

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AN AGREEMENT FOR THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (2010 PARK) OF ANDERSON AND GREENVILLE COUNTIES SO AS TO ENLARGE THE PARK.

WHEREAS, pursuant to Ordinance No. 4391 enacted October 19, 2010 by Greenville County Council, Greenville County entered into an Agreement for the Development of a Joint County Industrial and Business Park (2010 Park) dated as of December 1, 2010, as amended, with Anderson County (the "Agreement"); and

WHEREAS, pursuant to Section 3(A) of the Agreement, the boundaries of the park created therein (the "Park") may be enlarged pursuant to ordinances of the County Councils of Anderson County and Greenville County; and

WHEREAS, in connection with certain incentives being offered by Anderson County to Duke Energy Carolinas, LLC, it is now desired that the boundaries of the Park be enlarged to include certain parcels in Anderson County;

NOW, THEREFORE, be it ordained by Greenville County Council that Exhibit B to the Agreement is hereby and shall be amended and revised to include the property located in Anderson County described in the schedule attached to this Ordinance, and, pursuant to Section 3(B) of the Agreement, upon adoption by Anderson County Council of a corresponding ordinance, the Agreement shall be deemed amended to so include such property and Exhibit B as so revised, without further action by either county.

DONE in meeting duly assembled this __ day of _____, 2014.

GREENVILLE COUNTY, SOUTH CAROLINA

By: _____
Chairman of County Council
Greenville County, South Carolina

By: _____
County Administrator
Greenville County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Greenville County, South Carolina

First Reading: _____, 2014
Second Reading: _____, 2014
Third Reading: _____, 2014
Public Hearing: _____, 2014

Addition to Exhibit B to
Agreement for the Development of a Joint County Industrial and
Business Park dated as of December 1, 2010, as amended,
between Anderson County and Greenville County

Duke Energy Carolinas, LLC (Project Mystery Green)

PARCEL 1:

FIRST: All that certain parcel of land, in Williamston School District No. 20 Belton Township, Anderson County, State of South Carolina shown and represented as Tract No. 2 on a plat made of the property of Wilson's Estate on December 9, 1940, by J. A. Pickens, Surveyor, and having the distances, metes and bounds as shown on said plat, which is recorded in Plat Book 14 at page 39, the office of the Clerk of Court for Anderson County, South Carolina. This tract of land is bounded on the North by Tract #3 shown on the above mentioned plat and on the South and the East by Tract #4, shown on the above mentioned plat. This tract of land contains 4.30 acres, more or less, and is one of the parcels conveyed to Duke Power Company from T.G. Austin by deed dated April 14, 1948 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book I-8 at page 178 and is one of the parcels of land conveyed to T. G. Austin from George S. Wilson, Executor, et al by deed dated December 16, 1940, and recorded in the Office of the Clerk of Court for Anderson County, South Carolina in Deed Book D-7 at page 439.

SECOND: All that certain parcel of land in Williamston School District No. 20, Belton Township, Anderson County, State of South Carolina, being known and represented as Tract #3 on a plat made of the property of Wilson's Estate on December 9, 1940 by J. A. Pickens, Surveyor, recorded in Plat Book 14 at page 39 in the Clerk of Court's office for Anderson County and containing 32 acres more or less. This tract of land is bounded as follows: on the North by lands now or formerly of J. A. Dacus and the Saluda River, on the East by the Saluda River, on the South by Tract #4 as shown on said plat, on the West by Tract #2 shown on said plat and the lands now or formerly of J. A. Dacus. Said land is one of the parcels conveyed to Duke Power Company from T.G. Austin by deed dated April 14, 1948 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book I-8 at page 178 and is one of the parcels of land conveyed to T. G. Austin from George S. Wilson, Executor, et al by deed dated December 16, 1940, and recorded in the office of the Clerk of Court for Anderson County, South Carolina in Deed Book D-7 at page 439.

