

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION 2012 – 195

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO JOIN AS A PARTY PLAINTIFF THAT CERTAIN ACTION PRESENTLY PENDING IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA BEING PRESENTLY KNOWN AS MAURICE RAINES—CHAIRMAN, UPSON COUNTY BOARD OF COMMISSIONERS, and on behalf of all others similarly situated, v. FEDERAL HOUSING FINANCE AGENCY, ET. AL. CASE NO 5:12-CV-355; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, on or about September 5, 2012, Plaintiff Maurice Raines and the Upson County Board of Commissioners, individually and on behalf of a statewide putative class of all counties in the State of Georgia who have recorded a deed from Defendants Fannie Mae or Freddie Mac where said Defendants have claimed that they are exempt from the Georgia Real Estate Transfer Tax as set forth in O.C.G.A. Section 48-6-2 (the “Enabling Act”), or underpaid any such Real Estate Transfer Tax filed a Complaint captioned *Maurice Raines-Chairman, Upson County Board of Commissioners, and on Behalf of all others similarly situated, v. Federal Housing Finance Agency, et.al.*, Civil Action No. 5:12-CV-355, Middle District of Georgia, (the “Lawsuit”) against the Defendants; and

WHEREAS, Clayton County, Georgia has been asked to join said litigation as a party Plaintiff; and

WHEREAS, the Board of Commissioners of Clayton County, Georgia believe that there is a legal basis for the claims asserted in the Complaint; and

WHEREAS, the Board of Commissioners of Clayton County, Georgia believe that it is in the best of the citizens of Clayton County, Georgia and of other counties in the State of Georgia for Clayton County, Georgia to join said litigation as a party plaintiff and a class representative;

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 become a plaintiff in the presently pending litigation in the United States District court for the Middle District of Georgia styled *Maurice Raines-Chairman, Upson County Board of Commissioners, and on Behalf of all others similarly situated, v. Federal Housing Finance Agency, et.al.*, Civil Action No. 5:12-CV-355, Middle District of Georgia. The Board of Commissioners hereby authorizes the Chairman and the Interim County Attorney to execute any and all documents and to perform all other acts necessary to accomplish the intent of this Resolution.

Section 2. This Resolution shall be immediately effective upon approval by the Board of Commissioners.

**(See signatures on next page)**

SO RESOLVED, this the 18<sup>th</sup> day of September, 2012.

CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN

  
WOLE RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK