

A RESOLUTION

A RESOLUTION TO CONSENT TO THE TRANSFER AND ASSIGNMENT OF THE FEE AGREEMENT BY AND BETWEEN THE COUNTY OF GREENVILLE AND ORIX GREENVILLE LLC DATED DECEMBER 24, 2001 TO BROOKFIELD REALTY LP.

WHEREAS, SPI Brookfield II, LLC, and the County of Greenville entered into a Fee Agreement dated as of December 24, 2001 (“the 2001 Fee Agreement”); and

WHEREAS, on July 31, 2003, Lexington Greenville LLC, a wholly owned entity of Lepercq Corporate Income Fund, purchased property from SPI Brookfield II, LLC, located at 701 Brookfield Parkway, Mauldin, South Carolina; and

WHEREAS, Lexington Greenville, LLC purchased the property from SPI Brookfield II, LLC, that was subject to the 2001 Fee Agreement with the County of Greenville; and,

WHEREAS, the County assigned and transferred the 2001 Fee Agreement to Lexington Greenville, LLC by Resolution No. 1135 on May 3, 2005; and,

WHEREAS, Orix Greenville, LLC purchased the property from Lexington Greenville LLC, on or about December 7, 2007 subject to the 2001 Fee Agreement with the County of Greenville; and,

WHEREAS, the County assigned and transferred the 2001 Fee Agreement to Orix Greenville, LLC by Resolution No. 1427 on November 1, 2011; and,

WHEREAS, Brookfield Realty, LP purchased the property from Orix Greenville LLC, on or about December 29, 2011 subject to the 2001 Fee Agreement with the County of Greenville; and,

WHEREAS, Brookfield Realty, LP has requested the County assign and transfer the 2001 Fee Agreement.

NOW, THEREFORE, BE IT RESOLVED, in accordance with Section 8.3 (a) of the 2001 Fee Agreement, the County hereby consents to the transfer and assignment of the existing Fee Agreement by and between the County of Greenville and Orix Greenville LLC dated December 24, 2001 to Brookfield Realty LP; and authorizes the Chairman of County Council and the County Administrator to execute any necessary documents to effect the transfer approved by this Resolution.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2015.

Bob Taylor, Chairman
Greenville County Council

Joseph Kernell,
County Administrator

ATTEST:

Theresa B. Kizer
Clerk to Council