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**ORDINANCE NO. [\_\_]**

**AN ORDINANCE (1) REPEALING PROVISIONS OF ORDINANCE NO. 5248 AUTHORIZING THE CONSOLIDATION OF BEREA PUBLIC SERVICE DISTRICT; GANTT FIRE, SEWER AND POLICE DISTRICT; MARIETTA WATER, FIRE, SANITATION, AND SEWER DISTRICT; AND WADE HAMPTON FIRE AND SEWER DISTRICT INTO METROPOLITAN SEWER SUBDISTRICT; (2) PROVIDING FOR THE ENLARGEMENT OF THE BOUNDARIES OF THE METROPOLITAN SEWER SUBDISTRICT WITHIN THE AREAS OF BEREA, GANTT, MARIETTA, AND WADE HAMPTON; AND (3) AMENDING THE PLAN OF CONSOLIDATION IN CONNECTION THEREWITH; AND (4) OTHER MATTERS RELATED THERETO.**

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**PARTIAL REPEAL OF  
CONSOLIDATION ORDINANCE**

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[\_\_], 2021

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**NOW THEREFORE, BE IT ORDAINED**, by the County Council of Greenville County (the “*County Council*”), the governing body of Greenville County, South Carolina (the “*County*”), in meeting duly assembled:

## **ARTICLE 1**

### **FINDINGS OF FACT**

**Section 1.1 Findings.** The County Council makes the following findings of fact in connection with the enactment of this ordinance (this “*Enlargement Ordinance*”) and the amendment of Ordinance No. 5248 of the County Council, enacted December 15, 2020 (the “*Consolidation Ordinance*”) pursuant hereto:

(a) Pursuant to the provisions of Title 6, Chapter 11, Article 3 (the “*SPD Boundary Laws*”) of the Code of Laws of South Carolina 1976, as amended (the “*S.C. Code*”), and specifically, Sections 6-11-420 and 430 of the SPD Boundary Laws, the County Council is empowered to, on its own motion or upon the petition of the commissions of the affected special purpose districts, take action to enlarge, diminish, or consolidate any special purpose district lying within the County.

(b) Pursuant to the Consolidation Ordinance, the County Council took action pursuant to the SPD Boundary Laws to consolidate certain special purpose districts lying within the County (the “*Consolidation*”): namely, to consolidate each of Berea Public Service District (“*Berea*”); Gantt Fire, Sewer and Police District (“*Gantt*”); Marietta Water, Fire, Sanitation, and Sewer District (“*Marietta*”); Parker Sewer and Fire Sub-District (“*Parker*”); Taylors Fire and Sewer District (“*Taylors*”); and Wade Hampton Fire and Sewer District (“*Wade Hampton*,” and collectively with Berea, Gantt, Marietta, Parker, and Taylors, the “*Districts*”) into Metropolitan Sewer Subdistrict (“*Metro*”), and to reconstitute Metro, as further set forth in the Consolidation Ordinance, such that upon the effective date thereof (the “*Consolidation Effective Date*”) the corporate existence of Berea, Gantt, Marietta, Parker, Taylors, and Wade Hampton should cease.

(c) Pursuant to the Consolidation Ordinance, the County Council approved a Plan of Consolidation of Sewer Collection Systems of the Consolidated Districts and Metro, effective as of July 1, 2021 (the “*Consolidation Plan*”), which was intended to provide guidance and direction to the elected and appointed officials, administration, and staff of the County, Metro, and the other special purpose districts affected by the Consolidation, as well as notice to the general public, creditors, and other persons affected by the Consolidation, regarding the process and outcomes of the Consolidation and mutual expectations of the County and Metro in connection therewith.

(d) In connection with the Consolidation and the enactment of the Consolidation Ordinance, the County Council made certain findings regarding sewer collection service (“*Sewer Collection Service*”) and the unification of the sewer collection systems in the unincorporated portions of the County (the “*Collection Systems*”) under Metro. The County Council hereby

affirms the findings of fact set forth in the Consolidation Ordinance, and further finds that the unification of Collection Systems may be effected and the benefits thereof may also be achieved through the enlargement of the boundaries of Metro (the “**Metro Boundaries**”) to overlap the boundaries of one or more of the Districts, respectively (the “**Enlargement**”), whereby Metro, with the consent of any such District, could accept the conveyance of the Collection System of such District, operate and maintain such Collection System, and provide sewer Collection Service to customers within the boundaries thereof. In such event, the benefits of the Consolidation may be achieved while any such District would remain in place to provide fire protection service (“**Fire Service**”) or water service, as applicable, within the boundaries thereof.

(e) The County has received joint petitions (each a “**Petition**” and together the “**Petitions**”) from Metro and each of Berea, Gantt, Marietta, and Wade Hampton, respectively (collectively, the “**Enlargement Districts**”), each requesting that the County Council take proper action to (i) enlarge the boundaries of Metro to overlap the boundaries for sewer service of each of the Enlargement Districts, respectively; and (ii) amend the Consolidation Ordinance to withdraw each Enlargement District, respectively, from the Consolidation prior to the Consolidation Effective Date (the Consolidation, as so amended, the “**First Amended Consolidation**”).

