

GREENVILLE COUNTY, SOUTH CAROLINA

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE EIGHTEENTH AMENDMENT TO THE AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND ANDERSON COUNTY, SOUTH CAROLINA, DATED AS OF OCTOBER 6, 1998, SO AS TO ENLARGE THE BOUNDARIES OF SUCH JOINT COUNTY INDUSTRIAL PARK TO INCLUDE ONE OR MORE PARCELS OF PROPERTY LOCATED IN ANDERSON COUNTY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, pursuant to Ordinance No. 3171 enacted October 6, 1998 by Greenville County Council, Greenville County entered into an Agreement for Development of Joint County Industrial and Business Park dated as of October 6, 1998 with Anderson County (the "Original Agreement"), which Original Agreement was amended, pursuant to the authority contained in (i) Ordinance No. 3306 enacted on November 16, 1999, by a First Amendment of Agreement for Development of Joint Industrial Park dated November 16, 1999; (ii) Ordinance No. 3437 enacted on February 6, 2001, by a Second Amendment of Agreement for Development of Joint Industrial Park dated February 6, 2001; (iii) Ordinance No. 3483 enacted on August 7, 2001, by a Third Amendment of Agreement for Development of Joint Industrial Park dated November 20, 2001; (iv) Ordinance No. 3645 enacted on October 15, 2002, by a Fourth Amendment of Agreement for Development of Joint Industrial Park dated December 3, 2002; (v) Ordinance No. 3696 enacted on June 3, 2003, by a Fifth Amendment of Agreement for Development of Joint Industrial Park dated June 3, 2003; (vi) Ordinance No. 3748 enacted on December 2, 2003, by a Sixth Amendment of Agreement for Development of Joint Industrial Park dated December 2, 2003; (vii) Ordinance No. 3779 enacted on April 6, 2004, by a Seventh Amendment of Agreement for Development of Joint Industrial Park dated April 6, 2004; (viii) Ordinance No. 3850 enacted on November 16, 2004, by an Eighth Amendment of Agreement for Development of Joint Industrial Park dated November 16, 2004; (ix) Ordinance No. 3978 enacted on November 15, 2005, by a Ninth Amendment of Agreement for Development of Joint Industrial Park dated November 15, 2005 and a Tenth Amendment of Agreement for Development of Joint Industrial Park dated January 3, 2006; (x) Ordinance No. 4069 enacted on November 21, 2006, by an Eleventh Amendment of Agreement for Development of Joint Industrial Park dated November 21, 2006; (xi) Ordinance No. 4092 enacted on March 20, 2007, by a Twelfth Amendment of Agreement for Development of Joint Industrial Park dated March 20, 2007; (xii) Ordinance No. 4204 enacted on June 3, 2008, by a Thirteenth Amendment of Agreement for Development of Joint Industrial Park dated November 2, 2008; (xiii) Ordinance No. 4246 enacted on November 18, 2008, by a Fourteenth Amendment of Agreement for Development of Joint Industrial Park dated December 2, 2008; (xiv) Ordinance No. 4269 enacted on March 3, 2009, by a Fifteenth Amendment of Agreement for Development of Joint Industrial Park dated April 7, 2009; (xv) Ordinance No. 4342 enacted on March 2, 2010, by a Sixteenth Amendment of Agreement for Development of Joint Industrial Park dated March 2, 2010; and (xvi)

Ordinance No. 4432 enacted on September 20, 2011, by a Seventeenth Amendment of Agreement for Development of Joint Industrial Park dated September 20, 2011 (the Original Agreement, plus the above-referenced amendments, is hereinafter collectively referred to as the "Park Agreement"); and

WHEREAS, Section 3 of the Park Agreement provides that the boundaries of the joint county industrial park created by the Park Agreement (the "Park") may be enlarged or diminished from time to time as authorized by ordinances of both Greenville County and Anderson County, and that in the event of such enlargement of the boundaries of the Park, the Park Agreement shall be deemed amended and there shall be attached to the Park Agreement a revised Exhibit thereto, containing a description of the properties located in the Park, as enlarged, together with copies of the ordinances of Greenville County and Anderson County which authorized the enlargement; and

WHEREAS, the Counties now desire to further enlarge the Park to include property located in Anderson County identified as of the date hereof with Anderson County Tax Map Number 237-00-13-009 (the "Property") as described in the attached Addition to Exhibit B (Anderson County) to Agreement for Development of Joint County Industrial Park Dated as of October 6, 1998 between Anderson County and Greenville County.

NOW, THEREFORE, BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

Section 1. Enlargement of Park Boundaries. Greenville County hereby authorizes the enlargement of the Park to include the Property. The Chair of County Council of Greenville County and the County Administrator of Greenville County, or either of them acting alone, are hereby authorized to execute such documents and take such further actions as may be necessary to effect the enlargement of the boundaries of the Park to include the Property. The enlargement of the Park to include the Property shall be complete upon (1) the enactment of this Ordinance, (2) the enactment of an ordinance of Anderson County authorizing such enlargement of the Park, and (3) the attachment of a revised Exhibit to the Park Agreement which includes (a) a description of the Property, and (b) copies of this Ordinance and the ordinance of Anderson County authorizing the enlargement of the Park.

Section 2. General Repealer. Any prior ordinance, resolution or other act of Greenville County, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 3. Effectiveness. This Ordinance take and remains in effect after third and final reading hereof and a public hearing hereon.

[execution page follows]

GREENVILLE COUNTY, SOUTH CAROLINA

Chairman, County Council
Greenville County, South Carolina

County Administrator
Greenville County, South Carolina

ATTEST:

Clerk to County Council
Greenville County, South Carolina

Readings:

First Reading: April 3, 2012
Second Reading: April 17, 2012
Third Reading:
Public Hearing: April 17, 2012

**ADDITION TO EXHIBIT B (ANDERSON COUNTY)
TO
AGREEMENT FOR DEVELOPMENT OF
JOINT COUNTY INDUSTRIAL PARK DATED
AS OF OCTOBER 6, 1998 BETWEEN
ANDERSON COUNTY AND GREENVILLE COUNTY**

“Project Palmetto” – DSP Holdings, LLC and Duke Sandwich Productions, Inc.:

ALL that certain piece, parcel or tract of land situate, lying, and being in Anderson County, South Carolina, containing 4.779 acres as shown and designated on "ALTA/ACSM Land Title Survey" for DSP Holdings, LLC, prepared by Site Design, Inc., dated February 2, 2012, recorded in the Office of the Register of Deeds for Anderson County on April 10, 2012 in Plat Book S1948 at Page 2 and having according to said survey the following metes and bounds, to wit:

COMMENCING at an old mag nail located in Pine Road and being 1000.0'± from the intersection of Piedmont Road; Thence N 24-25-39 W 9.67 feet to a point and also the POINT OF BEGINNING located on the edge of Pine Road and the common corner with Wallace I. Reid and Bonnie R. Reid property now or formerly; thence turning and running with the edge of Pine Road S 74-45-14 W 307.03 feet to a point at the common corner with C.G. McNeely property now or formerly; thence turning and leaving said Pine Road and running with the common line of said McNeely property N 30-48-53 W 310.69 feet to an old 1" open top iron pin located at the common corner with Robert L. Horne property now or formerly and crossing a 1/2" rebar iron pin set at 30.88 feet; thence running with the common line of said Horne property N 29-33-30 W 557.10 feet to an old 1" open top iron pin at the common corner with Carl F. Merritt and Rachel S. Merritt property now or formerly; thence running with the common line of said Merritt property N 79-56-07 E 52.79 feet to an old 3/4" open top iron pin located at the common corner with Lenard J. Flynn property now or formerly; thence turning and running with the common line of said Flynn property S 29-23-58 E 287.32 feet to an old pk nail; thence N 65-35-10 E 311.36 feet to an old 1" open top iron pin located at the common corner with Wallace I. Reid and Bonnie R. Reid property now or formerly; thence running with the common line of said Reid property S 24-25-39 E 613.23 feet to the POINT AND PLACE OF BEGINNING and crossing a 1/2" rebar bent iron pin at 593.96 feet.

Tax Map No. 237-00-13-009