

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2007- 96

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A RAPID TRANSIT AGREEMENT WITH THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY ("MARTA"), ON BEHALF OF THE CLAYTON COUNTY ATLANTA AIRPORT PUBLIC TRANSPORTATION DISTRICT ; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT, AND OTHERWISE TO PERFORM ALL 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, AND TO TRANSFER ANY REQUIRED FUNDS, ALL AS MAY BE REQUIRED UNDER THE TERMS OF THE AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Constitution and laws of the State of Georgia, authorize both Clayton County and the County acting for and on behalf of the Clayton County Atlanta Airport Public Transportation District, to enter into a rapid transit contract or contracts with the Metropolitan Atlanta Rapid Transit Authority ; and

WHEREAS, the Georgia General Assembly, by Act approved March 25, 1980, Ga. L. 1980, p.3831 authorized Clayton County to create the Public Transportation District to encompass that area in Clayton now or hereafter owned or controlled by the City of Atlanta for airport purposes which is now or hereafter used by the Authority or which the Authority has a right to use for Transportation Project (as defined by the Act) or which is now or hereafter used

for a Public Airport Passenger Terminal, and further authorized the County for and on behalf of the District to enter into rapid transit contracts with the Authority for the provision of public transportation services to and from and within said District; and

WHEREAS, the 1980 Amendment to the Act provided that as a condition precedent to the local governing body of Clayton County exercising any power pursuant to the Act including among other things the creation of the District, The "Rapid Transit Contract and Assistance Agreement by and between the Authority, the Counties of Fulton and Dekalb, and the City of Atlanta, dated September 1, 1971, as amended, must first be amended to provide that any rapid transit contract between Clayton County on behalf of the entire county and the authority which requires Clayton County to levy the sales and use tax authorized by the Act throughout its territorial limits shall also provide rapid transit services within Clayton County on substantially the same basis as such services are provided or will be provided within Fulton and Dekalb counties, without the necessity of any payment being made by Clayton County other than proceeds of the sales and use tax levied throughout its territorial limits; and

WHEREAS, on June 5th 2007, Clayton County established and created the District to encompass the maximum area permitted by the Act; and

WHEREAS, the Authority, Clayton County and the County acting for and on behalf of the District, now desire to enter into a rapid transit contract for the provision of public transportation services to and from and within said District, as set forth in the attached agreement; and

WHEREAS, the County deems it in its best interest of Clayton County, and the County will best be served by entering into an Agreement with MARTA for the stated purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

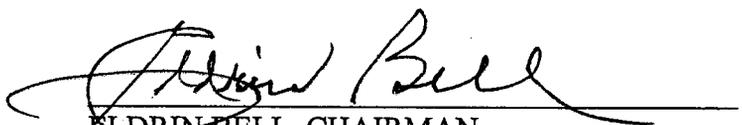
Section 1. The Board of Commissioners authorizes Clayton County for itself and on behalf of the Clayton County Atlanta Airport Public Transportation District to enter into a Rapid Transit Contract Agreement with the Metropolitan Atlanta Rapid Transit Authority ("MARTA"), in substantially the form as attached hereto. The Board of Commissioners authorizes the Chairman to execute the Agreement and otherwise perform all acts necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense, and to transfer any required funds, 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 may approve.

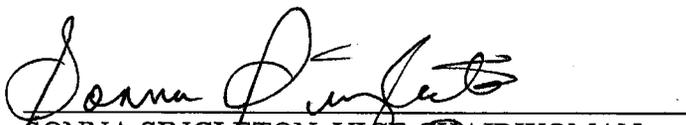
Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

{SIGNATURES NEXT PAGE}

SO RESOLVED, this the 5th day of June, 2007

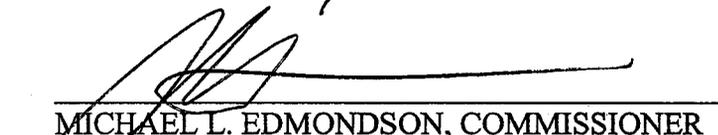
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


SONNA SINGLETON, VICE CHAIRWOMAN


VIRGINIA BURTON GRAY, COMMISSIONER


WOLE RALPH, COMMISSIONER


MICHAEL L. EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK