

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2008- 116

A RESOLUTION ABANDONING PROPERTY CONSISTING OF APPROXIMATELY 1.8872 ACRES OF RIGHT OF WAY FORMERLY KNOWN AS IRON GATE BOULEVARD AND MORE PARTICULARLY DESCRIBED HEREIN; TO AUTHORIZE CONVEYANCE OF SAID RIGHT OF WAY TO EURINDUS, INC.; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County has been vested with the power and authority to dispose of property no longer needed for any public purpose; and

WHEREAS, the Clayton County Board of Commissioners has determined that a portion of the County road system no longer serves a substantial public purpose, and that said portion of the County road system should be abandoned; and

WHEREAS, the Clayton County Board of Commissioners has given notice that it intends to declare abandoned said portion of the County road system, consisting of approximately 1.8872 acres of right of way, formerly known as Iron Gate Boulevard, as more particularly described herein, and has held a public hearing on said issue; and

WHEREAS, the portion of the County road system being abandoned is not located within the city limits of any municipality; and

WHEREAS, once said portion of the County road system is abandoned, it shall no longer be a part of the County road system, and the rights of the public in and to said right of way as a public roadway shall cease;

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

Section 1. It previously has been determined that the portion of the County road system consisting of approximately 1.8872 acres of right of way formerly known as Iron Gate Boulevard, more particularly described on Exhibit "A", which is attached hereto and incorporated herein by this reference, and shown as Parcel #4 on the plat attached hereto as Exhibit "B" and incorporated herein by this reference (the "Property"), serves no substantial public purpose, a new alignment of Iron Gate Boulevard having been constructed and opened to the public as a part of the County road system. The Board of Commissioners have notified the property owners located on said right of way of the intent to abandon the Property, and have published once a week for two (2) consecutive weeks in the newspaper in which Sheriff's advertisements for Clayton County are published a notice of the intent to abandon the Property and of the date, time, and location of the public hearing thereon, and have held a public hearing on the proposed abandonment on August 5, 2008, at seven o'clock in the evening (7:00 p.m.) in the Boardroom of the Clayton County Administration Building, 112 Smith Street, Jonesboro, Georgia, 30236, where the public and all interested parties had a reasonable opportunity to express their views, both orally and in writing, in accordance with O.C.G.A. § 32-7-2(b)(1).

Therefore, the Board of Commissioners hereby declares and certifies the Property abandoned under O.C.G.A. § 32-3-7.

Section 2. As part of that certain Settlement Agreement by and between Clayton County, Georgia, and Eurindus, Inc., which was approved by the Board of Commissioners on September 20, 2007, and made a part of a Consent Final Judgment entered on or about October 26, 2007, in the Superior Court of Clayton County, Civil

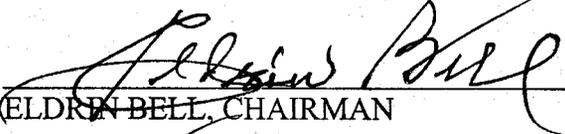
Action File No. 2001-CV-01365-6, Clayton County agreed to convey to Eurindus that the Property following abandonment. Therefore, the Chairman is authorized to execute and deliver to Eurindus, Inc. a Limited Warranty Deed conveying the Property.

Section 3. If any section, sentence, clause or phrase of this Resolution is for any reason held invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and such remainder shall remain in full force and effect.

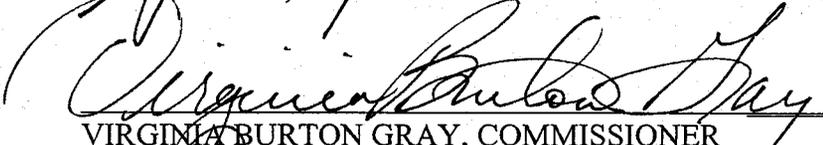
Section 4. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

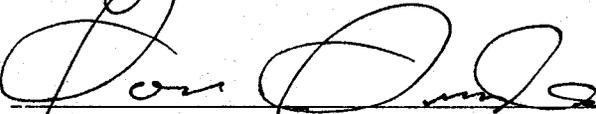
SO RESOLVED this 5th day of August, 2008.

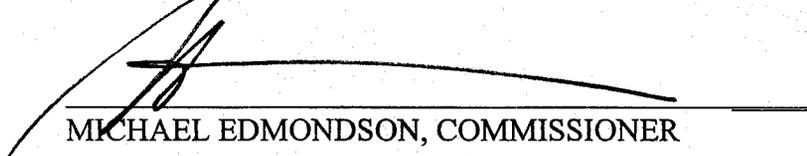
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDREN BELL, CHAIRMAN

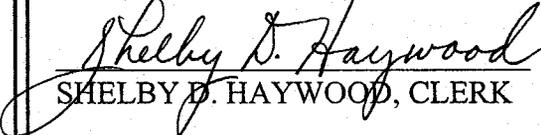

WOLE RALPH, VICE CHAIRMAN


VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK