

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2015-112

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A PROJECT AGREEMENT WITH PATH FOUNDATION, INC., PROVIDING FOR THE FINANCIAL RESPONSIBILITIES OF EACH PARTY TO DEVELOP A GREENWAY TRAIL FROM THE REID STEPHENS PROPERTY TO THE LAKE SPIVEY GOLF CLUB'S CLUBHOUSE UNDER THE TERMS AND CONDITIONS SET FORTH IN THE MASTER AGREEMENT; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT AND 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, pursuant to Resolution No. 2013-197, Clayton County Board of Commissioners entered into a Master Agreement with PATH Foundation, Inc. (the "Organizer") dated November 14, 2013, which set forth the process for negotiating and executing future project agreements, to ultimately build a greenway trail network throughout Clayton County; and

WHEREAS, pursuant to Resolution No. 2014-242, the County entered into a Professional Services Agreement with the Organizer, dated August 7, 2014, to develop design and engineering plans for 0.9 miles of pedestrian trail from the Reid Stephens Property to the Lake Spivey Golf Club's clubhouse ("Project P-2"), and complete construction documentation, as well as entered into a Project Agreement for Project P-2, dated as of October 9, 2014, to complete the design documents; and

WHEEREAS, the County wishes to enter into a new project agreement with the Organizer, providing for the financial responsibilities of each party to develop Project P-2; and

WHEREAS, this newest project agreement references the Organizer's estimate of funds required to complete the construction, including a 10 percent contingency, and will allow the final design documents to be put out to bid through the County's Central Services Department for construction; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County, and the County will best be served by entering into a new project agreement with the Organizer for the above-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 Clayton County to enter into a Project Agreement with PATH Foundation, Inc. providing for the financial responsibilities of each party to completely develop Project P-2 (the "Agreement"), which includes a .9 mile multi-use trail from the Reid Stephens Property to the Lake Spivey Golf Club's clubhouse. Approval and execution of the Agreement will allow the final design documents to be put out to bid through the County's Central Services Department for construction. The Board of Commissioners hereby authorizes the Chairman to execute the Agreement and to perform all other acts necessary to accomplish the intent of this Resolution. The Agreement shall be in substantially the form attached hereto, subject to such minor changes, insertions or deletions as the Board of Commissioners may approve.

Section 2. This Resolution shall be immediately effective upon approval by the Board of Commissioners and is contingent upon complete satisfaction of all insurance

requirements, if any, prior to any work being performed as provided by the Clayton County Risk Management Department.

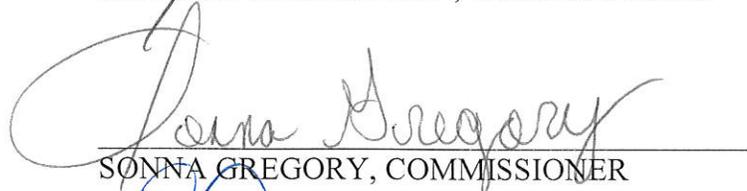
SO RESOLVED, this the 5th of May, 2015.

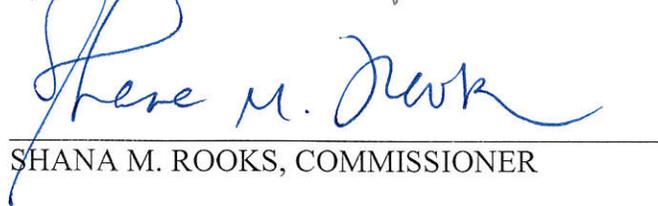
CLAYTON COUNTY BOARD OF COMMISSIONERS


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