

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED NOVEMBER 4, 1996 BY AND BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND PICKENS COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITER, AS AMENDED; SO AS TO INCLUDE ADDITIONAL PROPERTY AND TO FURTHER DESCRIBE SUCH PROPERTY IN THAT PORTION OF THE JOINT COUNTY INDUSTRIAL PARK GEORGRAPHICALLY LOCATED IN GREENVILLE COUNTY, SOUTH CAROLINA, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Greenville County, South Carolina (the “County”) and Pickens 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 County entered into an agreement with Pickens County 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 Counties executed an Agreement for Development for Joint County Industrial Park on November 4, 1996 (the “Agreement”) which they now wish to amend so as to add and further describe property geographically located in the County.

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

SECTION 1: The County is hereby authorized to amend the Agreement so as to expand and further describe the Park premises located within Greenville County. Attached hereto as Exhibit A is the land description of the expansion of the Park premises within Greenville County to be added to the Agreement. All properties previously specified for inclusion in the Park shall remain as such as if set forth herein verbatim. The form, terms and provisions of the Amendment to the Agreement (as amended by the addition of Exhibit A) as presented to this meeting and as filed with the Clerk of the County Council be and they are hereby approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Agreement were set out in the Ordinance in its entirety.

SECTION 2: The Chairman of the County Council, the County Administrator and the Clerk of the County Council and any other proper officer of the County, be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and to cause to be done any and all acts and things necessary or property for carrying out the transactions contemplated by this ordinance.

SECTION 3: The provisions of this ordinance are hereby declared to be separable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

SECTION 4. All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 5. This Ordinance shall be effective after third and final.

DONE, RATIFIED AND ADOPTED this _____ day of _____, 2014.

GREENVILLE COUNTY COUNCIL:

Bob Taylor, Chair
Greenville County Council
Greenville County, South Carolina

GREENVILLE COUNTY ADMINISTRATOR:

Joseph Kernell, Administrator
Greenville County Council
Greenville County, South Carolina

ATTEST:

Theresa B. Kizer, Clerk
Greenville County Council
Greenville County, South Carolina

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

EXHIBIT A
LAND DESCRIPTION
GREENVILLE COUNTY EXPANSION

Description of the Land

Parcels 1 and 2

All those pieces, parcels or tracts of land lying, being and situate in the County of Greenville, State of South Carolina, and currently shown on the Tax Map of Greenville County as Tax Map Parcel No. 0547030100100 containing approximately 182.6 acres, and Tax Map Parcel No. 0547030100101 containing approximately 225.8 acres. The above consolidated parcels are butted and bounded as follows: On the North and West by Tax Map Parcel 0547030100300, Tax Map Parcel No. 0547030100200 as described below ("Parcel 3"), a triangular parcel located between Parcel 3 and Garlington Road (TMS# 0547030100106), a portion of Garlington Road and the Highway 385 on ramp; to the South on Rocky Creek; to the East on a parcel located on Woodruff Road near its intersection with the Highway 385 on ramp, a portion of Feaster Road, and 2 parcels located near the end of Young Court.

TMS #'s: 0547030100100 and 0547030100101

Parcel 3

All that certain piece, parcel or tract of land lying, being and situate on the southeastern side of Garlington Road in the County of Greenville, State of South Carolina, containing 22.88 acres, more or less, as shown on a plat entitled "ALTA/ASCM Land Title Survey for General Electric Company" prepared by Arcadis Geraghty & Miller, dated April 8, 1999 and recorded in Plat Book 39-V, page 95, in the Office of Register of Deeds for Greenville County, South Carolina, and having the metes and bounds set forth on said plat.

AND ALSO

All that certain piece, parcel or tract of land lying, being and situate in the County of Greenville, State of South Carolina, being shown and designated as Tract 1, containing 0.10 acre, more or less, on a plat entitled "Recombination Survey for Poinsett Holdings LLC and Dana Corporation" prepared by Arcadis Geraghty & Miller, dated April 8, 1999 and recorded in Plat Book 39-V, page 94, in the Office of Register of Deeds for Greenville County, South Carolina, and having the metes and bounds set forth on said plat.

TMS #: 0547030100200

Parcel 4

All that piece, parcel or tract of land, consisting of 8.48 acres, more or less, situate, lying and being on the Westerly side of Miller Road near the City of Greenville, in the County of Greenville, State of South Carolina, and known and designated as Tract 5 on a plat entitled "Estate of Mary Pack Miller near Greenville, S.C.," made by C.O. Riddle, October 1963, revised August 1966, and recorded in the R.M.C. office for Greenville County, South Carolina, in Plat Book PPP at page 33, and having according to said plat the following metes and bounds:

Beginning at an iron pin in the Westerly side of the right of way of Miller Road, corner of Tract 4 as shown on said plat, and running thence with the line of Tract 4 N. 66-38 W. 629.7 feet to an iron pin in the line of property of Fiber Industries, Inc.; thence with the line of property of Fiber Industries, Inc. S. 11-42 W. 650.3 feet to a point in Oak Forest Drive; thence with Oak Forest Drive S. 41-40 E. 52 feet to a point in Oak Forest Drive, corner of Tract 6 as shown on said plat; thence with the line of Tract 6 S. 79-32 E. 566.7 feet to an iron pin on the Westerly side of Miller Road, corner of Tract 6 as shown on said plat; thence with the Westerly side of Miller Road N. 9-36 E. 250 feet to an iron pin, N. 12-45 E. 150 feet to an iron pin, N. 19-51 E. 150 feet to an iron pin at the corner of Tract 4 as shown on said plat, the point of beginning.

Together with all the right, title and interest of the grantor in and to the land lying within the right of way of Miller Road as the same bounds the within described property, but subject to that portion of the right of way of Oak Forest Drive crossing the Southwesterly corner of the within described property.

TMS #: 0547010101206