

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2008 - 70

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH THE GARDEN WALK BOULEVARD, PAVEMENT AND CURB REHABILITATION PROJECT, NO. PR000-S010-00(587) WILL BE ADMINISTERED; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT AND OTHERWISE TO PERFORM ALL OTHER 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 UNDER THE TERMS OF THE AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County (the "County") agrees to furnish, at no expense to the State of Georgia, Department of Transportation ("GDOT"), good and sufficient title, to provide right of way necessary for the proper construction and maintenance of the above named project in accordance with pertinent agreements and regulations, according to the plans prepared by GDOT, including any drainage deemed necessary by the GDOT or its engineers, within the limits of the County, as well as to assume responsibility for and cooperate with the utility owners to clear construction; and

WHEREAS, the County agrees to provide for its proper maintenance after completion of said improvements, and will make ample provisions each year for such maintenance, and to

further agree that after construction is completed on off-system project, no new or additional utilities facilities will be allowed to encroach on rights of way; 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 an Agreement with GDOT to provide for participation as contemplated therein.

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 an Agreement with the Department of Transportation, State of Georgia providing for the terms and conditions under which the Garden Walk Boulevard, Pavement and Curb Rehabilitation Project, no. PR000-S010-00(587) will be administered. 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. Further, the Board of Commissioners hereby 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. The Agreement shall be in substantially 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.

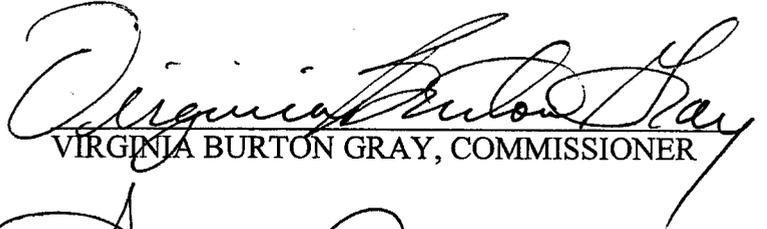
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SO RESOLVED, this the 15th day of April, 2008.

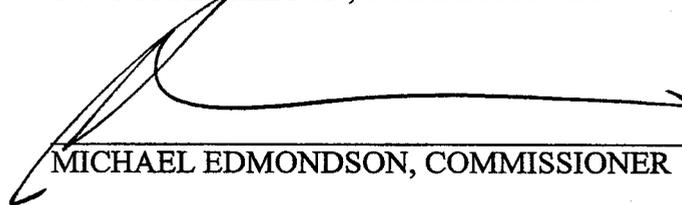
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK