

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AN AGREEMENT FOR THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (2010 PARK) OF ANDERSON AND GREENVILLE COUNTIES SO AS TO ENLARGE THE PARK (UNITED COMMUNITY BANK – PROJECT SPRUCE - ADDITIONAL PROPERTY) AND TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GREENVILLE, SOUTH CAROLINA, IN CONNECTION THEREWITH

WHEREAS, pursuant to Ordinance No. 4391 enacted October 19, 2010 by Greenville County Council, Greenville County entered into an Agreement for the Development of a Joint County Industrial and Business Park (2010 Park) dated as of December 1, 2010, as amended, with Anderson County (the “2010 Agreement”); and

WHEREAS, Greenville County included certain property located in the City of Greenville (the “Property”) in the 2010 Agreement pursuant to an ordinance adopted by Greenville County Council on February 2, 2021 (Ordinance No. 5258) in connection with Project Spruce for the benefit of United Community Bank (the “Owner”); and

WHEREAS, the City of Greenville (the “City”) consented to the inclusion of the Property in the Park by resolution dated February 8, 2021 (Resolution No. 2021-05); and

WHEREAS, in connection with the redevelopment of the Property, the Owner subsequently acquired additional parcels consisting of approximately 2.309 acres in total located at 509 Falls Street, Greenville, South Carolina with Tax Map Numbers 0061000500400, 0061000500500, 0061000500501, 0061000500601, 0061000400600, 0061000400700, 0069000200200, 0069000200301, as more fully described in Exhibit A attached hereto and incorporated herein (the “Additional Property”); and

WHEREAS, in connection with certain incentives being offered by Greenville County to the Owner for Project Spruce, it is now desired that the boundaries of the Park be enlarged to include the Additional Property constituting a portion of Project Spruce not previously included in the 2010 Agreement; and

WHEREAS, the inclusion of the Additional Property requires the consent of the City and the City is willing to consent to such addition pursuant to the conditions contained in the Intergovernmental Agreement regarding Joint Multicounty Industrial and Business Park (United Community Bank – Project Spruce – Additional Property), the form of which is attached hereto as Exhibit B (the “IGA”).

NOW, THEREFORE, be it ordained by Greenville County Council as follows:

1. The 2010 Agreement is hereby and shall be amended and revised to include the Additional Property and, pursuant to Section 3(B) of the 2010 Agreement, upon adoption by Anderson County Council of a corresponding ordinance and consent by the City of Greenville to the enlargement of the Park as provided herein, the 2010 Agreement shall be deemed amended to so include the Additional Property, without further action by either county.

2. The form, terms and provisions of the IGA presented to this meeting are hereby approved and all of the terms and provisions thereof are hereby incorporated herein by reference as if the IGA was set out in

this Ordinance in its entirety. The Chairman of County Council and/or the County Administrator are hereby authorized, empowered and directed to execute, acknowledge and deliver the IGA in the name of and on behalf of the County, and the Clerk to County Council is hereby authorized and directed to attest the same, and thereupon to cause the IGA to be delivered to the City. The IGA is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the County Administrator, upon advice of counsel, his execution thereof to constitute conclusive evidence of his approval of any and all changes or revisions therein from the form of IGA now before this meeting.

3. The Chairman of County Council, the County Administrator and the Clerk to County Council, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the IGA and the performance of all obligations of the County thereunder.

4. The provisions of this ordinance are hereby declared to be separable and if any section, phrase or provisions 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.

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

ENACTED in meeting duly assembled this __ day of _____, 2021.

GREENVILLE COUNTY, SOUTH CAROLINA

By: _____
Chairman of County Council
Greenville County, South Carolina

By: _____
County Administrator
Greenville County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Greenville County, South Carolina

First Reading:
Second Reading:
Third Reading:
Public Hearing:

EXHIBIT A

Address: 509 Falls Street, Greenville, South Carolina

TMS #'s: 0061000500400, 0061000500500, 0061000500501, 0061000500601, 0061000400600,
0061000400700, 0069000200200, 0069000200301

Legal Description: see attached survey

EXHIBIT B

**Intergovernmental Agreement regarding
Joint Multicounty Industrial and Business Park
(United Community Bank – Project Spruce – Additional Property)**

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

I, the undersigned Clerk to County Council of Greenville County, South Carolina, do hereby certify that attached hereto is a true, accurate and complete copy of an ordinance which was given reading, and received majority approval, by the County Council at meetings of _____, _____, and _____, at which meetings a quorum of members of County Council were present and voted, and an original of which ordinance is filed in the permanent records of the County Council.

Clerk, Greenville County Council

Dated: _____, 2021