STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2012 - 179

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS WITH SOUTH PARK ASSOCIATES, LTD. FOR FIRE STATION NUMBER 14; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE DECLARATION AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE; ALL AS MAY BE REQUIRED IN THE TERMS OF THE DECLARATION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the original Declaration of Covenants, Conditions and Restrictions (the "Declaration") for South Park Industrial Park in Ellenwood, Georgia was filed in 1992 and established an effective term of 20 years; and

WHEREAS, the original Declaration was not executed by Clayton County Fire Station Number 14 when the Station was opened; and

WHEREAS, pursuant to the Declaration, Clayton County Fire Station Number 14 pays the South Park Association fee annually which covers its portion of the maintenance and upkeep of the business park; and

WHEREAS, the annual association fee is budgeted each fiscal year in the Fire Departments' operating budget; 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 this Third Amendment to the Declaration of Covenants, Conditions and Restrictions with

South Park Associates, Ltd. for the stated purposes.

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 the County to enter into the Third Amendment to the Declaration of Covenants, Conditions and Restrictions. The Board authorizes the Chairman to execute the Third Amendment with South Park Associates, Ltd. for its portion of maintenance and upkeep of the business park, and otherwise perform all acts necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement.

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

(SIGNATURES ON THE NEXT PAGE)

SO RESOLVED, this the 21st day of August 2012.

CLAYTON COUNTY BOARD OF COMMISSIONERS

ELDRIN BELL, CHAIRMAN

(Absent)
WOLE RALPH, VICE CHAIRMAN

GAIL B. HAMBRICK, COMMISSIONER

SONNA SINGLETON, COMMISSIONER

MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

SHELBY D. HAYWOOD, CLERK