

**RESOLUTION NO. \_\_\_\_\_**  
**GREENVILLE COUNTY, SOUTH CAROLINA**

A RESOLUTION AUTHORIZING A FIVE YEAR EXTENSION OF THE INVESTMENT PERIOD UNDER THAT CERTAIN FEE IN LIEU OF TAX AGREEMENT BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA, MILLIKEN & COMPANY AND MILLIKEN NONWOVENS, LLC

WHEREAS, Greenville County, South Carolina (the “County”), acting by and through its County Council (the “County Council”) and pursuant to the provisions of the Code of Laws of South Carolina, 1976, as amended (the “Code”), and specifically Title 12, Chapter 44 of the Code (the “FILOT Act”) and pursuant to an Ordinance duly enacted (the “Ordinance”), did heretofore enter into a Fee in Lieu of Tax Agreement (the “FILOT Agreement”), dated as of September 19, 2017, with Milliken & Company, a Delaware corporation (the “Company”) and Milliken Nonwovens, LLC, a South Carolina limited liability company (the “Sponsor Affiliate”), pursuant to which the Company and the Sponsor Affiliate agreed to make, and the County agreed to accept, negotiated fee in lieu of tax (“FILOT”) payments with respect to certain capital facilities located within the County as more particularly described in the FILOT Agreement (the “Project”); and

WHEREAS, Company and the Sponsor Affiliate are considering making additional investment in the Project; and

WHEREAS, in accordance with the requirement of Section 12-44-30(13) of the FILOT Act, the Company and the Sponsor Affiliate have applied to the County seeking a five year extension of the Investment Period (as such term is defined in the FILOT Agreement); and

WHEREAS, in order to induce Company and the Sponsor Affiliate to increase their investment within the County, in accordance with Section 12-44-30(13) of the FILOT Act, the County desires to extend the Investment Period for completion of the Project by an additional five years, which extension is intended to amount to the maximum extension of such period permitted by current law.

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

Section 1. In accordance with Section 12-44-30(13) of the FILOT Act, the County hereby approves an extension of the Investment Period for additional five (5) years (for a total Investment Period of ten (10) years). The extension hereby granted shall automatically be effective upon the date this Resolution is passed, adopted and/or approved without the need for any additional documentation.

Section 2. The Chairman of the County Council, the County Administrator, the Clerk to the County Council and any other proper officer of the County, for and on behalf of the County, be and each of them are hereby authorized and directed to execute and deliver any and all documents and instruments, and to do and to cause to be done any and all acts and things, as may be necessary or proper for carrying out the transactions contemplated by this Resolution.

Section 3. The provisions of this Resolution are hereby declared to be separable and, if any section, phrase or provision shall for any reason be 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. Except as modified by this Resolution and the implementing legislative acts of the County, the existing ordinance of the County approving the FILOT Agreement and the FILOT Agreement itself shall remain in full force and effect. All other orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall take effect and be in full force from and after its passage and approval.

**DONE, PASSED, APPROVED AND ADOPTED** in a meeting duly assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**GREENVILLE COUNTY, SOUTH CAROLINA**

By: \_\_\_\_\_  
Chairman of County Council

By: \_\_\_\_\_  
County Administrator

ATTEST:

By: \_\_\_\_\_  
Clerk to County Council