

RESOLUTION NO. 10-08-045

A RESOLUTION TO TRANSMIT A MAJOR UPDATE TO THE SHORT TERM WORK PROGRAM / CAPITAL IMPROVEMENT ELEMENT FOR THE CITY OF LOCUST GROVE PORTION OF THE HENRY COUNTY-CITIES JOINT COMPREHENSIVE PLAN TO THE ATLANTA REGIONAL COMMISSION FOR REGIONAL AND STATE REVIEW; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia ("City") held a public hearing on July 20, 2010 to transmit an update the Short Term Work Program Element and CIE for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan;

WHEREAS, the City has prepared an amendment in accordance with the guidance in the Minimum Standards under the Georgia Planning Act and the Rules and Regulations by the Georgia Department of Community Affairs as shown in **Exhibit "A"**;

WHEREAS, notice of this matter (as attached hereto and incorporated herein as **Exhibit "B"**) has been provided in accordance with applicable state law and local ordinances;

WHEREAS, the Mayor and City Council wish to submit the amendment of the Short Term Work Program and CIE to the Atlanta Regional Commission for Regional and State review, as per the requirements of Minimum Planning Standards by the Georgia Department of Community Affairs; and,

WHEREAS, the Mayor and City Council wish to submit a Statement of Accomplishments of the Short Term Work Program and CIE, including all elements of land use changes within the reporting year, to the Atlanta Regional Commission for Regional and State review, as per the requirements of Minimum Planning Standards by the Georgia Department of Community Affairs; and,

WHEREAS, the Mayor and City Council in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this amendment to be in the best interests of the citizens of the City, that this Resolution be adopted.

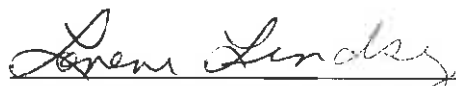
THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE, GEORGIA, AS FOLLOWS:

1. **Authorization.** That the Locust Grove City Council hereby authorizes the Mayor to submit the Short Term Work Program Element and CIE updates to the Atlanta Regional

Commission for Regional and State review, as per the requirements of the Minimum Planning Standards of the Georgia Department of Community Affairs.

2. **Public Purpose.** The City finds that the foregoing actions constitute a major stem in preserving the health, safety, well being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
3. **Attestation.** That the Locust Grove City Council hereby authorizes the City Clerk to attest the signature of any City official appearing on documents necessary to carry out this Resolution, to affix the official seal of the City thereto, as necessary, and to place this Resolution and any related documents among the official records of the City for future reference.
4. **Severability.** To extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
5. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 2nd day of August, 2010.


LORENE LINDSEY, MAYOR

ATTEST:


THERESA BREEDLOVE, CITY CLERK
(seal)

EXHIBIT “A”

**AMENDMENT TO SHORT TERM WORK PROGRAM ELEMENT AND CAPITAL
IMPROVEMENT ELEMENT FOR THE CITY OF LOCUST GROVE PORTION OF
THE HENRY COUNTY-CITIES JOINT COMPREHENSIVE PLAN**



STWP/CIE UPDATE

Short Term Work Program 2011 – 2015

The City of Locust Grove is required to update its Short Term Work Program (STWP) element annually since adoption of Development Impact Fees in June of 2005. Additionally, the Capital Improvements Element (CIE) which is part of the overall STWP as programmed. For the current 5-year horizon (2011 – 2015), the City of Locust Grove has attached the spreadsheet. There is also a Report of Accomplishments (ROA) for the period of 2009 – 2010, as the city's projects fall within a calendar year budget cycle, with projects completed and reported on by October 31st as required under the Georgia Planning Act.

Highlights of Report of Accomplishments in the 2009 – 2010 Fiscal Year Reporting Period

The major accomplishments in this period has been the ARRA Stimulus Bill accelerating the TE Phase II Trailhead park/parking facility in our continuing efforts to rejuvenate our central city, the ARRA funding of the 'Connecting Trails' project to add over a mile of wide sidewalks with multiuse capability to connect Tanger Outlets to our residential and institutional areas of the city that will one day be connected to the Trailhead downtown, and the acceleration of our SPLOST III project to relocate our Public Works Department to the outskirts of town due to the Trailhead project. In all, these projects represent over \$1.5 million of investment that will allow for future growth and development.

