



WHEREAS, because the Project is or will be located in the Park, pursuant to the MCIP Act, the County has determined to provide an Infrastructure Credit against FILOT payments made in connection with the Project for purposes of reimbursing the Company for Infrastructure expenditures relating to the Project, as such Infrastructure Credit is more fully described in the Fee Agreement.

NOW THEREFORE, BE IT ORDAINED, by the County Council as follows:

**Section 1. *Authorization to Execute and Deliver Fee Agreement.*** The Chairman of County Council and the County Administrator are authorized and directed to execute the Fee Agreement, which is in substantially final form and attached as Exhibit B, in the name of and on behalf of the County, subject to any revisions not materially adverse to the County as may be approved by the Chairman and the County Administrator upon receipt of advice from counsel to the County, and the Clerk to Council is hereby authorized and directed to attest the Fee Agreement; and the Chairman is hereby further authorized and directed to deliver the Fee Agreement to the Company.

**Section 2. *Statutory Findings.*** The County finds: (i) the Project will benefit the general public welfare of the County by providing service, employment, recreation or other public benefits not otherwise provided locally; (ii) the Project gives rise to no pecuniary liability of the County or incorporated municipality or to no charge against its general credit or taxing power; (iii) the purposes to be accomplished by the Project are proper governmental and public purposes; and (iv) the benefits of the Project to the public are greater than the costs to the public.

**Section 3. *Approval of Sponsor Affiliate.*** Pursuant to Section 12-44-130 of the Act, [ ] is approved as a sponsor affiliate, so long as [ ] agrees to be bound by the terms of the Fee Agreement. The Company may request the addition of one or more additional sponsor affiliates to the Fee Agreement. Following each request, if the proposed sponsor affiliate agrees to be bound by the Fee Agreement, then following approval of the proposed sponsor affiliate by subsequent County Council resolution, the proposed sponsor affiliate shall become a party to, and be eligible for the benefits under, the Fee Agreement.

**Section 4. *General Repealer.*** All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

This Ordinance takes effect and is in full force only after the County Council has approved it following three readings and a public hearing.

GREENVILLE COUNTY, SOUTH CAROLINA

---

H.G. (Butch) Kirven, Chair  
Greenville County Council

---

Joseph Kernell  
Greenville County Administrator

(SEAL)  
ATTEST:

---

Theresa Kizer, Clerk to Council  
Greenville County Council

READINGS:

First Reading:	October 2, 2012
Second Reading:	October 16, 2012
Third Reading:	November 6, 2012
Public Hearing:	November 6, 2012

**EXHIBIT A**

**Description of Project Site**

**EXHIBIT B**

**Form of  
Fee In Lieu of Ad Valorem Taxes Agreement**