

A RESOLUTION

TO PROVIDE A CERTIFICATION PURSUANT TO THE SOUTH CAROLINA TEXTILE COMMUNITIES REVITALIZATION ACT (S.C. CODE SECTION 12-65-10 ET SEQ.) FOR CERTAIN PROPERTY LOCATED AT 1417 HAMPTON AVENUE EXTENSION, GREENVILLE, SOUTH CAROLINA

WHEREAS, Water Tower Apts, LLC, a South Carolina limited liability company (“Developer”), desires to redevelop a parcel of land containing approximately 7.687 acres which constituted the abandoned textile mill facility located in the County of Greenville, State of South Carolina, formerly owned and operated by Southeastern Compress & Warehouse Company consisting of tax parcel 0140000100100 (the “Property”); and

WHEREAS, as part of the redevelopment by Developer, the Property is anticipated to qualify for state income tax credits pursuant to the South Carolina Textiles Communities Revitalization Act (Chapter 65 of Title 12 of the South Carolina Code) (the “Textile Mill Statute”); and

WHEREAS, the Textile Mill Statute provides that it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in the areas by the redevelopment of these abandoned textile mill sites; and

WHEREAS, Section 12-65-30 of the Textile Mill Statute provides that a taxpayer who rehabilitates an abandoned textile mill site and files a notice of intent to rehabilitate (“Notice of Intent to Rehabilitate”) with the South Carolina Department of Revenue is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local property taxes; and

WHEREAS, the Textile Mill Statute contains a detailed definition of the specific property that will qualify as a “textile mill site” and provides for inclusion of land and improvements which were used directly for textile manufacturing operations or ancillary uses, or were located on the same parcel or a contiguous parcel within one thousand feet of any textile mill structure or ancillary uses, provided the Property is located in a distressed area of the County as designated by the applicable Council of Governments (as defined in the Textile Mill Statute); and

WHEREAS, Developer has filed one Notice of Intent to Rehabilitate with the South Carolina Department of Revenue for the Property pursuant to the Textile Mill Statute; and

WHEREAS, Developer has requested a certification as a textile mill site pursuant to Section 12-65-60 of the Textile Mill Statute from the Greenville County Council; and

WHEREAS, an aerial map from the Greenville County GIS Mapping site (**Exhibit A**) shows the current building located on the Property which was used for ancillary uses to textile manufacturing operations by Victor-Monaghan Mills; and

WHEREAS, the Appalachian Council of Government has certified the Property as being located in a distressed area (**Exhibit B**) consistent with Section 12-65-20(4)(b)(iii) of the Act; and

WHEREAS, the Greenville County Council has, after careful investigation and due deliberation, determined that the redevelopment of the Property will be beneficial to the County of Greenville, and the County agrees to provide the certification as set forth herein in compliance with Section 12-65-60 of the Textile Mill Statute.

NOW THEREFORE, BE IT RESOLVED by the Greenville County Council:

1. All recitals set forth above are incorporated by reference in this Resolution.
2. Developer has submitted to the County a request for certification of the Property as an abandoned textile mill site pursuant to Section 12-65-60 of the Textile Mill Statute (the “Request for Certification”).
3. The County has reviewed the Request for Certification, conferred with the Developer, and conducted a review of its records concerning the Property.
4. The Property was a facility that was used for textile manufacturing, dying or finishing operations and for ancillary uses to those operations (i.e. a “textile mill”) as more particularly defined in Section 12-65-20(3) of the Textile Mill Statute.
5. At least eighty percent of the textile mill structures on the Property was closed continuously to business or otherwise nonoperational as a textile mill since 1988, which is more than twelve (12) consecutive months and therefore, the Property is “abandoned” as defined in Section 12-65-20(1) of the Textile Mill Statute.
6. The geographic area of the Property constitutes a textile mill site consistent with Section 12-65-20(4) of the Textile Mill Statute.
7. In accordance with Section 12-65-30(D) of the Textile Mill Statute, (i) the facility has not previously received tax credits under the Textile Mill Statute and (ii) neither Developer nor any affiliate of Developer owned the Property when it was operational and immediately prior to its abandonment.
8. That this Resolution is intended to comply with the certification requirements set forth in Section 12-65-60 of the Textile Mill Statute.
9. This Resolution provides no property tax relief whatsoever, and the County approves this resolution with the understanding Taxpayer will take any credits against State income taxes; further the County expresses no opinion regarding the availability of same to Taxpayer beyond the certification contained herein.

BE IT FURTHER RESOLVED THAT this Resolution shall take effect upon its adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF DECEMBER, 2023.

Dan Tripp, Chairman
Greenville County Council

ATTEST:

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator

EXHIBIT A

(See attachment)

EXHIBIT B

(see attachment)