Highlights of STWP for 2011 – 2015

Overall. Very little has changed from the previous year in terms of the short term, as the economic downturn has stalled our once-believed needs for service expansion in all directions. Now is more of a system preservation and enhancement approach. There are approximately \$82 million in proposed projects, with the bulk being transportation-related projects, as is normal with most growing areas. Much of these projects are joint efforts between the City of Locust Grove, private developers, Henry County, and state/federal agencies through the ARC process. The proposed SPLOST III is the bulk of the funding sources, followed by federal/state, then private funding. Local funds are limited to general funds and development impact fees, although are leveraged where prudent. From the approval by DCA and ARC, we have deleted items related to widening of Highway 42 in order to be consistent with the Region's transportation plans and programs. We have added an item for later-term engineering for the Bill Gardner Interchange reconstruction as anticipated by our IMR that is to be completed in late 2010. There were continued changes due to projects included in the recently-approved SPLOST III, which are divided into Tier I (projects under anticipated bonding program) and Tier II (project funds in excess of the \$250 million conservative estimate for bond), as the anticipated receipts are now much less than originally anticipated (\$5.3 million versus \$7.6 million).

Transportation the biggest portion of the STWP/CIE. The largest project by far is the widening of Bill Gardner Parkway, which is estimated now above \$56 million and likely a long-range project regionally, especially in regards to any reconstruction of the interchange with I-75, to which the City is spending \$185,684 to study through GaDOT. The next project in terms of expense is the construction of a new roadway connecting Tanger Boulevard at Bill Gardner Parkway to State Route 42. That



STWP/CIE UPDATE

project has been underway since February 2010 with nearly 100% private funds as part of development of a Walmart Supercenter.

Economic Downturn Effects. Expenditures have fallen dramatically from previous STWP and CIE reports, namely due to the marked decrease in residential and commercial development throughout the city, the county, and the Region as a whole. Likely other capital projects will be pushed back if there is a prolonged contraction in residential construction due to decreased population/demand for services and facilities.

Highlights of CIE for Impact Fees

For Fiscal Reporting Period (2009), the city collected a paltry \$13,735 in development impact fees. Given the continued slowdown in construction throughout the nation, state, and region, it is expected that these fees will remain nearly flat in 2010. The largest item for payment was for roads (Highways and Streets), with Parks and Recreation being the second largest. Expenditures over the life of these fees have nearly equaled collections as the demands for road improvements and parks and recreation facilities were anticipated before the recent downturn. It is hoped that the recovery will place collections back on track with the programmed expenditures within the next 2-3 years. Additionally, certain projects will be constructing all or portions of system improvements (i.e., Walmart development) that fees will be offset by the project construction. This is actually a preferred option, as the system improvement is constructed for far more than the anticipated impact fee amount (typically 20% match).

Revisions to Future Land Use: None.

There were no changes to the Joint Plan in this reporting period, although there may be some upcoming in 2011 due to the Plan 2040 goals and revised population estimates coming from the Decennial Census. The changes in growth and in the expected funding mechanisms for many of the infrastructure items in the CIE require some modifications in the coming fiscal year, including the SPLOST III collections to offset expected impact fee contributions as well as increased local expenditures for transportation projects (including any T-SPLOST Funding regionally by 2012/2013). Finally, there may need to be specific service areas to address upcoming areas of rezoning and land use, namely the Regional Commercial area at the I-75 interchange with Bill Gardner.

Attachments:

- STWP/CIE for 2011 - 2015
- Report of Accomplishments (ROA) for Calendar Years 2009 – 2010
- Impact Fee CIE collections report
- Statement from Auditor of Impact Fee accounts

