

A RESOLUTION

TO PROVIDE CERTIFICATION AS PROVIDED BY THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT OF 2013 (S.C. CODE SECTION 12-67-109 ET SEQ.) FOR THE BUILDING AT 100 EXECUTIVE CENTER DRIVE, BUILDING 100, GREENVILLE, SOUTH CAROLINA

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act (the “Act”) was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) “Abandoned Building” means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five years immediately preceding the date on which the taxpayer files a “Notice of Intent to Rehabilitate”. For purposes of this item, a building or structure that otherwise qualified as an “abandoned building” may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned.

(2) “Building Site” means the abandoned building together with the parcel of land upon which it is located and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building’s income producing use; and,

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local real property taxes; and,

WHEREAS, TWO Greenville Park LP (the “Taxpayer”) is the owner and developer of certain real property known as Building 100, 100 Executive Center Drive, Greenville, SC, which property is further identified on Greenville County Tax Maps as Tax Map No. 0547020103400 (the “Property”); and

WHEREAS, the Taxpayer intends to develop the Property as commercial space; and

WHEREAS, on October 11, 2017, the Taxpayer filed a Notice of Intent to Rehabilitate the Property with the South Carolina Department of Revenue; and

WHEREAS, the Taxpayer has taken steps to prepare the Property for development as commercial space (the “Building Site”); and

WHEREAS, the Property is located within the unincorporated area of County of Greenville, South Carolina; and

WHEREAS, the Taxpayer has requested that the County, by way of binding resolution, certify that the Building Site is abandoned as defined by Section 12-67-120.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF GREENVILLE, SOUTH CAROLINA that the County of Greenville makes the following certifications as requested by the Taxpayer under the South Carolina Abandoned Buildings Revitalization Act of 2013 (S.C. Code Section 12-67-100, et seq.):

1. The Taxpayer has submitted to the County a request for a binding resolution to certify that the Building Site is abandoned pursuant to Section 12-67-160 of the Act (the “Request to Certify”).
2. The County has reviewed the Request to Certify, conferred with the Taxpayer and conducted a review of its records concerning the Property.
3. The County hereby certifies that (i) the Building Site is an abandoned building site as defined in Section 12-67-120(1) of the Act, and (ii) the geographic area of each of the Building Sites is consistent with Section 12-67-120(2) of the Act.

BE IT FURTHER RESOLVED THAT this Resolution shall take effect upon its adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2018.

Herman G. Kirven, Jr., Chairman
Greenville County Council

ATTEST:

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator