

CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & AUGHTRY

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

191 PEACHTREE STREET, N.E. - 34TH FLOOR

ATLANTA, GEORGIA 30303-1747

(404) 659-1410 (800) 800-0745

FAX (404) 659-1852

JIMMY L. PAUL
SHAREHOLDER
DIRECT DIAL NO. 404.658.5468
E-MAIL: jimmy.paul@chamberlainlaw.com

HOUSTON
PHILADELPHIA
SAN ANTONIO
DENVER

July 1, 2015

Edward D. Tolley
Cook, Noell, Tolley, Bates & Michael, LLP
304 Washington Avenue
Athens, Georgia 30603-1927

etolley@mindspring.com

Re: *East Georgia Land and Development Company, L.L.C. vs. Newton County, Georgia, John Byce, et al.*; Superior Court, Newton County, Georgia, Civil Action File No. 97-2285-3

Dear Ed:

By his Summary Judgment Order entered November 20, 2013, *nunc pro tunc* to October 23, 2013 ("October 23, 2013 Order"), Judge Ozburn ruled the purported Newton County Zoning Ordinance alleged to have been adopted on May 21, 1985 was invalid for reasons including that the purported zoning map referenced in the purported Zoning Ordinance had not been adopted which rendered the Zoning Ordinance void. You and the other Newton County attorneys appealed this Order to the Supreme Court of Georgia. By its decision entered October 20, 2014 and reported at 296 Ga. 18 (2014) the Supreme Court affirmed Judge Ozburn's Order holding the purported Newton County Zoning Ordinance void and issuing mandamus.

After the case was remitted to Newton County Superior Court, Newton County informed East Georgia Land and Development Company, LLC ("East Georgia") that the letter mandated by Judge Ozburn's mandamus Order would be issued and delivered to East Georgia. Meanwhile, Green Hill P3 ("Green Hill") approached East Georgia to make its approximately 427 acres adjacent to the county landfill available for use in connection with Green Hill's proposal to take over the long-term management of the Newton County landfill pursuant to an economic structure proposed by Green Hill. Newton County attorney Tommy Craig negotiated with Green Hill and a structure and proposed agreement was

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negotiated; county attorney Tommy Craig stated this negotiated arrangement would be recommended to the Newton County Board of Commissioners. Notwithstanding the intensive and expensive negotiations, East Georgia has received information in the past six days, that the Newton County Board of Commissioners intends to explore other options, and that as a result, Green Hill has withdrawn its proposal.

As a result of Green Hill's apparent withdrawal of its proposal in light of the Newton County Board of Commissioners intention to pursue some alternative option, East Georgia needs to obtain the compliance letter mandated by Judge Ozburn's ruling and committed by Newton County attorney Tommy Craig. By this letter, we notify Newton County through you, as trial counsel of record:

1) East Georgia demands receipt of the compliance letter ordered by Judge Ozburn's mandamus Order entered October 23, 2013 and affirmed by the Supreme Court. If the compliance letter is not delivered to me by the close of business Friday, July 10, 2015, we will bring the necessary motions before Judge Ozburn, seeking compulsion of compliance with mandamus and issuing such sanctions as appropriate.

2) East Georgia also demands that Newton County deliver a letter that East Georgia's use of its property for a sanitary landfill is not contrary to any validly adopted multi-jurisdictional solid waste plan in effect on June 25, 1997, particularly in light of Judge Ozburn's previous rulings including that Newton County's attempt to create a map in relation to the multi-jurisdictional solid waste plan was a zoning decision and was thus invalid because of failure to comply with the Zoning Procedures Act.

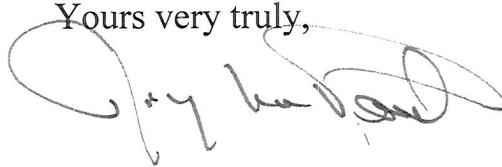
3) If East Georgia does not receive the letter mandated by Judge Ozburn and the second letter related to compliance with any valid multi-jurisdictional solid waste plan, we will ask the Court to schedule necessary hearings related to Defendant Newton County's claim that it is entitled to a compliance letter related to any validly adopted multi-jurisdictional solid waste plan in effect on June 25, 1997.

4) Newton County delayed delivering the letter mandated by Judge Ozburn in the Court's October 23, 2013 Order and committed to be delivered by

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county attorney Tommy Craig, and the County refused to issue the second compliance letter related to any valid multi-jurisdictional solid waste plan in effect on June 25, 1997. As a result, the period during which East Georgia may recover damages on its filed inverse condemnation claims is being extended during each day of delay.

Yours very truly,

A handwritten signature in black ink, appearing to read "Jimmy L. Paul", written over a horizontal line.

Jimmy L. Paul

cc: William Thomas Craig (wtcraig@wtcraig.com and wtcraig@bellsouth.net)
Lauri McKenna (*firm*)
Clients