

<b>STATE OF SOUTH CAROLINA</b>	)	
	)	<b>SIXTEENTH AMENDMENT OF</b>
<b>COUNTY OF ANDERSON</b>	)	<b>AGREEMENT FOR DEVELOPMENT</b>
<b>COUNTY OF GREENVILLE</b>	)	<b>FOR JOINT INDUSTRIAL PARK</b>

THIS AGREEMENT for the sixteenth amendment (the “Sixteenth Amended Agreement”) of an agreement for the development of a joint county industrial/business park located both within Greenville County, South Carolina and Anderson County, South Carolina, dated October 6, 1998, by and between the County of Greenville and the County of Anderson, both political subdivisions of the State of South Carolina (the “Agreement”), amended on November 16, 1999 by and between the parties hereto (the “First Amended Agreement”) and amended on February 6, 2001 by and between the parties hereto (the “Second Amended Agreement”) and amended on November 20, 2001 by and between the parties hereto (the “Third Amended Agreement”) and amended on December 3, 2002 by and between the parties hereto (the “Fourth Amended Agreement”) and amended on July 15, 2003 by and between the parties hereto (the “Fifth Amended Agreement”) and amended on November 18, 2003 by and between the parties hereto (the “Sixth Amended Agreement”) and amended on April 6, 2004 by and between the parties hereto (the “Seventh Amended Agreement”) and amended on November 16, 2004 by and between the parties hereto (the “Eighth Amended Agreement”) and amended on November 15, 2005 by and between the parties hereto (the “Ninth Amended Agreement”) and amended on January 3, 2006 (the “Tenth Amended Agreement”) and amended on November 21, 2006 (the “Eleventh Amended Agreement”) and amended on March 20, 2007 by and between the parties hereto (the “Twelfth Amended Agreement”) and amended on June 3, 2008 by and between the parties hereto (the “Thirteenth Amended Agreement”) and amended on November 18, 2008 by and between the parties hereto (the “Fourteenth Amended Agreement”) and amended on May 14, 2010 by and between the parties hereto (the “Fifteenth Amended Agreement”) is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between the parties hereto.

**RECITALS**

WHEREAS, pursuant to the Agreement, Greenville County, South Carolina (“Greenville County”), and Anderson County, South Carolina (“Anderson County”) in order to promote economic development and thus provide additional employment opportunities within both of said counties, there has been established in Greenville County and Anderson County a Joint County Industrial and Business Park (the “Park”); and

WHEREAS, as a consequence of the establishment of the Park, property therein is exempt from ad valorem taxation, but the owners or lessees of such property are required to pay annual fees in an amount equal to that amount for which such owner or lessee would be liable except for such exemption; and

WHEREAS, pursuant to the Agreement, Greenville County and Anderson County have agreed to accept responsibility for the costs of infrastructure, maintenance, management, promotional costs, and other appropriate costs associated with the establishment and operation of the Park; and

WHEREAS, Greenville County and Anderson County desire to amend the Agreement and the First Amended Agreement, the Second Amended Agreement, the Third Amended Agreement, the Fourth Amended Agreement, the Fifth Amended Agreement, the Sixth Amended Agreement, the Seventh Amended Agreement, the Eighth Amended Agreement, the Ninth Amended Agreement, the Tenth Amended Agreement, the Eleventh Amended Agreement, the Twelfth Amended Agreement, the Thirteenth

Amended Agreement, the Fourteenth Amended Agreement, the Fifteenth Amended Agreement (the “Prior Amendments”) and by this Sixteenth Amended Agreement as more specifically provided below;

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Agreement and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereby agree as follows:

1. **Binding Agreement.** This Sixteenth Amended Agreement serves as a written instrument amending the entire Agreement between the parties and shall be binding on Greenville County and Anderson County, their successors and assigns.

2. **Authorization.** Article VIII, Section 13(d), of the Constitution of South Carolina (the “Constitution”) provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a means by which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability for school districts. Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (“Section 4-1-170”), satisfies the conditions imposed by Article VIII, Section 13(d), of the Constitution and provides the statutory vehicle whereby a joint county industrial park may be created.

3. **Sixteenth Amendment to the Agreement.** As of the date of this Sixteenth Amended Agreement, the Agreement as amended by Prior Amendments is hereby further amended, in accordance with Section 3(B) of the Agreement, so as to expand the Park premises in Anderson County by the addition of property further described in Exhibit B-1, which shall amend the Exhibit B to the Agreement which was in effect prior to execution of this Sixteenth Amended Agreement.

4. **Severability.** In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Sixteenth Amended Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Sixteenth Amended Agreement.

5. **Termination.** All other terms and conditions of the Agreement as amended by the Prior Amendments shall remain in full force and effect.

[Execution Pages to Follow]

WITNESS our hands and seals as of this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ANDERSON COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Tommy Dunn, Chairman, County Council

ATTEST:

\_\_\_\_\_  
Rusty Burns, County Administrator  
Anderson County, South Carolina

\_\_\_\_\_  
Lacey Croegaert, Clerk to Council  
Anderson County, South Carolina

GREENVILLE COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Butch Kirven, Chairman, County Council

ATTEST:

\_\_\_\_\_  
Joseph Kernell, County Administrator  
Greenville County, South Carolina

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

**Exhibit A**  
**Land Description**  
**Greenville County**

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**Exhibit B-1**  
**Land Description**  
**Anderson County**

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