(f) The County Council is informed that Metro and each of the Enlargement Districts have entered into Intergovernmental Transfer Agreements (each a “**Transfer Agreement**”) which contain provisions pertaining to the conveyance of the Collection System and other sewer assets, the transfer of financial assets related to Sewer Collection Service, the satisfaction of bonded indebtedness and capital leases related to Sewer Collection Service or the Collection System, and other matters necessary to effect the Enlargement within each of the Enlargement Districts, including, where applicable, the employment of sewer-related employees of the Enlargement Districts.

(g) As provided in Section 6-11-435 of the SPD Boundary Laws:

A[n] . . . enlarged special purpose district which results from action taken pursuant to [the SPD Boundary Laws] may not provide a governmental service to an area within its boundaries to which it has not previously provided such service if an overlapping political subdivision is authorized to provide that same service in the area and the area is situated within the boundaries of such overlapping political subdivision without the express authorization of the governing body of such overlapping political subdivision.

Responsive to the provisions of Section 6-11-435 of the SPD Boundary Laws, pursuant to the Transfer Agreements, each Enlargement District has expressly agreed that Metro will own, operate, and maintain the Collection System and provide Sewer Collection Services within the respective boundaries of each.

(h) Pursuant to the SPD Boundary Laws, the County Council has determined to take the actions requested by the Petitions. For the avoidance of doubt, the County intends through the enactment of this Enlargement Ordinance (i) to enlarge the Metro Boundaries to overlap the boundaries of each of the Enlargement Districts and repeal the provisions of the Consolidation Ordinance as necessary to withdraw each of the Enlargement Districts from the Consolidation, the desired effect of such actions being that the Collection Systems of the Enlargement Districts are unified under Metro and the Enlargement Districts maintain their corporate existence for the purpose of continuing to provide Fire Service within their respective boundaries; and (ii) leave in full force and effect the remaining provisions of the Consolidation Ordinance pertaining to the remaining Districts (together, the “*Consolidated Districts*”) through the First Amended Consolidation, the desired effect of such action being that Metro will be reconstituted as set forth in this Enlargement Ordinance and, subject to Section 8.1 of this Enlargement Ordinance, the corporate existence of the Consolidated Districts shall cease.

(i) The County Council has caused the Consolidation Plan to be amended in order to effect both the Enlargement and the First Amended Consolidation (as amended, the “*First Amended Consolidation Plan*”). The First Amended Consolidation Plan is attached to this Enlargement Ordinance at **Exhibit A**.

(j) Pursuant to this Enlargement Ordinance, upon the Enlargement Effective Date (as defined in Section 9.2 hereof), the boundaries of Metro, as enlarged, will consist of the current Metro Boundaries and, subject to Section 8.1 of this Enlargement Ordinance, the combined areas overlapping the boundaries of each of the Enlargement Districts (collectively, the “*Enlarged District Boundaries*”) and together with the Metro Boundaries, the “*Enlarged Metro Boundaries*”). The boundaries of Metro and each of the Enlargement Districts, as currently constituted, are shown on the map attached to this Enlargement Ordinance at **Exhibit B**. The Enlarged Metro Boundaries are shown on the map attached to this Consolidation Ordinance at **Exhibit C**.

(k) Pursuant to the Consolidation Ordinance, as amended hereby, upon the Effective Date (as defined therein), the boundaries of Metro, as reconstituted, will consist of the Enlarged Metro Boundaries and, subject to Section 8.1 of this Enlargement Ordinance, the combined boundaries of each of the Consolidated Districts (together, as shown on the map attached to this Enlargement Ordinance at **Exhibit C**, the “*Consolidated District Boundaries*”) and together with the Enlarged Metro Boundaries, the “*Reconstituted Metro Boundaries*”). The boundaries of each of the Consolidated Districts, as currently constituted, are shown on the map attached to this Enlargement Ordinance at **Exhibit B**. The Reconstituted Metro Boundaries are shown on the map attached to this Enlargement Ordinance at **Exhibit D**.

(l) In order to ensure that adequate Fire Service is provided within the boundaries of Berea, Gantt, Parker, Taylors, and Wade Hampton (collectively, the “*Fire/Sewer Districts*”) the County Council enacted Ordinance No. 5249, dated December 15, 2020 (the “*Fire Service Area Ordinance*”), pursuant to which the County Council provided for the establishment of fire service areas within each of the respective boundaries for Fire Service of the Fire/Sewer Districts

to be known respectively as the “Berea Fire Service Area,” “Gantt Fire Service Area,” “Parker Fire Service Area,” “Taylors Fire Service Area,” and “Wade Hampton Fire Service Area” (each a “*Fire Service Area*”) pursuant to the provisions of Title 4, Chapter 19 of the S.C. Code (the “*Fire Service Area Act*”), the establishment of which is to become effective as of the Effective Date. Pursuant to the provisions of Ordinance No. [\_\_\_\_], dated, [\_\_\_\_], 2021, the County Council amended the Fire Service Area Ordinance to repeal the provisions establishing the Berea Fire Service Area, Gantt Fire Service Area, and Wade Hampton Fire Service Area in order that Berea, Gantt, and Wade Hampton may continue to provide Fire Service within their respective boundaries for Fire Service.

(m) Pursuant to the SPD Boundary Laws, by resolution adopted on April \_\_, 2021, the County Council ordered that a public hearing be held on the questions of whether and to what extent (i) the Metro Boundaries should be enlarged to overlap those of the Enlargement Districts and (ii) the provisions of the Consolidation Ordinance should be repealed to withdraw the Enlargement Districts therefrom. Notice of the public hearing was published in a newspaper of general circulation in the County once a week for three successive weeks, on [\_\_\_\_], 2021, [\_\_\_\_], 2021, and [\_\_\_\_], 2021, and the public hearing was held on [\_\_\_\_], 2021. The public hearing was conducted publicly and both proponents and opponents of the proposed actions, as described more fully herein, were given the full opportunity to be heard.

(n) Subsequent to the holding of the public hearing, the County Council hereby finds and determines that the Enlargement should take place and the Consolidation Ordinance should be amended to repeal those provisions as necessary to withdraw the Enlargement Districts therefrom. Notice of this action of the County Council shall hereafter be published once a week for two successive weeks in a newspaper of general circulation within the County.

[End of Article 1]

## ARTICLE 2

### EFFECT OF ENLARGEMENT ORDINANCE UPON CONSOLIDATION ORDINANCE

**Section 2.1 Amendments to Consolidation Ordinance.** County Council hereby repeals Articles 2, 3, 4, and 7 of the Consolidation Ordinance pertaining to the Enlargement Districts with the express intent of withdrawing the Enlargement Districts from the Consolidation.

**Section 2.2 Effect on Consolidated Districts.** Articles 5 and 6 of the Consolidation Ordinance, pertaining to the Consolidation Districts, shall remain in full force and effect and are unaffected by the provisions of this Enlargement Ordinance and the amendments thereto enacted hereby, with the express intent of the County Council being to carry out the Consolidation of the Consolidated Districts pursuant to the remaining provisions of the Consolidation Ordinance.

**Section 2.3 Interpretation of Remaining Provisions.** The findings of facts set forth at Article 1 and the provisions of Articles 8, 9, and 10 of the Consolidation Ordinance shall remain in full force and effect with respect to the Consolidation, as it has been amended hereby, and shall continue to apply, *mutatis mutandis*, to the Consolidation of the Consolidated Districts into Metro.

[End of Article 2]

## ARTICLE 3

### BEREA ENLARGEMENT

**Section 3.1 Enlargement of Boundaries.** The boundaries of Berea, as established by Act No. 848 of 1954, and as subsequently amended by special legislation or action of County Council (the “*Berea Legislation*”), are shown on the map attached to this Enlargement Ordinance at **Exhibit B** (the “*Berea Boundaries*”). As of the Enlargement Effective Date, the boundaries of Metro shall be enlarged to include the area within the Berea Boundaries.

### **Section 3.2 Powers.**

(a) As set forth in the Petition submitted by Metro and Berea and pursuant to the Transfer Agreement by and between such parties (the “*Berea Transfer Agreement*”), Metro shall provide Sewer Collection Service in the area included within the Berea Boundaries and Berea shall not.

(b) Pursuant to the Berea Legislation, Berea shall continue to provide Fire Service and exercise those other powers granted to Berea pursuant to the Berea Legislation and the general laws contained in the S.C. Code within the Berea Boundaries.

[End of Article 3]

## ARTICLE 4

### GANTT ENLARGEMENT

**Section 4.1 Enlargement of Boundaries.** The boundaries of Gantt, as established by Act No. 855 of 1954, and as subsequently amended by special legislation or action of County Council (as amended, the “*Gantt Legislation*”), are shown on the map attached to this Enlargement Ordinance at **Exhibit B** (the “*Gantt Boundaries*”). As of the Enlargement Effective Date, the boundaries of Metro shall be enlarged to include the area within the Gantt Boundaries.

**Section 4.2 Powers.**

(a) As set forth in the Petition submitted by Metro and Gantt and pursuant to the Transfer Agreement by and between such parties (the “*Gantt Transfer Agreement*”), Metro shall provide Sewer Collection Service in the area included within the Gantt Boundaries and Gantt shall not.

(b) Pursuant to the Gantt Legislation, Gantt shall continue to provide Fire Service and exercise those other powers granted to Gantt pursuant to the Gantt Legislation and the general laws contained in the S.C. Code within the Gantt Boundaries.

[End of Article 4]

## ARTICLE 5

### MARIETTA ENLARGEMENT

**Section 5.1 Enlargement of Boundaries.** The boundaries of Marietta, as established by Act. No. 989 of 1952, and as subsequently amended by special legislation or action of County Council (as amended, the “*Marietta Legislation*”), are shown on the map attached to this Enlargement Ordinance at **Exhibit B** (the “*Marietta Boundaries*”). As of the Enlargement Effective Date, the boundaries of Metro shall be enlarged to include the area within the Marietta Boundaries.