Short Term Work Program / CIE Update: 2011 - 2015

STWP / CIE Element	2011	2012	2013	2014	2015	Responsible Party(ies)	Estimate Cost / Source
Community Facilities							
Water/Sewer							
New Wall Development						City, EPD, Developers	\$200,000, local, connection fees
Expansion of Indian Creek WWTP					Design	City, EPD, MNGWD	\$2,500,000, local, connection fees, GEFA (if economic conditions warrant expansion)
Parks and Recreation							
Girls' Softball Complex (Locust Grove Station Amenity Agreement)						County, Private, SPLOST III	\$1,300,000, mostly Private, partial County participation, Local of \$350,000 in current period.
Parks Improvements						City, SPLOST III, Impact Fees up to 35%	\$200,000 SPLOST III (Tier II)
Transportation							
Strong Rock Parkway Phases II, III, and future (extend existing parkway both north and south) Signalization of Hwy 42 and Bethlehem Road				PE	Const.	City, County, Private (GRTA NOD), impact fees (20%) City, County, GaDOT, Private	est. \$3,250,000, Private, although portions (20%) subject to impact fee (amend) \$400,000, Private, SPLOST, local/county
Additional Left-turn lane, Hwy 42 NB onto Bill Gardner Parkway (reconfiguration of existing through lane into optional left turning lane, with enhanced signalization and modification of existing intersection - striping for now pending GaDOT).		PE	ROW	Const.		City, County, GaDOT, Private	<\$100,000 private, local, county (Partial marking/configuration for future conversion)
Additional Right-turning lane on Bill Gardner Pkwy from I-75 NB off ramp to Tanger Boulevard. (Includes signal and intersection upgrades)	ROW/Const.	Const.				City, County, GaDOT, Private, Impact Fees (up to 33%)	\$300,000 private, local, county (under agreement now, minor ROW needed for lane mitre)
Construction of new road from Bill Gardner Parkway intersection with Tanger Boulevard north to Gardner peach orchard, with turn to SR 42 at water tank. (involves relocation of Zaxby's)	Const.	Const.				private, local, Henry County, impact fees (up to 20%)	\$3,200,000 private, portion subject to impact fees at no more than 20% according to CIE
Intersection Improvement: Grove Road and Peeksville (turning lanes, signalization where warranted) SPLOST III Tier II			PE	PE/ROW	Const.	SPLOST III	\$450,000 local, SPLOST III (Tier II)
Intersection Improvement: Indian Creek Road at Tanger Boulevard (turning lanes, signalization where warranted) SPLOST III		PE	PE	ROW	Const.	SPLOST III	\$400,000 local, SPLOST III (\$175,000 (Tier I))
Upgrade Tanger Boulevard (resurfacing Tanger from Indian Creek to Tanger Drive) SPLOST III/ARRA	PE	Const.				County, City, ARRA, SPLOST III	\$250,000 SPLOST III / ARRA Tier III Funding?

Short Term Work Program / CIE Update: 2011 - 2015

STWP / CIE Element	2011	2012	2013	2014	2015	Responsible Party(ies)	Estimate Cost / Source
Intersection Improvement at Tanger Boulevard and SR 42 (signalization)			FE	Constr.	Constr.	GADOT, local, Private per GRTNA NOD	\$250,000 total, private, but may be local due to collapse of developer
Intersection Improvement: Tanger Boulevard at Highway 42, including possible extension and realignment of Jackson Street - Potential SPLOST III				PE	PE/ROW	SPLOST III, private (signalization shown above), local	\$1,500,000 local, private, SPLOST III of \$750,000
Bill Gardner Parkway (HE-126B, CR 562) Widen from 2>4 lanes from Hwy 155 to Lester Mill Road and from 2>6 lanes from Lester Mill Road to west side of I-75 interchange. (former project to upgrade existing 2-lane facility)	PE	PE	PE	PE/ROW	ROW	SPLOST III, local, state, GRTA, private, impact fees (20% of portions in city)	\$56,000,000 state, local, SPLOST III, private (parts of ROW), portions are impact fee eligible Engineering and ROW, Construction by private or local only at this point until Federal or Regional funding is secured
Interchange Reconstruction, Exit 212 at I-75					PE	Local, SPLOST, T-SPLOST	TBD as part of IMR under development
Add sidewalk along Bowden Street between Jackson Street and Mose Brown Drive			PE	PE/ROW	Constr.	Local, SPLOST, TE if applicable	\$375,000 in combination of local funding and TE or other grant money as applied for during the life of project.
General Facilities							
District Court and Police Station Facility construct new building(s) for continued expansion needs						City, Impact fees (52%), SPLOST III	\$2,200,000, local, impact fees (52%), SPLOST III (\$100,000 Tier II)
Property Acquisition for future facilities						City, SPLOST III	\$475,000 Tier II SPLOST III
Natural and Historic Resources							
Establishment of Historic District(s) and Landmark Structures						City	\$5,000 (local, staff and commission time)
Develop design guidelines and process for Certificates of Appropriateness within Historic District.						City	Staff time, HPC time.
Economic Development							
Better Hometown Façade Program						BHT Nonprofit	\$25,000 private/nonprofit
Land Use							
Develop unified development code: review and update land use regulations with county						City, County	\$20,000 local, staff time
Central Business District Plan and Regulations/Overlay						City	\$15,000 in staff time
Update Joint Comprehensive Plan with county						City, County	Ongoing, \$25,000 in staff time
Mixed-Historic District/Overlay regulations						City	\$10,000 (staff time)

Short Term Work Program / CIE Update: 2011 - 2015							
	2011	2012	2013	2014	2015	Responsible Party(ies)	Estimate Cost / Source
STWP / CIE Element							
Overlay Bill Gardner Parkway/Town Center Overlay District						City, County, ARC	\$10,000 (staff time)
Update CIE, especially Transportation Element upon completion of countywide CTP model and project selection						City, Consultant, impact fees (3%)	\$35,000 (staff time and salary, consultant costs) ongoing effort
Intergovernmental Coordination							
Work with HCWSA on joint agreement for development within the Indian Creek and Tussahaw Watershed Protection Areas						City, HCWSA	\$3,000, staff time
Work with Henry County on updates of Joint Comprehensive Plan and possible local adoption of a Unified Development Code						City, County	\$10,000, staff time

Report of Accomplishments: 2009 - 2010 (calendar year budget)

Community Facilities	2009	2010	Responsible Party(ies)	Est. Cost / Source	Status		
Water/Sewer							
New Well Development			City, EPD	\$250,000, local, connection fees	Deferred. Due to lack of pressure by new growth, city has turned more towards maintenance and improvement to existing water sources at a cost of \$50,000.		
Relocation of Public Works (Davis Lake @ Mose Brown Dr.)	PE/SITE	Const.	City	\$625,000, local, SPLOST III (Tier I)	Construction on site began June 2009, with demolition and relocation of the buildings beginning February 2010. Main PW Building is 75% complete. To be completed October 2010		
City Hall Renovations (ongoing) Re-organization of office space for Community Development, Better Hometown, Water/Sewer, and Stormwater	Const.	Const.	City, SPLOST III	\$92,000 (local, SPLOST III)	Construction completed late 2009 and early 2010 for major renovation of LGI Structure. Ongoing for reorganization of offices pending outcome of economy and budget.		
<i>Parks and Recreation</i>							
Girls' Softball Complex (Locust Grove Station Amenity Agreement)			Private Developer	\$1,500,000 (developer, SPLOST III, local)	Partially Complete. Construction of parking and field areas completed early 2008. Stopped due to economic conditions. To be completed by County and City pending re-negotiation of development agreement. Land and original improvements approximately \$937,000 with an additional expenditure of \$650,000 to complete fields, buildings and lighting. Est. complete in 2011.		
<i>Transportation</i>							
I-75 Interchange Study (IMR): Study interchange for likely widening and reconfiguration to accommodate future traffic demands and for expected changes involving I-75, including managed lanes. Examine alternatives such as collector/distributor system.			City (Sponsor), County, RS&H Engineers/GaDOT (by contract), SPLOST III	\$185,684	Underway. Approx. 60% complete. To be completed by end of 2010.		

