

FIRST AMENDMENT

TO

**AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY
INDUSTRIAL AND BUSINESS PARK**

ORIGINALLY DATED AS OF FEBRUARY 21, 2022;

BY AND BETWEEN

GREENVILLE COUNTY, SOUTH CAROLINA

AND

ANDERSON COUNTY, SOUTH CAROLINA

EFFECTIVE AS OF

December 31, 2024

**FIRST AMENDMENT TO AGREEMENT FOR DEVELOPMENT OF A JOINT
COUNTY INDUSTRIAL AND BUSINESS PARK**

THIS FIRST AMENDMENT TO AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (this “*First Amendment*”) is made effective as of December 31, 2024, by and between GREENVILLE COUNTY (“*Greenville*”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the “*Greenville County Council*”) as governing body of Greenville, and ANDERSON COUNTY (“*Anderson*” and, together with Greenville, “*The Counties*”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the “*Anderson County Council*” and, together with Greenville County Council, the “*County Councils*”) as governing body of Anderson (hereinafter, each of Greenville and Anderson are referred to individually as a “Party” and, collectively, as the “Parties”).

WITNESSETH:

WHEREAS, the Counties, acting by and through their respective County Councils, and as authorized and empowered under and pursuant to the provisions of Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended (the “Act”), are authorized to enter into a multi-county industrial or business park to promote economic development and encourage investment and employment opportunities in and around Greenville County and Anderson County; and

WHEREAS, pursuant to Ordinance No. 5382 enacted by Greenville County Council on January 18, 2022, and Ordinance No. 2021-077 enacted by Anderson County Council on March 1, 2022, Greenville County and Anderson County entered into the Agreement for Development of a Joint County Industrial and Business Park (the “**Park Agreement**”) and included within its boundaries certain properties totaling approximately 240 acres more particularly described in Exhibit A (Greenville) attached to the Park Agreement; and

WHEREAS, the term of the Park Agreement is currently limited to thirty years; and

WHEREAS, the approved project on the 240 acres is part of a long-term environmental cleanup and redevelopment master plan for an abandoned textile industrial site located along the Swamp Rabbit Trail (“SRT”) and Blue Ridge Road in Greenville County; and

WHEREAS, the Counties have agreed to amend the Park Agreement, consistent with the Act, to establish an extended term that matches the term of the incentives agreed upon for this extensive project and make other amendments; and

WHEREAS, the Greenville County Council and the Anderson County Council finds that executing this First Amendment is in the best interest of the Counties and their citizens; and

WHEREAS, pursuant to Ordinance No. _____ enacted by Greenville County Council on _____, 2024, and Ordinance No. _____ enacted by Anderson County

Council on _____, 2024, Greenville County and Anderson County have each approved the execution and delivery of this First Amendment.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the respective representations and agreements herein contained and other value, the Parties hereto agree to amend the Agreement for Development of a Joint County Industrial and Business Park as follows:

(A) Section 15 is deleted in its entirety and replaced with the following:

[begin amending language]

15. **Term.** The term of this Agreement shall expire on the later of: (i) December 31, 2084 or (ii) December 31 of the year which is sixty (60) years following the year during which the first portion of property was placed into service under that certain Special Source Credit Agreement among Greenville County, South Carolina and Cone Mills Acquisition Group, LLC, originally dated as of January 20th, 2022, as subsequently amended or assigned.

[end amending language]

(B) A new Section 16 is added as follows:

[begin amending language]

16. **Complete Agreement; Amendment.** This Agreement is the entire agreement between the Counties with respect to this subject matter and supersedes all agreements, representations, warranties, statements, promises and understandings, whether oral or written, with respect to the Park and neither County is bound by any oral or written agreements, statements, promises, or understandings not set forth in this Agreement. This Agreement may be amended only by a written agreement of the Parties hereto which is approved by ordinances of both Greenville County Council and Anderson County Council.

[end amending language]

(C) Except as modified by this First Amendment, the Counties hereby acknowledge and agree that the Agreement for Development of a Joint County Industrial and Business Park remains in full force and effect.

[Signatures appear on following pages]

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment Agreement to be effective as of the Effective Date (as defined above).

GREENVILLE COUNTY, SOUTH CAROLINA

By: _____
Dan Tripp, Chairman, County Council
Greenville County, South Carolina

By: _____
Joseph Kernell, County Administrator
Greenville County, South Carolina

[SEAL]

Attest:

By: _____
Jessica Stone, Deputy Clerk to County Council
Greenville County, South Carolina

ANDERSON COUNTY, SOUTH CAROLINA

By: _____
Tommy Dunn, Chairman, County Council
Anderson County, South Carolina

[SEAL]

Attest:

By: _____
Renee D. Watts, Clerk to County Council
Anderson County, South Carolina