

A RESOLUTION

REGARDING THE EXTENSION OF THE TERM OF THE 2003 FILOT AGREEMENT BETWEEN GREENVILLE COUNTY, MILLIKEN & COMPANY AND MILLIKEN NONWOVENS, LLC, SUCCESSOR BY NAME CHANGE TO MILMER, INC.

WHEREAS, **Greenville County, South Carolina** (the “County”), acting by and through its County Council (the “County Council”) is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 12, Code of Laws of South Carolina, 1976, as amended (the “FILOT Act”) to execute a lease agreement (as such term is defined in the FILOT Act) with a company through which powers the economic development of the State of South Carolina (the “State”) will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ the manpower, agricultural products and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and

WHEREAS, **Milliken & Company** and **Milliken Nonwovens, LLC**, successor by name change to Milmer, Inc. (collectively, the “Company”) and the County are parties that certain Amended, Restated and Consolidated Lease Purchase Agreement dated as of November 6, 2003 (the “FILOT Agreement”) with respect to the expansion and improvement of its existing facilities located in Greenville County, South Carolina by the acquisition, installation and construction of manufacturing machinery, apparatus, equipment and improvements (the “Project”); and

WHEREAS, §4-12-30(C)(4) of the FILOT Act provides that a party to a lease agreement may apply to a county for an extension of the fee period for up to ten years;

WHEREAS, the Company has applied to the County for an extension of the fee period for a period of ten additional years with respect to the Project;

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

Section 1. The County Council has considered the Company’s extension request referred to above, and has determined, based on information supplied to the County by the Company, that the Project and the requested extension are anticipated to benefit substantially the general welfare of the County by providing services, employment, recreation or other public benefits not otherwise adequately provided locally, and that the Project and the requested extension give rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either.

Section 2. Pursuant to §4-12-30(C)(4) of the FILOT Act, the County hereby approves the Company’s request for an extension of the length and term of the FILOT Agreement for ten (10) additional years. Accordingly, the length and term of the FILOT Agreement (e.g. the Term as such term is defined or used in the FILOT Agreement) is now thirty (30) years from December 31 of the applicable years from which each asset was placed in service under the FILOT Agreement, unless the FILOT Agreement is sooner terminated or extended pursuant to the FILOT Act or the FILOT Agreement.

Section 3. The extension provided for in this resolution shall automatically become effective upon the passage of this resolution by the County Council without the requirement of any additional documentation or action on the part of either the Company or the County.

Section 4. All prior orders, ordinances, agreements, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed or amended. This resolution shall take effect and be in full force from and after its passage by the County Council.

Done, adopted and passed in meeting duly assembled this ____ day of _____, 2016.

GREENVILLE COUNTY, SOUTH CAROLINA:

Bob Taylor, Chairman
Greenville County Council

Joseph M. Kernell
County Administrator

ATTEST:

Theresa B. Kizer
Clerk to County Council