

AN ORDINANCE

TO AMEND THE PARK AGREEMENT AUTHORIZED BY ORDINANCE NO. 2560 RELATING TO THE MULTI COUNTY INDUSTRIAL BUSINESS PARK OF GREENVILLE COUNTY AND LAURENS COUNTY SO AS TO PROVIDE FOR THE CONTINUATION OF THE PARK.

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 (the "Act"), Greenville County, South Carolina ("Greenville County") previously developed a joint county industrial and business park with Laurens County, South Carolina ("Laurens County") with such park being geographically located in Greenville County (hereinafter referred to as the "Park"); and

WHEREAS, the Park has been developed and operated pursuant to certain Agreements for Development for Joint County Industrial and Business Park as authorized by Greenville County Ordinance No. 2560 (as amended through the date hereof, the "Greenville-Laurens Park Agreement"); and

WHEREAS, in order to continue to promote economic development and encourage investment and employment opportunities in and around Greenville County and Laurens County, as authorized by Article VIII, Section 13(D) of the South Carolina Constitution and the Act, Greenville County has requested that the counties provide for the continuation of the Park by clarifying that the term of Greenville-Laurens Park Agreement is for a period of twenty (20) years with an effective date of March 15, 2015; and

WHEREAS, it appears that the amendment to the Greenville-Laurens Park Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by Greenville County for the purposes intended.

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

Section 1. Amendment. The Greenville-Laurens Park Agreement, as authorized by Ordinance No. 2560, is hereby amended to add a new Paragraph 13 to read as follows:

"13. Continuation of Term. Notwithstanding any provisions of this Agreement to the contrary, Greenville County and Laurens County agree that the term of this Agreement shall continue for a period of twenty (20) years commencing on March 15, 2015."

Section 2. Authorization. The amendment to the Greenville-Laurens Park Agreement now before this meeting and filed with the Clerk to Greenville County Council is hereby approved and incorporated herein by reference as if the Greenville-Laurens Park Agreement were set out in this Ordinance in its entirety. The Chairman of the Greenville County Council and the County Administrator of Greenville County are hereby authorized and empowered to execute the amendment in the name and on behalf of Greenville County; the Clerk to the Greenville County Council is hereby authorized and empowered to attest the same; and the Chairman of the

Greenville County Council and the County Administrator of Greenville County are further authorized and empowered to deliver the amendment to the Greenville-Laurens Park Agreement to Laurens County.

The amendment to the Greenville-Laurens Park Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of Greenville County thereunder and as shall be approved by the officials of Greenville County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the amendment to the Greenville-Laurens Park Agreement now before this meeting.

The Chairman of Greenville County Council and the County Administrator of Greenville, County, for and on behalf of Greenville County, are hereby each authorized and empowered to do any and all things necessary or proper to effect the development of the Park and the performance of all obligations of Greenville County under and pursuant to the Greenville-Laurens Park Agreement and this amendment and to carry out the transactions contemplated thereby and by this Ordinance.

Section 3. Severability. If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

Section 4. Effectiveness. This Ordinance shall be effective upon third and final reading.

Enacted and approved, in meeting duly assembled, this __ day of _____, 2016.

GREENVILLE COUNTY, SOUTH CAROLINA

By: _____
Bob Taylor, Chairman, County Council
Greenville County, South Carolina

By: _____
Joseph Kernell, Administrator
Greenville County, South Carolina

ATTEST:

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

First reading: December 8, 2015
Second reading:
Public hearing:
Third reading: