

ORDINANCE NO. ____

PROVIDING FOR THE DISTRIBUTION OF CERTAIN FEES IN LIEU OF TAXES GENERATED PURSUANT TO THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK DATED AS OF DECEMBER 31, 2015 BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND ANDERSON COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE COUNTY COUNCIL OF GREENVILLE COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. Findings and Determinations. Greenville County, South Carolina (the “County”) hereby finds and determines:

(a) The County, a body corporate and politic and a political subdivision of the State of South Carolina (the “State”), pursuant to an Ordinance enacted on August 16, 2016, authorized the execution and delivery of an Agreement for Development of a Joint County Industrial and Business Park (the “Park Agreement”) dated as of December 31, 2015 between the County and Anderson County, South Carolina.

(b) Section 7(A) of the Park Agreement authorizes the County to distribute fee in lieu of tax revenues (the “Park Revenues”) generated under the Park Agreement in the manner provide by an ordinance of the County Council.

(c) Additionally, the County is authorized under the provisions of Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, to specify the manner in which the Park Revenues will be distributed to each affected the taxing entity within the County.

(d) The City of Mauldin, South Carolina (the “City”) has requested that the County enter into an intergovernmental agreement (the “Intergovernmental Agreement”) with the City for the distribution of certain Park Revenues to the City for the acquisition of public improvements for the benefit of an economic development project located in the City as more fully described in the Intergovernmental Agreement.

Section 2. Approval of the Intergovernmental Agreement. The terms and provisions of the Intergovernmental Agreement in such form as presented to this County Council and attached hereto as *Exhibit A* are hereby approved. The Chairman of County Council and the County Administrator are each hereby authorized and directed to execute and deliver the Intergovernmental Agreement in such final form as may be approved by the Chairman of the County Council and the County Administrator, with the advice of the County Attorney, such execution being conclusive evidence of such approval; and the Clerk to the County Council is hereby authorized and directed to attest the same, and thereupon to cause the Intergovernmental Agreement to be delivered to the City.

Section 3. Allocation of Park Revenues. The Council hereby approves the allocation of the Park Revenues pursuant to the terms and provisions of the Intergovernmental Agreement.

Section 4. Authorization. The Chairman of County Council, the County Administrator, the Deputy County Administrator, the Clerk to Council and the County Attorney, for and on behalf of the County, are fully empowered and authorized, acting jointly or individually, to take such further action and to execute and deliver such additional agreements, documents and certificates as may be reasonably

requested by the City to effect the delivery of the Intergovernmental Agreement in accordance with the terms and conditions herein set forth, and the transactions contemplated hereby and thereby, and the action of such officers in executing and delivering any of such documents, in such form as the Chairman of County Council and the County Administrator shall approve, is hereby fully authorized. The consummation of all transactions contemplated by the Intergovernmental Agreement are hereby approved.

Section 5. Power to Revise the Form of Documents. Notwithstanding any other provision of this Ordinance, the Chairman of County Council and the County Administrator, acting jointly or individually, are each hereby authorized (with the advice of the County Attorney) to make or approve such revisions, changes, additions and deletions in the form of the Intergovernmental Agreement as may be approved by such officer as the County Attorney may determine are necessary or convenient to carry out or assist in carrying out the purposes of this Ordinance.

Section 6. Severability. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provisions 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 7. Repeal of Conflicting Ordinance. All ordinances, resolutions, orders and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

DONE in meeting duly assembled, this ____ day of _____, 2017.

GREENVILLE COUNTY, SOUTH CAROLINA

Chairman, County Council

County Administrator

Attest:

Clerk to County Council

First reading: _____

Second reading: _____

Third reading: _____

Public hearing: _____

EXHIBIT A
INTERGOVERNMENTAL AGREEMENT
(SEE ATTACHED)

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

CERTIFICATE OF ORDINANCE

I, the undersigned, Clerk to County Council (the "*Council*") of Greenville County, South Carolina,
DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance which was given three readings on three separate days, with an interval of not less than seven days between the second and third readings. The original of this Ordinance is duly entered in the permanent records of minutes of meetings of the Council, in my custody as such Clerk.

That each of said meetings was duly called, and all members of the Council were notified of the same; that a quorum of the membership remained throughout the proceedings incident to the enactment of this Ordinance.

IN WITNESS WHEREOF, I have hereunto set my Hand this ____ day of _____, 2017.

GREENVILLE COUNTY, SOUTH CAROLINA

Clerk to County Council

First reading: _____
Second reading: _____
Third reading: _____

Public Hearing: _____