

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AMENDMENT FOR THE ENLARGEMENT OF THE JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND ANDERSON COUNTY, SOUTH CAROLINA (2010 PARK); AND MATTERS RELATING THERETO.

WHEREAS, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Title 4, Section 1, Code of Laws of South Carolina, 1976, as amended (collectively, "**MCIP Act**"), Greenville County (the "**County**"), acting by and through its County Council ("**County Council**"), is authorized to jointly develop multicounty parks with counties having contiguous borders with the County and, in the County's discretion, include property within the boundaries of such multicounty parks. Under the authority provided in the MCIP Act, the County has created a multicounty park in 2010 with Anderson County ("**Park**");

WHEREAS, MDTH Fuse, LLC ("**MDTH**") has obtained certain land in Anderson County and is presently recruiting a project on such land ("**Project Lifeboat**");

WHEREAS, MDH F2 Greenville 301GR, LLC ("**MDH**") is locating a project in Greenville County consisting of \$5,000,000 in new investments in the County ("**Project Iceberg**" and together with Project Lifeboat, the "**Projects**");

WHEREAS, in connection therewith, MDTH, MDH and the County desire to include certain property owned or to be owned by MDTH and MDH as more particularly described on Exhibit A attached hereto (the "**Property**") in an existing multi-county industrial park created pursuant to an agreement dated as of December 1, 2010 (the "**Agreement**") between the County and Anderson County in order to provide certain incentives to MDTH and MDH.

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

Section 1. The Agreement is hereby and shall be amended to include the Property in the Park.

Section 2. The Amendment to the Agreement attached hereto as Exhibit B is hereby approved, and the Chair of County Council, County Administrator, and Clerk to County Council are hereby authorized, empower, and directed to execute, acknowledge and deliver the Amendment to MDTH, MDH and Anderson County.

Section 3. Pursuant to the MCIP Act and the terms of the Agreement, the expansion of the Park's boundaries is complete on adoption of this Ordinance by County Council and the adoption of a similar ordinance by Anderson County authorizing the expansion of the Park with a description of the additional property to be included in the Park.

Section 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.

Section 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.

[END OF ORDINANCE, EXECUTION PAGE TO FOLLOW]

ENACTED in meeting duly assembled this __ day of _____, 2022.

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

ANDERSON COUNTY PROPERTY DESCRIPTION

All that certain lot, tract or parcel of land situated in Williamston Township, Anderson County, South Carolina, known as TMS 216-00-08-016, and shown as Tract 1 on a plat for Estate of Mary Ellison Cothran by J. Don Lee Land Surveyors dated September 9, 1990 and being more fully described as follows:

Beginning at an iron pin property corner (p.o.b.) On the eastern side of the i-85 frontage road, approximately 426 feet south of Elrod Road, thence along with MSSW Properties, LLC s77°51'20"e a distance of 670.15 feet to an iron pin, thence turning and running along Coi Anderson Industrial, LLC along a traverse line following a branch which is the property line the following calls: s25°42'40"w a distance of 61.23 feet, s02°16'28"w a distance of 516.75 feet to an iron pin, thence turning and running along Coi Anderson Land LLC s80°13'54"w a distance of 881.55 feet to an iron pin on the eastern right-of-way of the i-85 frontage road, thence turning and running along the eastern right-of-way of the I-85 frontage road the following calls: n14°30'12"e a distance of 328.69 to an iron pin, n16°14'40"e a distance of 395.06 feet, n22°24'40"e a distance of 178.00 feet to an iron pin, said iron pin being point of beginning and containing 12.60 acres (578,984 s.f.).

Tax Map No.: 216-00-08-016

GREENVILLE COUNTY PROPERTY DESCRIPTION

ALL that piece, parcel or tract of land situate, lying and being in the County of Greenville, State of South Carolina, being known and designated as Tract 1, containing 32.34 acres, more or less, as shown on a plat of survey entitled "Recombination Survey for Augusta Grove Passco I Owner, LLC", dated October 25, 2019, prepared by Arrow North Surveying, LLC, and recorded in the ROD Office for Greenville County in Plat Book 1357 at Page 78, reference to said plat being craved for a more complete metes and bounds description thereof.

Tax Map No.: 0409000100129

EXHIBIT B

AMENDMENT TO MCBP AGREEMENT

(See attached)

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WHEREAS, MDTH Fuse, LLC ("*MDTH*") has obtained certain land and is presently recruiting a project on such land (the "*Project Lifeboat*");

WHEREAS, MDH F2 Greenville 301GR, LLC ("*MDH*") is locating a project in the County consisting of \$5,000,000 in new investments in the County ("*Project MDH*" and together with Project Lifeboat, the "*Projects*");

WHEREAS, in connection therewith, MDTH, MDH and the County desire to include certain property owned or to be owned by MDTH and MDH as more particularly described on Exhibit A attached hereto (the "*Property*") in an existing multi-county industrial park created pursuant to an agreement dated as of December 1, 2010 (the "*Agreement*") between the County and Anderson County in order to provide certain incentives to MDTH and MDH.

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