#### **Section 5.2 Powers.**

(a) As set forth in the Petition submitted by Metro and Marietta and pursuant to the Transfer Agreement by and between such parties (the “*Marietta Transfer Agreement*”), Metro shall provide Sewer Collection Service in the area included within the Marietta Boundaries and Marietta shall not.

(b) Pursuant to the Marietta Legislation, Marietta shall continue to provide water service and exercise those other powers granted to Marietta pursuant to the Marietta Legislation and the general laws contained in the S.C. Code within the Marietta Boundaries.

[End of Article 5]

## ARTICLE 6

### WADE HAMPTON ENLARGEMENT

**Section 6.1 Enlargement of Boundaries.** The boundaries of Wade Hampton, as established by Act No. 854 of 1954 and as subsequently amended by special legislation or action of County Council (as amended, the “*Wade Hampton Legislation*”), are shown on the map attached to this Enlargement Ordinance at **Exhibit B** (the “*Wade Hampton Boundaries*”). As of the Enlargement Effective Date, the boundaries of Metro shall be enlarged to include the area within the Wade Hampton Boundaries.

**Section 6.2 Powers.**

(a) As set forth in the Petition submitted by Metro and Wade Hampton and pursuant to the Transfer Agreement by and between such parties (the “*Wade Hampton Transfer Agreement*”), Metro shall provide Sewer Collection Service in the area included within the Wade Hampton Boundaries and Wade Hampton shall not.

(b) Pursuant to the Wade Hampton Legislation, Wade Hampton shall continue to provide Fire Service and exercise those other powers granted to Wade Hampton pursuant to the Wade Hampton Legislation and the general laws contained in the S.C. Code within the Wade Hampton Boundaries.

[End of Article 6]

## ARTICLE 7

### FIRST AMENDED CONSOLIDATION PLAN

**Section 7.1 First Amended Consolidation Plan.** The Council hereby approves the First Amended Consolidation Plan, as attached to this Enlargement Ordinance at **Exhibit A**. The County Administrator of the County (the “*County Administrator*”) is hereby authorized, with the advice of the County Attorney of the County (the “*County Attorney*”), to make such modifications to the First Amended Consolidation Plan as may be necessary, in the discretion of the County Administrator, to effect the First Amended Consolidation provided such modifications are not detrimental to the County or inconsistent with this Enlargement Ordinance or the Consolidation Ordinance, as amended hereby. In the event that the provisions of this Enlargement Ordinance or the Consolidation Ordinance are modified for any reason, including to remove any Consolidated District from the First Amended Consolidation, the provisions of the First Amended Consolidation Plan may be additionally modified as necessary and the County Administrator, with the advice of the County Attorney, is authorized to conform the First Amended Consolidation Plan to reflect the modifications to this Enlargement Ordinance or the Consolidation Ordinance. The provisions of the First Amended Consolidation Plan may be superseded by agreements between the County, Metro, and any other affected entity.

[End of Article 7]

## ARTICLE 8

### SEVERABILITY AND AMENDMENT

**Section 8.1 Severability of Consolidations.** It is the intention of the County Council that the enlargement of the Metro Boundaries within the area of the boundaries of the Enlargement Districts, as set forth in the applicable articles of this Enlargement Ordinance, be treated as separate and discreet enlargements under the provisions of the SPD Boundary Laws and are being taken together in concert to realize substantial benefits of economy, coordination, and service delivery. To the extent that the enlargement of the Metro Boundaries within the area of the boundaries of the Enlargement Districts is temporarily or permanently enjoined or held to be invalid by a court of competent jurisdiction any provision of this Enlargement Ordinance effecting such enlargement shall be severable from the remaining provisions of this Enlargement Ordinance and any such injunction or determination of invalidity shall not impair the implementation or validity of the enlargement of the Metro Boundaries within the area of the boundaries of any Enlargement District that is not subject to such injunction or determination of invalidity.

**Section 8.2 Severability of Provisions.** It is the intention of the County Council that the individual provisions hereof, including those of the articles effecting the enlargement of the Metro Boundaries within the area of the boundaries of the Enlargement Districts, be severable to the fullest extent permitted by law. To the extent that the enforcement or carrying out of any one or more provisions of this Enlargement Ordinance are enjoined or held by a court of competent jurisdiction to be invalid, such provision is severable from the remaining provisions of this Enlargement Ordinance and the remaining provisions hereof are to be construed, to the greatest extent possible, to allow for the balance of the Enlargement to be carried out.

[End of Article 8]

## ARTICLE 9

### MISCELLANEOUS

**Section 9.1 Affirmation of Findings.** It is hereby found and determined that each statement of fact set forth in this Enlargement Ordinance is in all respects true and correct.