PARCEL 2:

All that certain tract or parcel of land situate, lying and being in Belton Township, Anderson County, South Carolina, containing 71 ½ acres, more or less, adjoining the Saluda River, lands now or formerly of J. A. Dacus, J. A. Copeland and others and being the same tract of land conveyed to Duke Power Company from J. Albert Copeland by deed dated September 15, 1948 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 7-Z at page 619 and being the same tract of land conveyed to Albert Copeland from Ethel Smith by deed dated July 5, ____ (said deed being probated July 5, 1945 and recorded July 12, 1945) and recorded in the Office of the Clerk of Court for Anderson County, South Carolina in Deed Book V-7, page 53. This tract of land was inherited by said Ethel Smith and her sister, Dicy Smith, from their father, J. H. Smith, the said Dicy Smith having married W. C. Holliday and subsequently died leaving as her sole heirs at law and distributes her husband and Ethel Smith, to whom W. C. Holliday conveyed his interest in said land by deed of record in said Clerk of Court's office in Deed Book T-7, page 493.

PARCEL 3:

All that piece, parcel or tract of land, situate, lying and being in Williamston and Belton Townships, in the County of Anderson, State of South Carolina, on the bank of the Saluda River, containing 239.57 acres, more or less, as shown on a plat entitled Duke Power Company Addition to Lee Steam Station Property dated August 4, 1971 and recorded in the Office of the Clerk of Court for Anderson County in Plat Book 76 at Page 433, said tract herein conveyed having the metes, bounds, courses and distance as are shown upon said plat which is incorporated herein and made a part hereof by reference. As shown on said plat, the tract herein conveyed is bounded on the North by S. C. Road No. S-212, property now or formerly of Dunlap, property now or formerly of Anderson and Saluda River; on the East by property now or formerly of Duke Power Company (Lee Steam Station); on the South by property now or formerly of Mark; and on the West by S. C. Road No. S-116, property now or formerly of Kelly, property now or formerly of Cothran, and property whose owners are unknown.

This being the same property conveyed to Duke Power Company from Bobbie C. Hankins by deed dated August 24, 1971 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 16-Y at page 845.

LESS AND EXCEPT: All that certain tract, piece, parcel or lot of land located in Anderson County, South Carolina, containing 0.58 acres and being more particularly shown on a plat of survey entitled “Duke Energy Corporation/Land to be Deeded to Robert D. Kelly” dated September 29, 1998, and prepared by John F. Tinsley, Professional Land Surveyor No. 16824, a copy of said plat of survey being attached to the deed recorded in Deed Book 3158, page 74.

This being the same property conveyed by Duke Power Company to Robert D. Kelly by Special Warranty Deed dated November 5, 1998 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 3158 at page 74.

PARCEL 4:

All that certain tract or parcel of land, situate, lying and being in Williamston School District No. 20, Anderson County, State of South Carolina, containing 159 acres, more or less, and being known and designated as Tract #4 on a plat of the W. W. Wilson lands, said plat being made by J. A. Pickens, Surveyor, on December 9, 1940, said plat being of record in the office of the Clerk of Court for Anderson County, South Carolina in Plat Book 14, page 39, being bounded on the North by Tracts #2 and #3 on said plat (said tracts being now or formerly owned by Duke Power Company), on the East by the Saluda River, on the South by Tract #1 shown on said plat (now or formerly owned by A. J. Poore) and lands now or formerly owned by R. D. Poore, and lands now or formerly of the estate of T. H. Cox. This is the same tract of land conveyed to Duke Power Company from R.D. Poore by deed dated September 15, 1948 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 7-Z at page 621 and being the same tract of land conveyed to R. D. Poore from Robert B. Nalley by deed dated March 22, 1941, and recorded in said Clerk of Court’s office in Deed Book H-7, page 312.

PARCEL 5:

All that certain tract or parcel of land lying and being in Belton Township, Anderson County, South Carolina, containing 22.1 acres, more or less, bounded on the northwest and southeast by lands now or formerly of Duke Power Company, on the south by the Cooley Bridge Road, and on the west by other lands now or formerly of the Copeland and described as follows:

BEGINNING at a concrete monument in the northeasterly edge of Cooley Bridge Road, a corner of the land now or formerly of Duke Power Company, and runs thence with said road N. 40 – 55 W. 615.6 feet to a stake; thence N. 35 – 02 E., 628.3 feet to twin poplars; thence said course 689.2 feet to a stake in the line of the land now or formerly of Duke Power Company; thence with the now or formerly Duke Power Company land S. 68 – 29 E. 708.6 feet to a concrete monument, a corner of the now or formerly Duke Power Company land; thence with another line of the said now or formerly Duke Power Company land S. 38 – 15 W., 1635.4 ft. to the point of BEGINNING, being shown on print dated October 4, 1949, recorded in Plat Book 25, page 122, Anderson County records.

This being the same property conveyed to Duke Power Company from J. Albert Copeland by deed dated November 12, 1949 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book K-8 at page 300.

LESS AND EXCEPT: All that certain tract of land BEGINNING at the intersection of the center line of County Road No. 178 and the southeasterly line of the J. Albert Copeland property and runs thence with said property line N 35-02 E 536.7 ft.; thence S 26-08 E 370.4 ft. to a point in the center line of a street; thence with the center line of said street S 63-52 W 351.5 ft. to a point in the center line of County Road No. 178; thence with the center line of said road two courses and distances as follows: (1) N 74-23 W 81.0 ft., and (2) N 71-28 W. 81.9 ft. to the BEGINNING, containing 2.46 acre.

This being the same property conveyed to Ray C. Holliday from Duke Power Company by deed recorded April 15, 1976 in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 18-E at page 425.

PARCEL 6:

All that certain tract or parcel of land containing 67 ½ acres, more or less, situate in Belton Township, County of Anderson, State of South Carolina, about two and one-half (2 ½) miles South of the town of Williamston, adjoining the Saluda River, lands now or formerly of J. A. Copeland, lands now or formerly of Duke Power Company, and others. This is the same tract of land conveyed to Duke Power Company from J. A. Dacus by deed dated September 15, 1948 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 7-Z at page 620 and is the same tract of land conveyed to J. A. Dacus from T. G. Austin by deed dated April 19, 1944, and recorded in the Office of the Clerk of Court in Deed Book R-7, page 14.

PARCEL 7:

Beginning at a point in the westerly line of now or formerly Duke Power Company Lee Steam Station property, said point being N 6 – 32 E 260.5 feet from the intersection of said property line and the center line of an unimproved road, and runs thence from said beginning point N 75 – 19 W 326.2 ft.; thence N 45 – 09 E 222.0 feet; thence with the southerly line of the now or formerly Duke Power Company Lee Steam Station property N 75 – 10 E 198.0 feet; thence with the westerly line of said property S 6 – 32 W 291.9 feet to the BEGINNING containing 1.33 acres, as shown on print dated August 31, 1973, marked File No. 2-970, copy of which is attached to the deed recorded in Book 17-Q, page 512, Anderson County records.

This being the same property conveyed to Duke Power Company from Ressie B. Sarratt by deed dated November 8, 1973 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 17-Q at page 512.

TMS: 260-00-01-003 (All parcels above Parcels 1 through 7)

AND

PARCEL 8:

That certain tract of land containing 3.32 acres, bounded on the north by Lee Steam Station, on the southeast by land now or formerly owned by Ressie B. Sarratt, and on the southwest by the center line of County Road No. 116, as shown on plat of survey dated September 12, 1988, marked File No. 7-679, (attached to the deed recorded in Book 760, page 225) and made a part hereof.

This being the same property conveyed to Duke Power Company from J. C. Cox and John B. Dorsey, Jr. by deed dated November 28, 1988 and recorded in the Office of the Clerk of Court of Anderson County, South Carolina in Deed Book 760 at page 225.

TMS: 260-00-01-004