Report of Accomplishments: 2009 - 2010 (calendar year budget)

Community Facilities	2009	2010	Responsible Party(ies)	Est. Cost / Source	Status		
Intersection Improvement at Peeksville and SR 42 (turning lanes, signalization)	CONST		County	\$2,200,000 SPLOST II	Completed late Fall 2009.		
Upgrade/Reconstruction of Bowden Street (aka South Bethany) from Jackson Street to Mose Brown Drive	PE/ROW	CONST	City, County	\$1,250,000 total (including portion in County), \$500,000 is City's portion from SPLOST III	Construction is over 90% complete, with remaining issues of punch list items. City Portion is curb/gutter with new culverts over Wolf Creek. City portion was \$508,000.		
Natural and Historic Resources							
Historic District Overlay			City	\$1,000 in training (plus staff time)	Original District boundaries reduced to main commercial strip. Nomination report approved by SHPO May 2010. HPC now working on public relations with owners and tenants before hearings begin late 2010. Adoption by 2011.		
Economic Development							
Multiuse Paths/Wide Sidewalks		Const.	City, ARC, GaDOT	\$535,000 (ARRA, SPLOST III (\$300,000))	Construction began June 2010. ARRA project approved May 2010 by State/ARC. Bid by SE Site Development of \$367,650. Remainder PE and oversight costs by City.		
TE Phase II, Trailhead/Improvements	Const.	Const.	City, GaDOT, SPLOST, ARRA	\$313,000 (ARRA Stimulus TE grant) SPLOST \$200,000 Tier I for PE and incidentals)	Willow Construction awarded at \$245,000. Complete by August 2010		
Land Use							
Develop unified development code: review and update land use regulations with county			City	\$10,000, local, staff time and consultant if necessary.	Moved to 2011 - 2012 Horizon		
Central Business District Plan and Regulations/Overlay			City	\$20,000 local	Local effort only. 2011 - 2012 completion. May be LCI eligible if funding extended		

Report of Accomplishments: 2009 - 2010 (calendar year budget)					
Community Facilities	2009	2010	Responsible Party(ies)	Est. Cost / Source	Status
Update Joint Comprehensive Plan with county			City, County	\$12,000	Ongoing. Adopted Plan July 2008. Revisions to continue as needed.
Locust Grove Specific Plan (part of Joint Plan Update)			City, County	see above	Ongoing. See above, mostly to be performed 2011
Work with Henry County on Solid Waste Management Plan			County, City	\$3,000	Completed. Update Ongoing.

Impact Fee Collections, Calendar Year 2009

Revenues

	Administration	C/E Cost Recovery	Public Safety	Highways and Streets	Parks & Recreation	Total
Prior Years	\$22,992	\$ 5,621	\$ 40,365	\$ 169,105	\$ 539,207	\$ 777,290
Collections	\$397	\$ 98	\$ 657	\$ 7,719	\$ 4,864	\$ 13,735
Interest Income	\$12	\$ 3	\$ 20	\$ 231	\$ 146	\$ 411
Current Year (2009)	\$409	\$101	\$677	\$7,950	\$5,009	\$ 14,146
Total Receipts	\$ 23,401.11	\$ 5,722.32	\$ 41,041.83	\$ 177,054.57	\$ 544,216.42	\$ 791,436.25

Expenditures

Expenditures Prior	\$6,151	\$ -	\$ 41,209	\$ 52,134	\$ 557,573	\$657,067
Expenditures 2009	\$ 739	\$ -	\$ -	\$ -	\$ 48,110	\$48,849
Total Expenditures	\$6,890	\$0	\$41,209	\$52,134	\$605,683	\$705,916
Balance at Year End	\$16,511	\$5,722	(\$167)	\$124,921	(\$61,467)	\$85,520

Source: Audited Financial Statement of City of Locust Grove, Vance and Associates, LLC dated June 15, 2010

Note: There were NO refunds on impact fees in 2009. Parks and Recreation Impact Fees are likely used for repayment of \$2.5 million for Community Center debt repayment, with remainder from general funds. Upcoming expenditure of up to \$100,000 in Roads for extra lane on Bill Gardner Parkway from NB I-75 Ramp to Tanger Boulevard in conjunction with Henry County and Private Developers in 2010

City of Locust Grove, Georgia
Annual Financial Report
For the Fiscal Year Ended December 31, 2009
Together With
Independent Auditor's Report