**Section 9.2 Enlargement Effective Date.** The effective date of the Enlargement (the “*Enlargement Effective Date*”) shall be July 1, 2021. If necessary to allow sufficient time for the completion or accomplishment of any portion of the First Amended Consolidation Plan, the Transfer Agreements, or other act, process, approval, or other action the County Council, with the receipt of legal advice, determines to be a legal prerequisite to the effectiveness of the Enlargement, the County Council may extend the Effective Date by resolution.

**Section 9.3 Further Action.** The Chairman of County Council, the County Administrator, the County Attorney, and other officials and staff of the County are authorized, empowered, and directed to take such action as is necessary to implement the Consolidation in accordance with the provisions of this Enlargement Ordinance and the Consolidation Plan, including, to the extent necessary or convenient, to execute and deliver such certificates, instruments, applications, and other documents required to carry out the Enlargement.

**Section 9.4 Notice to Affected Districts.** As soon as is practicable after the third and final reading of this Enlargement Ordinance, a certified copy hereof shall forthwith be transmitted to the governing bodies of Metro and each of the Enlargement Districts to advise each entity of the action taken by the County Council.

**Section 9.5 Notice of Action.** Upon third and final reading of this Enlargement Ordinance, a notice of action, as required by Section 6-11-470 of the SPD Boundary Laws, substantially in the form that is attached hereto as **Exhibit E**, shall be published in *Greenville News* once a week for two successive weeks. A copy of this Enlargement Ordinance and the Consolidation Plan shall be kept on file with the Clerk to County Council and be made available upon request during normal business hours.

[End of Article 9]

**ENACTED** in meeting duly assembled this [\_\_\_] th day of [\_\_\_] 2021.

**GREENVILLE COUNTY, SOUTH CAROLINA**

(SEAL)

\_\_\_\_\_  
Chairman of County Council

\_\_\_\_\_  
County Administrator

Attest:

\_\_\_\_\_  
Clerk to County Council

First Reading: [\_\_\_], 2021

Public Hearing: [\_\_\_], 2021

Second Reading: [\_\_\_], 2021

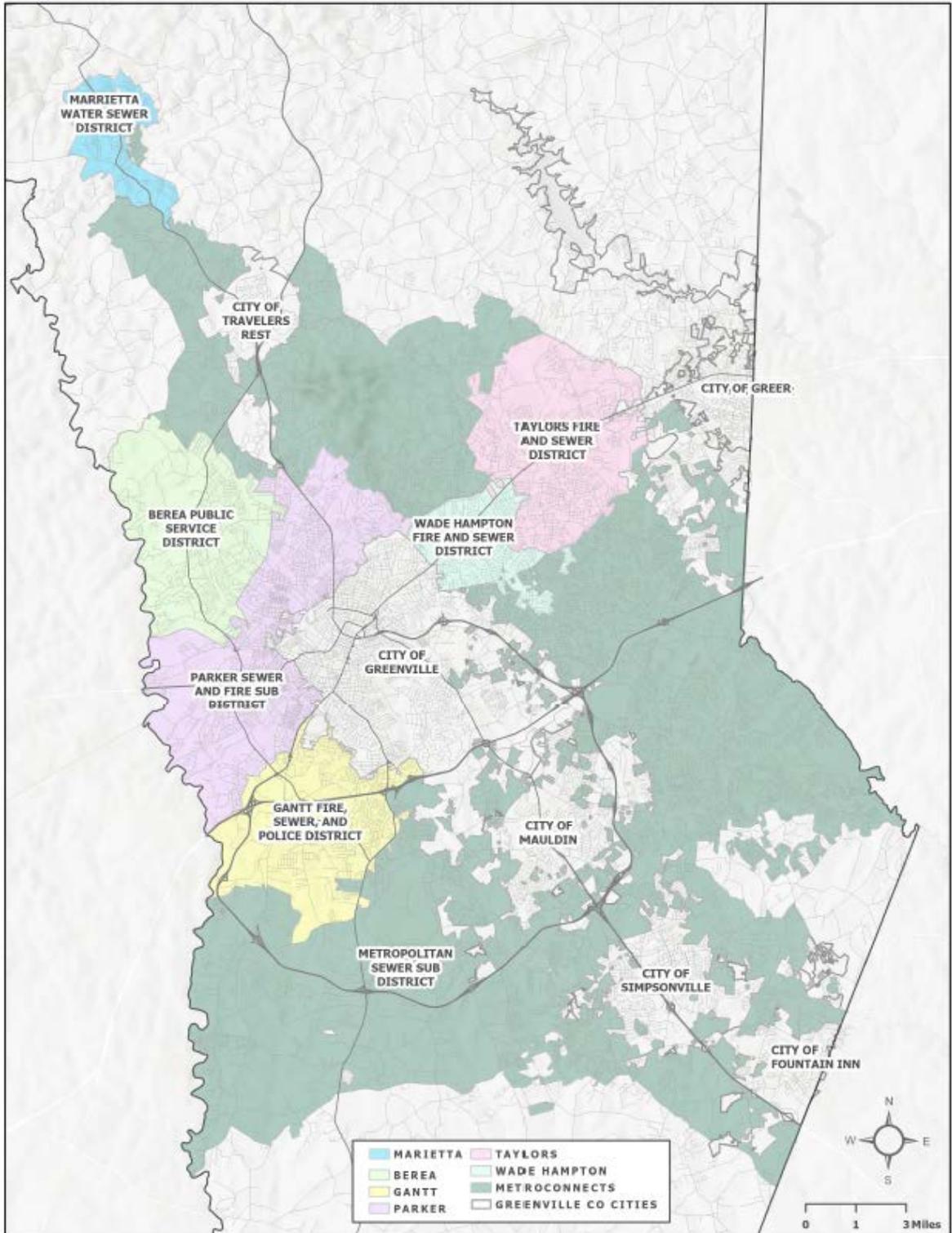
Third Reading: [\_\_\_], 2021

**EXHIBIT A**

**First Amended Consolidation Plan**

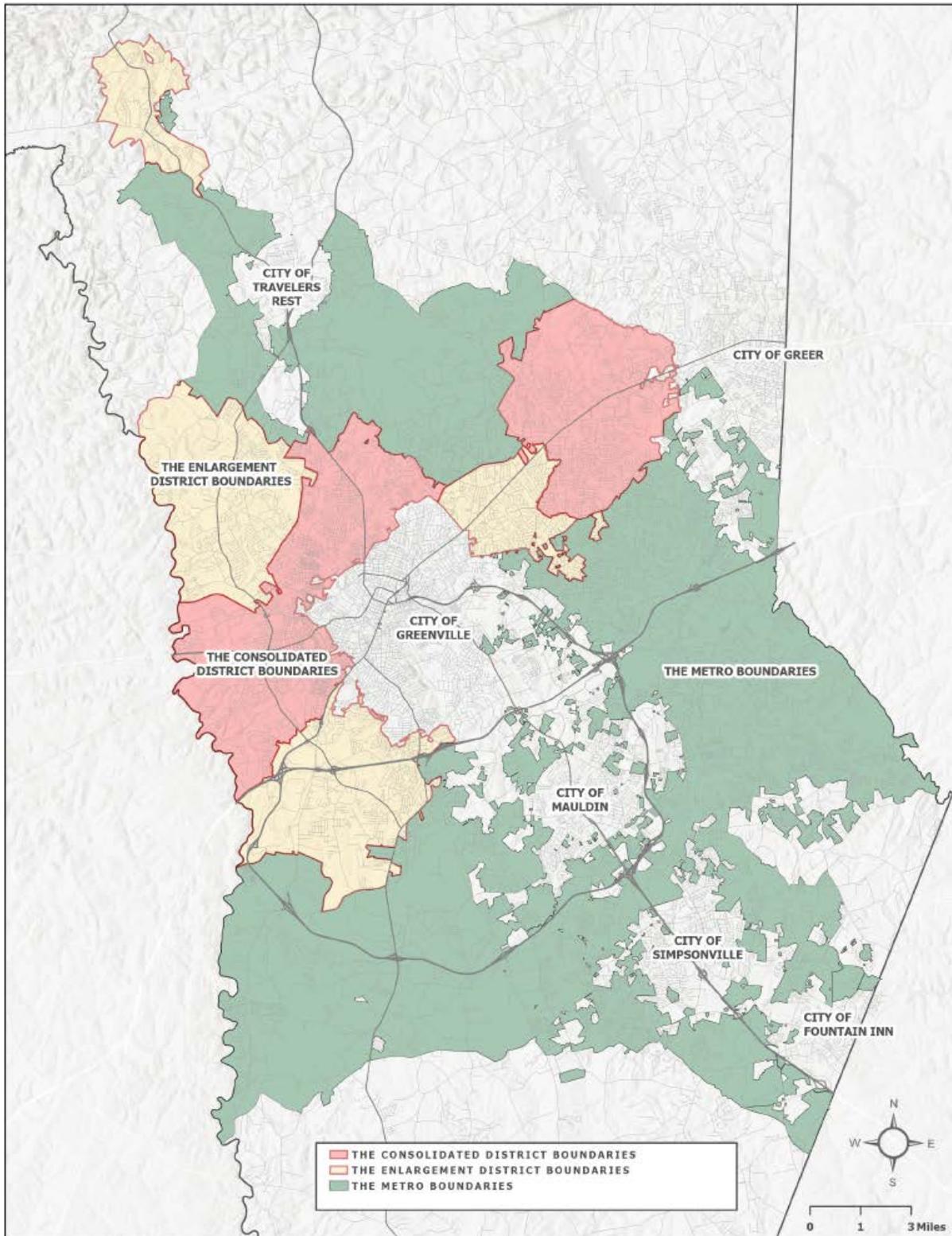
## EXHIBIT B

### Pre-Enlargement and Pre-Consolidation Boundaries of Metro and the Consolidated Districts and Enlargement Districts



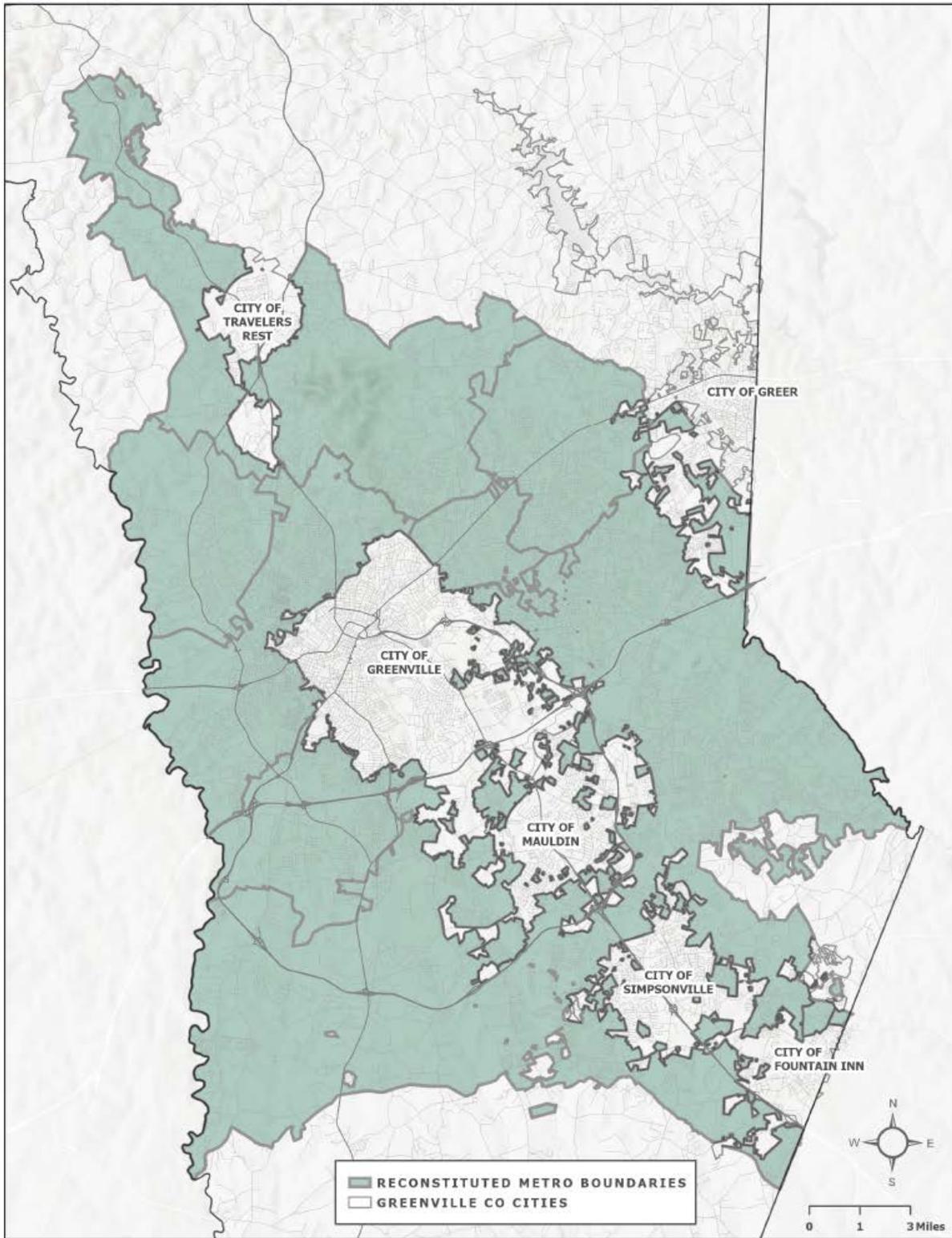
**EXHIBIT C**

**Consolidated District and Enlargement District Boundaries**



**EXHIBIT D**

**Reconstituted Metro Boundaries**



**EXHIBIT E**

**Form of Notice of Action**

**NOTICE OF ACTION**

Notice is hereby given pursuant to Section 6-11-470 of the Code of Laws of South Carolina 1976, as amended (the “*S.C. Code*”), as follows:

1. Following a public hearing held on [\_\_\_\_], 2021, the County Council of Greenville County (the “*County Council*”), the governing body of Greenville County, South Carolina (the “*County*”), enacted Ordinance No. [\_\_\_\_], entitled “AN ORDINANCE (1) REPEALING PROVISIONS OF ORDINANCE NO. 5248 AUTHORIZING THE CONSOLIDATION OF BERE A PUBLIC SERVICE DISTRICT; GANTT FIRE, SEWER AND POLICE DISTRICT; MARIETTA WATER, FIRE, SANITATION, AND SEWER DISTRICT; AND WADE HAMPTON FIRE AND SEWER DISTRICT INTO METROPOLITAN SEWER SUBDISTRICT; (2) PROVIDING FOR THE ENLARGEMENT OF THE BOUNDARIES OF THE METROPOLITAN SEWER SUBDISTRICT WITHIN THE AREAS OF BERE A, GANTT, MARIETTA, AND WADE HAMPTON; AND (3) AMENDING THE PLAN OF CONSOLIDATION IN CONNECTION THEREWITH; AND (4) OTHER MATTERS RELATED THERETO” (the “*Enlargement Ordinance*”), dated [\_\_\_\_], 2021.

