

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2010- 55

A RESOLUTION TO AMEND THE LAKE SPIVEY, LLC/LAKE SPIVEY GOLF CLUB, INC. PRELIMINARY PLAT APPROVAL STIPULATIONS FOR 186.07 ACRES LOCATED IN LAND LOTS 11 AND 22 OF THE 12<sup>TH</sup> DISTRICT IN CLAYTON COUNTY AS APPROVED APRIL 24, 2008, TO ADOPT AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the County previously approved the Preliminary Plat in the petition of Lake Spivey, LLC/Lake Spivey Golf Club, Inc. for 186.07 acres located in Land Lots 11 and 22 of the 12<sup>th</sup> District in Clayton County on April 24, 2008 pursuant to the provisions of the Code of Clayton County with stipulations as set forth in the attached Exhibit "A" and

WHEREAS, the applicant Lake Spivey, LLC/ Spivey Club, LLC has applied to the County requesting a modification of the stipulations, specifically Stipulation no. 10 which provides that the "developer petitioning for the project shall be the builder and will not sell to another"; and

WHEREAS, the applicant has stated that the Stipulation has become an impediment to the development of the project and the applicant wishes to add additional builders authorized to construct homes for the project; and

WHEREAS, the remainder of the stipulations will continue to be in full force and effect and will be applicable to the new builder as well; and

WHEREAS, the Board of Commissioners deems it in the County's best interest and

the objectives provided herein can be best served by amending the Stipulations to provide that the Stipulations be amended as requested herein provide all other stipulations should remain in effect with all other terms of the previous approval remaining the same.

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

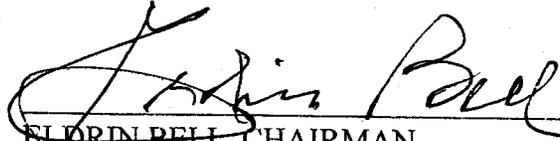
Section 1. The Board of Commissioners hereby approves the modification of Stipulation No. 10 as contained in the approval letter dated May 13, 2008 attached hereto as exhibit "A" as approved by the Board on April 24, 2008, to read as follows: "Spivey Club, LLC, Chadwick Homes, Inc., as well as any other entities of controlling interest by their current principals Chad Floyd, Dennis Floyd, Jimmy Halligan or Jay Byce, shall be authorized builders on the project".

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

SO RESOLVED, this 16<sup>th</sup> day of February 2010.

{SIGNATURES ON FOLLOWING PAGE}

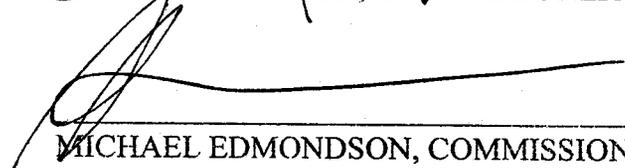
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELORIN BELL, CHAIRMAN

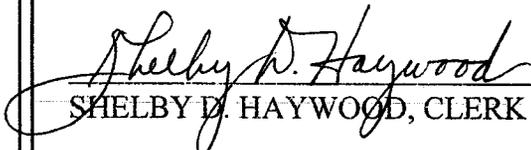
  
WOLE RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK