

**DORCHESTER COUNTY
ORDINANCE NO. _____**

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND BRD LAND & INVESTMENT, PURSUANT TO THE SOUTH CAROLINA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT, AND AUTHORIZING THE CHAIRMAN OF DORCHESTER COUNTY COUNCIL TO EXECUTE SAID DEVELOPMENT AGREEMENT

WHEREAS, Dorchester County, South Carolina (the “County”), acting by and through the Dorchester County Council (the “County Council”) is empowered under and pursuant to the provisions of the South Carolina Local Government Development Agreement Act, Title 6, Chapter 31, Code of Laws of South Carolina, 1976, as amended (the “Act”), to enter into development agreements relating to property within the County; and

WHEREAS, the County Council has determined that the Development Agreement by and among Dorchester County and BRD Land Investment, a South Carolina general partnership (“**BRD**”) (the “Development Agreement”) is consistent with the Dorchester County Comprehensive Plan (the “Comprehensive Plan”) and the Zoning and Land Development Standards of Dorchester County (the “ZLDS”); is a proper exercise of the police power and author authority granted to the County government; and benefits the general health, safety and welfare of the citizens of the County for the County to enter into the Development Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Dorchester County, South Carolina, in a meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance. In addition to the recitals set forth above, which the County Council hereby adopts as findings of fact, the County Council specifically finds that the Development Agreement attached hereto as Exhibit “A” and incorporated herein by reference, complies with the Act, the Comprehensive Plan, and the ZLDS.

SECTION II. DEVELOPMENT AGREEMENT

The terms of the Development Agreement are hereby approved in accordance with the Act and the ZLDS. The Development Agreement shall be effective immediately upon approval of this Ordinance after third reading and execution by both parties.

SECTION III. EXECUTION

The Development Agreement is to be in substantially the same form hereby approved, or with such changes therein which do not have any material adverse effect upon the rights of the County thereunder, and shall be approved by the Chairman of County Council executing the

same, upon the advice of counsel, the execution thereof to constitute conclusive evidence of the approval of any and all such changes or revisions from the form of the Development Agreement hereby presented and approved. The Chairman of County Council is authorized to execute and deliver the Development Agreement on behalf of the County, and any and all other necessary documents or instruments incidental to the approval of this Ordinance and the Development Agreement.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its approval following third reading by the County Council

ADOPTED and APPROVED this ____ day of _____, 2023.

DORCHESTER COUNTY, SOUTH CAROLINA

By: _____
S. Todd Friddle, Chairman
County Council of Dorchester County,
South Carolina

ATTEST:

By: _____
Tracey L. Langley, Clerk
County Council of Dorchester County,
South Carolina

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