2. As a result of this action:

(i) As of July 1, 2021 (the “*Enlargement Effective Date*”), the boundaries of the Metropolitan Sewer Subdistrict (“*Metro*”) shall be enlarged to include the areas within the current boundaries of Berea Public Service District (“*Berea*”); Gantt Fire, Sewer and Police District (“*Gantt*”); Marietta Water, Fire, Sanitation, and Sewer District (“*Marietta*”); and Wade Hampton Fire And Sewer District (“*Wade Hampton*” and together with Berea, Gantt, and Marietta, the “*Enlargement Districts*”) such that the boundaries of Metro will overlap those of the Enlargement Districts within such areas (the “*Enlarged Metro Boundaries*”). A map reflecting the boundaries of the Enlarged Metro Boundaries has been placed on file with the Clerk to County Council and is available for review at the County’s offices during normal business hours.

(ii) As of July 1, 2021 (the “*Consolidation Effective Date*”), Parker Sewer and Fire Sub-District (“*Parker*”) and Taylors Fire and Sewer District (“*Taylors*” and together with Parker, the “*Consolidated Districts*”) will be consolidated into Metropolitan Sewer Subdistrict (“*Metro*”), such that Metro shall be reconstituted to include the Enlarged Metro Boundaries and the boundaries of each of the Consolidated Districts (the “*Reconstituted Metro Boundaries*”). A map reflecting the boundaries of the Reconstituted Metro Boundaries has been placed on file with the Clerk to County Council and is available for review at the County’s offices during normal business hours.

3. The County Council has not authorized the issuance of general obligation bonds of Metro in connection with the consolidation effected by and through the Enlargement Ordinance.

4. The County Council has not made changes in the personnel of the Metropolitan Sewer Subdistrict Commission (the “*Metro Commission*”). The Metro Commission, as originally reconstituted pursuant to the Consolidation Ordinance, shall constitute the new commission of the Metro for the purposes of Section 6-11-620 of the S.C. Code.

5. As of the Enlargement Effective Date:

(i) Metro shall provide sewer collection service (“*Sewer Collection Service*”) within the entirety of the Enlarged Metro Boundaries; and

(ii) The Enlargement Districts shall continue to provide fire protection service (“*Fire Service*”) within the respective boundaries thereof.

6. As of the Consolidation Effective Date:

(i) Metro shall provide Sewer Collection Services within the entirety of the Reconstituted Metro Boundaries;

(ii) Pursuant to Section 6-11-470(B) of the S.C. Code, Metro shall be precluded from providing the following services in the following areas, which shall be provided by other political subdivisions situated therein:

(a) Sanitation Service within the Reconstituted Metro Boundaries, to include the areas in which the Greater Greenville Sanitation District provides Sanitation Service and any unincorporated areas of the County in which Sanitation Service is provided by any municipality within the County;

(b) Police Protection Service within the Reconstituted Metro Boundaries wherein such service is provided by the Greenville County Sheriff’s Office; and

(c) Street Lighting Service within the Reconstituted Metro Boundaries wherein such service, to the extent available, is made available by the County.

(iii) Pursuant to Section 4-19-10 of the South Carolina Code of Laws 1976, as amended (the “*S.C. Code*”), Ordinance No. 5249 of the County Council, and a resolution of the Metropolitan Sewer Subdistrict Commission, the Parker Fire Service Area and the Taylors Fire Service Area, respectively, will provide Fire Service within the former boundaries of the Consolidated Districts through the joint exercise of such powers with Metro; and

(iv) Pursuant to Section 6-11-435(B) of the S.C. Code, Metro shall be precluded from providing Fire Service in the areas within the boundaries of Berea, Gantt, Wade Hampton, Slater Marietta Fire District, North Greenville Fire District Piedmont Park Fire District, Boiling Springs Fire District, Duncan Chapel Fire District, Donaldson Fire District, Piedmont Fire District, South Greenville Fire District, Clear Spring Fire District, Pelham Batesville Fire District, and Belmont Fire District, wherein Fire Service will continue to be provided by these special purpose districts, respectively, and the boundaries of the Mauldin Fire Service Area, the Simpsonville Fire Service Area, the Fountain Inn Fire Service Area, and the Greer Fire Service Area, wherein Fire Service will continue to be provided by each municipality, respectively;

6. The Consolidation shall be carried out in accordance with a plan of consolidation (the “***First Amended Consolidation Plan***”). The First Amended Consolidation Plan has been placed on file with the Clerk to County Council and is available for review at the County’s offices during normal business hours.

7. Persons affected by the aforesaid action of the County Council may object to such action by following the procedures provided in Section 6-11-480 of the S.C. Code.

COUNTY COUNCIL OF GREENVILLE COUNTY

*Publication Instructions:*

*To be published once per week for two successive weeks in the Greenville News.*