Museum, which written lease agreement shall be presented and approved at a future meeting of the Board of Commissioners.

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

Section 1. The Property may be leased to the Museum, upon the following terms and conditions, and such other terms and conditions as may be appropriate or recommended by the County Attorney or Risk Management Department:

Term: 50 years

Rate: One Dollar (\$1.00) per year

Use Restriction: For public transportation purposes only, specifically the construction and operation of a national museum of commercial aviation.

Insurance: The Museum shall maintain and keep in force adequate insurance, in the kinds and amounts specified by the County Risk Management Department, and in no event less than that customarily required in Clayton County contracts.

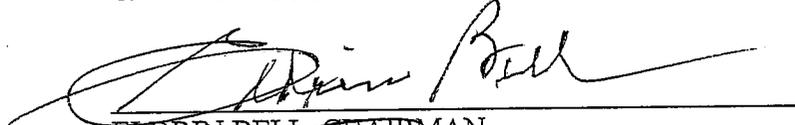
Indemnification: The Museum shall indemnify and hold the County harmless from and against any and all lawsuits, claims, demands, liabilities, losses and expenses, including court costs and attorneys' fees, for or on account of any injury to any person, or any death at any time resulting from such injury, or any damage to any property arising out of or in any way connected with the Property.

Section 2. The written lease agreement shall contain the terms and conditions set forth in Section 1 hereinabove, and shall be presented to the Board of Commissioners for approval. Nothing herein shall be deemed or construed to constitute a lease.

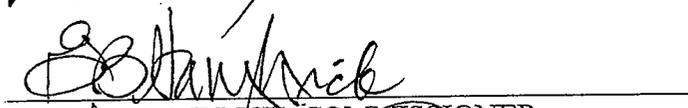
Section 3. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 18th of January, 2011.

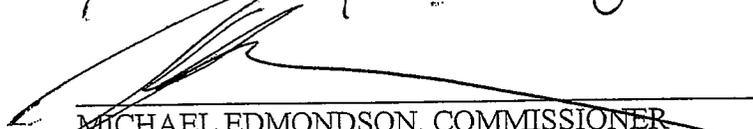
CLAYTON COUNTY BOARD OF COMMISSIONERS


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