

**A RESOLUTION OF ACCEPTANCE OF LAND DONATION
BY THE
BOARD OF COMMISSIONERS
OF
GORDON COUNTY, GEORGIA**

WHEREAS, Knights Bottom Holdings, LLC, a Georgia limited liability company (“KBH”) is the owner of, and desires to donate to the County, 165.42 acres of real property lying in Land Lots 192, 205, and 206 of the 7th District, 3rd Section of Gordon County, Georgia; and

WHEREAS, the property proposed to be donated is more particularly described on Exhibit “A” attached hereto (the “Property”); and

WHEREAS, KBH intends to subject the Property to a conservation easement in favor of The Southeastern Trust for Parks and Land (“STPAL”) that will permanently limit the uses of the land in order to protect its conservation values (the “Conservation Easement”) prior to the donation of the Property to the County; and

WHEREAS, the Conservation Easement will restrict the Property for use as a public passive recreation area, and if the County so desires, will exclude an area from the conservation easement designated for limited park facilities for restrooms and maintenance that will be located outside of any designated stream buffers, (the “Park Facilities”); and

WHEREAS, Gordon County shall be responsible for any expense associated with customization of the CE and/or management plans in accordance with their desired land-use, and that such use shall not violate the terms of the CE or conflict with the conservation purpose.

WHEREAS, a preliminary draft of the Conservation Easement is attached hereto as Exhibit “B”; and

WHEREAS, the form of Deed of Contribution and other documents pursuant to which KBH would make the donation of the Property to the County are attached hereto as Exhibit “C”; and

WHEREAS, it is the intent of KBH to make an unrestricted donation of the Property in fee to the County immediately subsequent to the establishment of the Conservation Easement in favor of STPAL, and it is the current intent of KBH, STPAL and the County that both of such events will occur on Saturday, December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, and it is hereby resolved by the authority of the same, as follows:

1. That the acceptance of the donation of the Property subject to the Conservation Easement and any and all restrictions of record other than monetary liens (collectively, the “Permitted Title Exceptions”) will further specific goals enumerated in the Gordon

County 2007 – 2027 Comprehensive Plan, including the goals to: preserve rural character, natural resources and views of natural features; protect open space in a linear pattern, typically following river and stream corridors; protect water quality with appropriate stream buffers; provide opportunities for environmental education and low impact recreation; and further, the property is specifically identified on the Gordon County future development map as being within a designated floodplain corridor preserve character area along Salcoa Creek, and is hereby certified to be in the best public interest of Gordon County.

2. That KBH and STPAL shall have 14 days from the date of this Resolution to coordinate with the County and with each other to determine the specific Park Facilities to be permitted by the Conservation Easement and to deliver to the County the final version of the Conservation Easement to be established.
3. That KBH shall have 30 days from the date of the final version of the Conservation Easement, to obtain an appraisal of the Property and deliver it to the County.
4. That Becky Hood, Chairman of the Gordon County Board of Commissioners, shall be authorized to sign on behalf of the County (as Donee/Grantee), (i) the Deed of Contribution, a copy of which is attached hereto as Exhibit "C", (ii) IRS Form 8283 (Noncash Charitable Contributions), a copy of which is attached hereto as Exhibit "D" and (iii) a written acknowledgement of the donation to the County in the form attached hereto as Exhibit "E".
5. That, upon receipt of the final Conservation Easement in recordable form and the Deed of Contribution in recordable form, the County shall cause the Gordon County Clerk of Superior Court to record applicable documents on Saturday, December 31, 2016.
6. That upon acceptance of the donation of the Property, Gordon County shall work cooperatively in partnership with STPAL to uphold the purpose of the Conservation Easement and comply with the provisions thereof.

THIS RESOLUTION is hereby adopted this day of , 2016,
the public health, safety and general welfare demanding it.

GORDON COUNTY BOARD OF COMMISSIONERS

Becky Hood, Chairman

Chad Steward, Vice-Chairman

Jeff Gazaway, Member

Norris Sexton, Member

Kevin Cunningham, Member

Attest:

Clerk to the Board