

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF GREENVILLE COUNTY
ORDINANCE

AUTHORIZING THE EXECUTION AND DELIVERY OF THE FIRST AMENDMENT TO THAT CERTAIN FIRST AMENDMENT TO AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND ANDERSON COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Greenville County, South Carolina (“Greenville”), acting by and through its County Council (the “Greenville County Council”), and Anderson County, South Carolina (“Anderson” and, together with Greenville, the “Counties”), acting by and through its County Council (the “Anderson County Council” and, together with Greenville County Council, the “County Councils”) are authorized and empowered under and pursuant to the provisions of Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended (the “Act”), to enter into an agreement to create a multi-county industrial or business park to promote economic development and encourage investment and employment opportunities in and around Greenville County and Anderson County; and

WHEREAS, the Counties, acting by and through their respective County Councils, and as authorized and empowered under and pursuant to the provisions of Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended (the “Act”), are authorized to enter into a multi-county industrial or business park to promote economic development and encourage investment and employment opportunities in and around Greenville County and Anderson County; and

WHEREAS, pursuant to Ordinance No. 5382 enacted by Greenville County Council on January 18, 2022, and Ordinance No. 2021-077 enacted by Anderson County Council on March 1, 2022, Greenville County and Anderson County entered into the Agreement for Development of a Joint County Industrial and Business Park (the “**Park Agreement**”) and included within its boundaries certain properties totaling approximately 240 acres, a copy of which is attached hereto as **Exhibit A**; and

WHEREAS, the term of the Park Agreement is limited to thirty years; and

WHEREAS, the Counties have agreed to amend the Park Agreement to establish an extended term and make other amendments (the “Amendments”); and

WHEREAS, the Counties have caused to be prepared and presented to this meeting the form of First Amendment to Agreement for Development of a Joint County Industrial and Business Park (“First Amendment”), attached hereto as **Exhibit B**, which is reflective of Amendments, and which Greenville County proposes to execute and deliver to Anderson County; and

WHEREAS, it appears that the First Amendment, which is now before this meeting, is in appropriate form and is an appropriate instrument to be executed and delivered or approved by Greenville County for the purposes intended;

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

Section 1. *Amendment.* The form, terms and provisions of the First Amendment presented to this meeting are hereby approved and all of the terms and provisions thereof are hereby incorporated herein by reference as if the First Amendment was set out in this Ordinance in its entirety. The Greenville County Council Chairman and County Administrator are hereby authorized, empowered, and directed to execute, acknowledge, and deliver the First Amendment in the name of and on behalf of Greenville County, and the Clerk to County Council is hereby authorized and directed to attest the same, and thereupon to cause the First Amendment to be delivered to Anderson County. The First Amendment is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the Greenville County Administrator, upon advice of counsel, his execution thereof to constitute conclusive evidence of his approval of any and all changes or revisions therein from the form of First Amendment now before this meeting.

Section 2. *Further Assurances.* The Chairman and County Administrator are hereby authorized and directed to take whatever further action and execute whatever further documents as may be reasonably necessary or appropriate to effect the intent of this Ordinance.

Section 3. *Severability.* The provisions of this Ordinance are separable, and if any section, phrase, or provision is 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. *General Repealer.* All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

This Ordinance takes effect and is in full force only after Greenville County Council has approved it following three readings and a public hearing.

GREENVILLE COUNTY, SOUTH CAROLINA

By: _____
Dan Tripp, Chairman, County Council
Greenville County, South Carolina

By: _____
Joseph Kernell, County Administrator
Greenville County, South Carolina

[SEAL]

Attest:

By: _____
Jessica Stone, Deputy Clerk to County Council
Greenville County, South Carolina

READINGS:

- First Reading:
- Second Reading:
- Third Reading:
- Public Hearing:

Exhibit A

**Agreement for Development of a
Joint County Industrial and Business Park**

Originally Dated February 21, 2022

By and Between

Greenville County, South Carolina

And

Anderson County, South Carolina

Exhibit B

**First Amendment to
Agreement for Development of a
Joint County Industrial and Business Park**

Originally Dated February 21, 2022

By and Between

Anderson County, South Carolina

And

Greenville County, South Carolina