

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DORCHESTER )

**ORDINANCE NO. 11-20**

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED MAY 17, 2010, SO AS TO INCLUDE ADDITIONAL PROPERTY IN DORCHESTER COUNTY (SRE DORCHESTER LLC) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Dorchester County entered into an Amended and Restated Agreement for Development of Joint County Industrial Park dated May 17, 2010, as amended by that certain First Modification to Agreement for Development of Joint Industrial Park dated May 17, 2010 (the "Agreement"); and

**WHEREAS**, pursuant to Section 3 of the Agreement, the boundaries of the park created therein may be enlarged pursuant to an ordinance of the county council of the county in which property to be added is located and a resolution of the county council of the other county; and

**WHEREAS**, SRE Dorchester LLC (the "Company") is investing through the acquisition, construction, and/or renovation of land, buildings, improvements, and/or personal property (the "Project") on land described in Exhibit A attached hereto, which is located in Dorchester County (the "Property"); and

**WHEREAS**, the Property is not located in any multi-county industrial and business park; and

**WHEREAS**, the Company has requested that Orangeburg County and Dorchester County include the Property in the Agreement in order to allow an enhanced jobs tax credit and to facilitate the granting of a special source revenue credit; and

**WHEREAS**, the Company has requested that the Property be included in the Agreement for the longer of 30 years or the term of the Fee Agreement between Dorchester County and SRE Dorchester LLC dated December 5, 2011; and

**WHEREAS**, the Agreement contains a reference to a predecessor statute governing job tax credits that Dorchester County and Orangeburg County wish to revise; and

**WHEREAS**, Dorchester County benefits from having the Project located in one park in order to avoid confusion in the administration of multiple Park Agreements and has therefore agreed to include the Property in the joint industrial and business park created by the Agreement (the "Park").

**NOW, THEREFORE,** be it ordained by the Dorchester County Council that:


1. The Agreement is hereby and shall be amended to include the Property, and the County Administrator or Chairman of the Dorchester County Council are hereby authorized to execute and deliver any desired amendments to the Agreement necessary to accomplish the within amendments and enlargement.

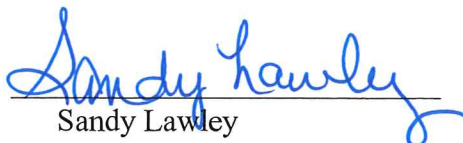
2. This Ordinance shall amend, to the extent necessary, any other ordinances or resolutions of the Dorchester County Council pertaining to the Park.

3. This Ordinance shall be effective after third and final reading thereof.

DONE in meeting duly assembled this 5th day of December, 2011.

DORCHESTER COUNTY, SOUTH CAROLINA

Signature:   
Name: Larry S. Hargett  
Title: Chairman of County Council

ATTEST:   
Sandy Lawley  
Clerk to County Council

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DORCHESTER )

I, the undersigned, Clerk to County Council of Dorchester County, South Carolina ("County Council") DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on October 3, 2011, October 17, 2011, and December 5, 2011. At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on October 17, 2011 and notice of the public hearing was published in the *Post and Courier* on September 23, 2011. At each meeting, a quorum of County Council was present and remained present throughout the meeting.

Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Dorchester County Council, South Carolina, as of this 5<sup>th</sup> day of December, 2011.

Signature: 

Name: Sandy Lawley

Title: Clerk to County Council

**EXHIBIT A**

ALL that certain piece, parcel or tract of land containing thirty-two and 97/100ths (32.97) acres, more or less, together with the buildings and other improvements thereon, if any, situated, lying and being in the County of Dorchester, State of South Carolina, and being more fully shown and delineated as “**32.97 ACRES (TOTAL)**” on that certain plat prepared for Southeast Renewable Energy by Robert H. Lackey Surveying, Inc., dated January 26, 2011, and recorded on \_\_\_\_\_, 2011, in the Office of the Register of Deeds for Dorchester County, South Carolina, in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_; a copy of said plat being attached hereto. Said property having such size, shape, dimensions, buttings and boundings as will by reference to said plat more fully and at large appear, and which plat is incorporated herein by reference.

Tax Map Numbers 025-00-00-051-000 and a portion of 025-00-00-038-000