STATE OF SOUTH CAROLINA)	
)	ORDINANCE #
COUNTY OF GREENVILLE)	

AUTHORIZING AN AMENDMENT TO THAT AGREEMENT DATED DECEMBER 1, 2010, AS AMENDED, GOVERNING THE JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND ANDERSON COUNTY, SOUTH CAROLINA, IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN PROPERTY LOCATED IN ANDERSON COUNTY AND OTHER MATTERS RELATED THERETO.

WHEREAS, as authorized by Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended ("Act"), Greenville County ("Greenville") and Anderson County ("Anderson") (collectively "Counties") entered into an Agreement for Development of Joint County Industrial and Business Park ("Agreement"), dated December 1, 2010, as amended, by which the Counties created a Joint County Industrial and Business Park ("Park") as adopted in Greenville County Ordinance 4391 on November 2, 2010 and by Anderson County Ordinance 2010-026 enacted October 19, 2010; and

WHEREAS, Section 3(A) of the Agreement contemplates the inclusion of additional parcels in the Park and requires the Counties authorize, by appropriate ordinance, any enlargement of the boundaries of the Park; and

WHEREAS, Viva Recycling of South Carolina, LLC, as owner of the Project, and Viva Recycling of South Carolina, as Lessee of the Project, its corporate affiliates and assigns (collectively, "Company"), have requested the Counties expand the boundaries of the Park to include its property located in Anderson and described in the attached **Exhibit A** ("Project"); and

WHEREAS, Anderson County Council has approved the expansion of the boundaries of the Park to include the Project by that Ordinance adopted on August 19, 2014, and attached hereto as **Exhibit B**; and

WHEREAS, Greenville desires to expand the Park's boundaries to include the Project.

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

- Section 1. Expansion of Park Boundaries. There is hereby authorized an expansion of the Park boundaries to include the Project referenced on Exhibit A. The County Council Chair, or the Vice Chair in the event the Chair is absent, and the Clerk to the County Council are hereby authorized to execute documents and take further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Agreement, the expansion shall be complete upon the adoption of an Ordinance by Anderson County Council, a copy of which is attached as Exhibit B, and this companion Ordinance by Greenville County Council.
- **Section 2. Savings Clause.** If any portion of this Ordinance is deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.
- **Section 3. General Repealer.** Any prior ordinance, resolution or other act of Greenville, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

This Ordinance takes and remains in effect after third and final reading.

GREENVILLE COUNTY, SOUTH CAROLINA

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

Joseph Kernell, County Administrator Greenville County, South Carolina

ATTEST:

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

READINGS:

First Reading: September 16, 2014 Second Reading: October 7, 2014 Third Reading: October 21, 2014 Public Hearing: October 7, 2014

EXHIBIT A

PROPERTY DESCRIPTION

Parcel 1: Lot 1-A

All that certain piece parcel or lot of land, situate, lying and being in Anderson County, State of South Carolina, containing 0.88 acre, more or less, and being shown as Lot 1-A on a certain plat made by Anderson Surveying Associates dated March 17, and 21, 1983, and recorded in the Register of Deeds for Anderson County, South Carolina, in plat book 90 at page 37, and having the metes and bounds, courses and distances as upon said plat appear. Said Lot 1-A is bound on the North by old County Road (old Hwy 28) on the South by Lot 1 of said plat, and on the West by Airline Road.

Less and Except that certain area (0.54 acre) granted to the South Carolina Department of Transportation as shown as Exhibit A of Title to Real Estate dated April 14, 2006, recorded January 10, 2007, in Book 7797, Page 55, in the office of the Register of Deeds for Anderson County, South Carolina.

AND Less and Except that certain area (0.06 acre) granted to the South Carolina Department of Transportation as shown as Exhibit A of Title to Real Estate dated April 14, 2006, recorded January 10, 2007, in Book 7797, Page 585, in the office of the Register of Deeds for Anderson County, South Carolina.

TMS: 152-04-01-002.

Parcel 2: Lot 20-A

All that certain piece, parcel or lot of land situate, lying and being in Anderson County, State of South Carolina, containing .091 acre, more or less, and being shown as Lot NO. 20-A on a certain plat made by Anderson Surveying Associates dated March 9, 21, 1983, and recorded in Plat Book 90, page 797, in the office of the Clerk of Court for Anderson County, South Carolina, said Lot No. 20-A, is bound on the North by South Carolina Highway No. 28, on the South by Lot No. 20 of said plat, on the Southwest by an old county road, and on the northwest by other lands of J.C. Pruitt, Sr.

TMS: 152-04-03-002

Parcel 3: Lot 20

All that certain piece, parcel or lot of land situate, lying and being in Anderson County, State of South Carolina, containing 1.0 acre, more or less, and being shown as Lot NO. 20 on a certain plat made by Anderson Surveying Associates dated March 9, 21, 1983, and recorded in Plat Book 90, page 797, in the office of the Clerk of Court for Anderson County, South Carolina, said Lot No. 20, is bound on the North by South Carolina Highway No. 28, on the South by Lot No. 21 of said plat, on the Southwest by an old county road, and on the northwest by Lot No. 20-A of said plat.

TMS: 152-04-03-003

Parcel 4: Lot 21

All that piece, parcel or lot of land, situate, lying and being in Anderson County, State of South Carolina, containing 1.02 acres, more or less, being known and designated as Lot Number Twenty-one (21), being more fully described on plat prepared by Anderson Surveying Associates, dated March 9, 21, 1983, recorded in the Register of Deeds Office for Anderson County, in Plat Slide/Book 90, at Page 797, said Lot Number 21 is bound on the North by South Carolina Highway No. 28, on the East by Lot Number 22, on the South by an old county road, and on the West by Lot Number 20 of the same said plat. Reference hereby made to said plat for a more complete description of metes and bounds thereof.

TMS: 152-04-03-004

Parcel 5; Lot 19

All that certain piece, parcel or lot of land situate, lying and being in Anderson County, State of South Carolina, in School District No. 5, being shown and designated as Lot NO. 19 containing 0.73 acres more or less, on a certain plat made by Anderson Surveying Associates dated May 20, 1983, and recorded in Plat Slide 36, page 9-A, in the RMC office for Anderson County, South Carolina, said Lot No. 19, is bound on the North by Lot 18, on the East by South Carolina Highway No. 28, on the West by an old county road.

TMS: 152-04-03-001

Parcel 6; Lot 22

All that certain piece, parcel or lot of land situate, lying and being in Anderson County, South Carolina, containing 1.20 acres, more or less, and being shown and designated as Lot Number Twenty-Two (22) on a plat made by Anderson Surveying Associates, Inc., dated march 9, 21, 1983, and recorded in the office of the Clerk of Court for Anderson County, South Carolina in Plat Book 90 at page 797; the metes and bounds, courses and distances as upon said plat appear being incorporated herein by references thereto as if fully set out. Said lot being bounded on the North by SC Highway NO. 28, on the east by lands now or formerly owned by Spurgeon Glenn, and on the South by an old county road, and on the West by Lot No. 21 of said plat.

TMS: 152-04-03-005

EXHIBIT B

Anderson County Ordinance

[see attached]