

**RESOLUTION NO. \_\_\_\_\_**  
**GREENVILLE COUNTY, SOUTH CAROLINA**

A RESOLUTION AUTHORIZING A TEN YEAR EXTENSION OF THE  
TERM OF THAT CERTAIN 2000 FILOT AGREEMENT BETWEEN  
GREENVILLE COUNTY, SOUTH CAROLINA AND BAUSCH &  
LOMB INCORPORATED

WHEREAS, Greenville County, South Carolina (the "County"), acting by and through its County Council (the "County Council") and pursuant to the provisions of the Code of Laws of South Carolina, 1976, as amended (the "Code"), and specifically Title 12, Chapter 44 of the Code (the "FILOT Act") and pursuant to an Ordinance duly enacted (the "Ordinance"), did heretofore enter into a Fee Agreement dated August 28, 2000 (the "FILOT Agreement") with Bausch & Lomb Incorporated, a New York corporation (the "Company"), pursuant to which the Company agreed to make, and the County agreed to accept, negotiated fee in lieu of tax ("FILOT") payments with respect to certain capital facilities located within the County as more particularly described in the FILOT Agreement (the "Project"); and

WHEREAS, in accordance with the requirement of Section 12-44-30(21) of the FILOT Act, the Company has applied to the County seeking a ten year extension of the Term (as such term is defined in the FILOT Agreement); and

WHEREAS, in order to induce Company to maintain its investment in the Project within the County, in accordance with Section 12-44-30(21) of the FILOT Act, the County desires to approve the Company's request to extend the Term of the FILOT Agreement by an additional ten years.

NOW, THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. In accordance with Section 12-44-30(21) of the FILOT Act, the County hereby finds that the extension of the Term of the FILOT Agreement will have a substantial public benefit to induce the Company to maintain its investment in the Project. Accordingly, the County hereby approves an extension of the Term of the FILOT Agreement for an additional ten (10) years. The extension hereby granted shall automatically be effective upon the date this Resolution is passed, adopted and/or approved without the need for any additional documentation.

Section 2. The Chairman of County Council, the County Administrator, the Clerk to the County Council and any other proper officer of the County, for and on behalf of the County, be and each of them are 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, as may be necessary or proper for carrying out the transactions contemplated by this Resolution.

Section 3. The provisions of this Resolution 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. Except as modified by this Resolution, the existing ordinance of the County approving the FILOT Agreement shall remain in full force and effect. All other orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall take effect and be in full force from and after its passage and approval.

**DONE, PASSED, APPROVED AND ADOPTED** in a meeting duly assembled this 20<sup>th</sup> day of October, 2020.

**GREENVILLE COUNTY COUNCIL**

By: \_\_\_\_\_  
H.G. (Butch) Kirven, Jr., Chairman of County  
Council, Greenville County, South Carolina

By: \_\_\_\_\_  
Joseph M. Kernell, County Administrator  
Greenville County, South Carolina

ATTEST:

By: \_\_\_\_\_  
Regina McCaskill, Clerk to County Council  
Greenville County, South Carolina

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