

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE EXTENSION OF THE TERM OF A FEE IN LIEU OF AD VALOREM TAXES ARRANGEMENT UNDER TITLE 4, CHAPTER 12, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, BETWEEN GREENVILLE COUNTY AND GENERAL NUTRITION PRODUCTS, INC.; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Greenville County, South Carolina (the "County"), acting by and through its County Council ("County Council"), as authorized and empowered under the provisions of Title 4, Chapter 12, Code of Laws of South Carolina, 1976, as amended (the "Original Fee Act"), entered into a Lease Agreement with General Nutrition Products, Inc. ("GNP"), dated as of November 1, 1998, (the "Lease Agreement"), pursuant to which (i) GNP committed to invest in real and personal property in the County for the purpose of acquiring and constructing manufacturing facilities in the County (the "Project") and (ii) the County provided GNP with fee-in-lieu of *ad valorem* taxes ("FILOT") benefits with respect to the Project; and

WHEREAS, the Lease Agreement was recorded on December 23, 1998 at Book 1807 and Page 0803 in the Greenville County property records; and

WHEREAS, through a series of business transactions, Nutra Manufacturing, Inc., a Delaware corporation authorized to transact business in South Carolina, (the "Company") became and is currently the tenant under the Lease Agreement, which remains in full force and effect; and

WHEREAS, the Company is committing to additional investment of approximately \$8,500,000 and the creation of approximately 118 new jobs at the Project (the "Expansion"); and

WHEREAS, as an inducement to the Company to undertake the Expansion in the County, the Company has requested and the County desires to extend the term of the Lease Agreement by an additional ten (10) years, as authorized by Section 4-12-30(C)(4) of the Original Fee Act; and

WHEREAS, the County finds such extension of the Lease Agreement would be a substantial public benefit.

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

Section 1. Pursuant to the authority given to County Council by the Original Fee Act, the County finds it would be a substantial public benefit to extend the term of the Lease Agreement by an additional ten (10) years and further authorizes such extension, to be effective immediately upon the passage of this resolution.

Section 2. The Chairman to County Council and County Administrator are authorized and directed, with the advice of the County Attorney, to execute and deliver any documents as may be necessary and appropriate to effect the intent of this resolution.

Section 3. All orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

DONE in meeting duly assembled this ____ day of _____, 2019

GREENVILLE COUNTY, SOUTH CAROLINA

Butch Kirven, Chairman
Greenville County Council

(SEAL)

ATTEST:

Joseph Kernell
County Administrator

Regina McCaskill, Clerk to Council
Greenville County Council