



**WHEREAS**, the Fee Agreement defines the Phase Termination Date as “with respect to each Phase of the Project the day twenty (20) years after the last day of the property tax year in which each such Phase of the Project becomes subject to the terms of this Amended Fee Agreement” and consequently the beneficial term of the Fee Agreement is twenty (20) years for each Phase of the Project;

**WHEREAS**, the Sponsor desires to extend the beneficial term of the Fee Agreement by ten (10) years such that the term will be thirty (30) years for each Phase of the Project (the “Extension”); and

**WHEREAS**, the Company has requested that the County approve the Extension in accordance with the provisions of the Code; and

**WHEREAS**, pursuant to Section 12-44-30(21) of the FILOT Act, the County may approve the extension of the term of a fee agreement through a resolution of Council;

**WHEREAS**, based on the information provided by the Company, the Council has made a finding of substantial public benefit to be derived from approving the Extension.

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

Section 1. **Extension of Term to Thirty Years for Each Phase.** The Council having made a finding, based on information provided by the Sponsor, that the Project has brought and, due in part to the Extension, will continue to bring benefits to the County, expresses its intention that this Resolution shall fulfill the requirement under the Act as an official action on the part of the Council authorizing the Extension.

Section 2. **Finding of Substantial Public Benefit.** The County hereby finds, based on information provided by the Sponsor, that (i) the Project has benefited and, as amended by the Extension, will continue to benefit the general public welfare of the County by providing service, employment, recreation or other public benefits not otherwise provided locally; (ii) the Project, as amended by the Extension, gives rise to no pecuniary liability of the County or incorporated municipality and gives rise to no charge against the general credit or taxing power of either; (iii) the purposes to be accomplished by the Project, as amended by the Extension, are proper governmental and public purposes; and (iv) the benefits of the Project, as amended by the Extension, to the public are greater than the costs to the public.

Section 3. **Authorization.** The Council authorizes the Chairman of the Council, or the Vice Chairman in the absence of the Chairman, the County Administrator, and the Clerk to Council, for and on behalf of the County, to take whatever further actions reasonably necessary and prudent to effect the intent of this Resolution.

Section 4. **Severability.** Should any part, provision, or term of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding or determination shall not affect the rest and remainder of the Resolution or any part, provision or term thereof, all of which is hereby deemed separable.

Section 5. **Repealer Clause.** All orders, resolutions, or any parts of either, in conflict with this Resolution are, to the extent of that conflict, repealed. This Resolution is effective and remains in effect as of its adoption by the Council.

**Resolved:** November 15, 2022

GREENVILLE COUNTY, SOUTH CAROLINA

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Willis Meadows, Chairman  
Greenville County Council

(SEAL)

ATTEST:

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Joseph Kernell  
County Administrator

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Regina McCaskill, Clerk to Council  
Greenville County Council