

ORDINANCE

AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND GREENVILLE COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN LAURENS COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK

WHEREAS, Greenville County, South Carolina (the “County”) and Laurens County, South Carolina (jointly the “Counties”) are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for Joint County Industrial Business Park dated as of September 21, 1993 (the “Original Agreement”) to develop jointly an industrial and business park (the “Park”), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the “Act”); and

WHEREAS, the Original Agreement was initially approved by Laurens County Council Ordinance 375, adopted July 13, 1993 (and later amended by Ordinance 720, adopted April 26, 2011), and the Original Agreement was initially approved by Greenville County Council Ordinance 2480, adopted June 1, 1993;

WHEREAS, the Original Agreement, and any amendments thereto, is referred to herein as the “Agreement”; and

WHEREAS, the Agreement contemplates the boundaries of the Park may be changed from time to time; and

WHEREAS, the Counties desire to amend the Agreement to include certain additional parcels in order to fulfill commitments made to companies which are considering expansion or location decisions.

NOW, THEREFORE, BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

SECTION 1: The Agreement is hereby amended so as to expand the Park premises located within Laurens County. Attached hereto as **Exhibit A** is the property description of that parcel to be added to the Park premises within Laurens County.

SECTION 2: This amendment to the Agreement shall become effective upon adoption of this Ordinance by the County, after third and final reading and public hearing; subject to adoption of resolutions approving such amendment by Laurens County Council and, for the property identified in **Exhibit A** which is located within such municipalities, the Town of Fountain Inn, as applicable. If any municipality shall fail to adopt a resolution approving such amendment for any property located within such municipality, this shall not invalidate this Amendment as it applies to other properties for which a resolution is adopted by the applicable municipality.

SECTION 3: Should any part of this Agreement be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect and shall not render any other section herein, nor this Agreement as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination or expiration hereof shall be deemed to survive.

**GREENVILLE COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Bob Taylor, Chair  
Greenville County Council, South Carolina

**ATTEST:**

\_\_\_\_\_  
Theresa B. Kizer  
Clerk to County Council  
Greenville County, South Carolina

First Reading: \_\_\_\_\_, 2014

Second Reading: \_\_\_\_\_, 2014

Third Reading: \_\_\_\_\_, 2014

Public Hearing: \_\_\_\_\_, 2014

## EXHIBIT A

### PROPERTY DESCRIPTION LAURENS COUNTY ADDITIONAL PARCEL

All of that certain piece, parcel or tract of land, with the buildings and improvements thereon, containing 6.856 acres, more or less, situate, lying and being near the Town of Fountain Inn, in the County of Laurens, State of South Carolina and being located at the intersection of International Boulevard and Aircraft Way, as more particularly shown and depicted on a plat thereof prepared by Benchmark Surveying, Inc. dated February 28, 2011, recorded in the Register of Deeds for Laurens County, SC in Plat Book A-643, at Page 4, and having the following metes and bounds:

Beginning at an iron pin at the intersection of the Western right of way International Boulevard and the Southern right of way of Aircraft Way. Thence, along the western right of way of International Boulevard along the arc of a curve to the left having a radius of 617.33 feet, an arc length of 547.60 feet and a chord bearing of S 37°41'10" E for 529.82 feet to an iron pin. Thence, leaving the right of way of International Boulevard with the line of Lacks Industries, S 00°38'26" E for 140.81 feet to an iron pin. Thence, leaving the Lacks line with the line of Tiger Carolina, LLC, N 88°58'49" W for 720.24 feet to an iron pin on the Eastern right of way of Aircraft Way. Thence, with the Eastern right of way of Aircraft Way, N 00°07'29" W for 289.81 feet to an iron pin. Thence, along said right of way along the arc of a curve to the right, having a radius of 267.00 feet, an arc length of 383.88 feet and a chord bearing of N 41°02'30" E for 351.66 feet to an iron pin. Thence, still with the right of way of Aircraft Way the following two courses and distances: N 82°15'54" E for 130.06 feet to an iron pin. Thence, S 54°33'02" E for 43.59 feet to an iron, the point and place of beginning.

BEING the same property conveyed to Flame Spray North America, Inc. by deed of BUR-LAT Capital Group, LLC, dated April 27, 2011, recorded April 28, 2011, in Book D1019 at Page 227, in the Clerk of Court for Laurens County, South Carolina.

TMS No. 069-00-00-047 (formerly portion of 068-00-00-013)