Vance and Associates, LLC

Certified Public Accountants

6657 Standing Boy Road, Columbus, Georgia 31904

Tel. (888) 531-6408 Fax (866) 406-7422

**CITY OF LOCUST GROVE, GEORGIA
DEVELOPMENT IMPACT FEE FUND
COMPARATIVE BALANCE SHEET
DECEMBER 31, 2009 AND 2008**

	<u>2009</u>	<u>2008</u>
ASSETS		
Cash	\$ 86,765	\$ 6,959
Investments	—	112,524
Receivable:		
Accrued interest	—	740
Total Assets	<u>86,765</u>	<u>120,223</u>
LIABILITIES AND FUND EQUITY		
Liabilities		
Accounts payable	1,245	—
Total Liabilities	<u>1,245</u>	<u>—</u>
Fund Equity		
Reserved for capital projects	85,520	120,223
Total Fund Equity	<u>85,520</u>	<u>120,223</u>
Total Liabilities and Fund Equity	<u>\$ 86,765</u>	<u>\$ 120,223</u>

CITY OF LOCUST GROVE, GEORGIA
DEVELOPMENT IMPACT FEE FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE – BUDGET (GAAP BASIS) AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2008
(With comparative actual amounts for the year ended December 31, 2008)

	<u>2009</u>			<u>2008</u>
	<u>Original & Final Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>Actual</u>
REVENUES				
Impact fees	\$ 188,750	\$ 13,735	\$ (175,015)	\$ 60,464
Interest	<u>4,365</u>	<u>411</u>	<u>(3,954)</u>	<u>8,506</u>
Total Revenues	<u>193,115</u>	<u>14,146</u>	<u>(178,969)</u>	<u>68,970</u>
EXPENDITURES				
Current				
Administration	115	739	(624)	—
Capital				
Parks and Recreation	—	—	—	204,392
Debt Service – Parks				
Principal	—	22,242	(22,242)	65,331
Interest	<u>—</u>	<u>25,868</u>	<u>(25,868)</u>	<u>187,261</u>
Total Expenditures	<u>115</u>	<u>48,849</u>	<u>(48,734)</u>	<u>456,984</u>
Excess of revenues over (under) expenditures Before Other Sources and (Uses)	193,000	(34,703)	(227,703)	(388,014)
Other Sources and (Uses):				
Transfers	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
Change in fund balance	193,000	(34,703)	(227,703)	(388,014)
Fund balance - beginning	<u>120,223</u>	<u>120,223</u>	<u>—</u>	<u>508,237</u>
Fund balance - ending	<u>\$ 313,223</u>	<u>\$ 85,520</u>	<u>\$ (227,703)</u>	<u>\$ 120,223</u>

EXHIBIT “B”

PUBLIC NOTICE OF TRANSMITTAL RESOLUTION

Copy of Advertisement

Public Hearing Notice
Locust Grove City Council
July 20, 2010

7:00 PM - Locust Grove City Hall
Short Term Work Program/CIE Annual Update
Notice is hereby given as required by the Minimum Standards of the Department of Community Affairs that the City of Locust Grove seeks to transmit a major amendment to the Future Land Use Element of the Joint Henry County/Cities 2030 Comprehensive Plan concerning the Short Term Work Program and Capital Improvements Element of the city's Impact Fee Program, including the Report of Accomplishments.

The City will conduct a public hearing on Tuesday, July 20, 2010 at 7:00 PM to discuss the transmittal resolution of the update to the Georgia Department of Community Affairs and the Atlanta Regional Commission. The meeting will be held at City Hall, located at 3644 Highway 42 South, Locust Grove, Georgia 30248.

June 24, 2010

Tim Young, Director
City of Locust Grove
Community Development
July 2, 2010-22418

State of Georgia
County of Henry

Personally appeared before the undersigned, **Linda Brooks**, who after being first duly sworn states that she is the legal clerk for the Daily Herald, official legal organ of HENRY COUNTY, GEORGIA, and that upon her own personal knowledge she knows that the advertisement, a true copy of which is hereto annexed, was published in said newspaper of general circulation on the following dates:

July 2, 2010

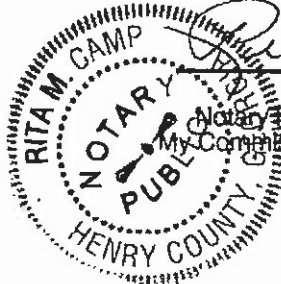
Linda Brooks

Affiant

Sworn to and subscribed before me this

2 day of July, 2010

Rita M. Camp



Notary Public, Henry County, Georgia
My Commission Expires November 23, 2012