

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2011 - 87

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AFFILIATE AGREEMENT WITH THE WILLIAM H. REYNOLDS NATURE PRESERVE FOUNDATION, INC. ON BEHALF OF THE CLAYTON COUNTY PARKS AND RECREATION DEPARTMENT, PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH A FIRE TOWER WILL BE USED; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE MEMORANDUM OF UNDERSTANDING AND OTHERWISE 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, under Resolution No. 2011-71 Clayton County authorized the relocation of a fire tower from outside the county onto the Reynolds Nature Preserve property; and

WHEREAS, prior to it providing \$40,000.00 for the relocation of the fire tower, William H. Reynolds Nature Preserve Foundation, Inc. (the "Foundation") seeks to enter into a legal agreement with the County granting it the right to use the tower; and

WHEREAS, members of the Board of Trustees of the Foundation have expressed interest in utilizing the fire tower for both education and fundraising purposes; and

WHEREAS, to ensure the County is indemnified, the Foundation agrees to work with the Parks and Recreation Department and Risk Management staff prior to allowing external, non-county use of the tower; 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 a Memorandum of Understanding Affiliate Agreement to address the usage of the fire tower.

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 a Memorandum of Understanding Affiliate Agreement on behalf of the Clayton County Parks and Recreation Department with William H. Reynolds Nature Preserve Foundation, Inc. (the "Foundation"), providing for the terms and conditions under which a fire tower will be used. The Board of Commissioners hereby authorizes the Chairman to execute the Memorandum of Understanding Affiliate Agreement and to perform all other acts necessary to accomplish the intent of this Resolution. The Memorandum of Understanding Affiliate Agreement shall be substantially in the form attached hereto, subject to such minor changes, insertions or deletions as the Chairman of the Board of Commissioners may approve.

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

{SIGNATURES NEXT PAGE}

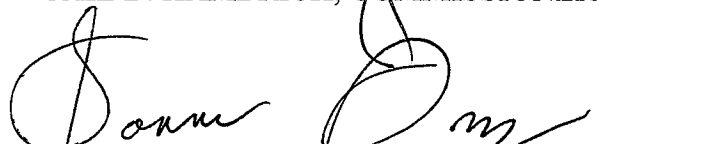
SO RESOLVED, this the 14th day of June, 2011.

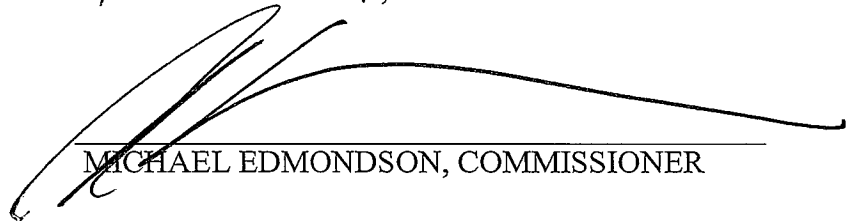
CLAYTON COUNTY BOARD OF COMMISSIONERS


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SHELBY D. HAYWOOD, CLERK