

STATE OF SOUTH CAROLINA

ORDINANCE NUMBER 14-05

COUNTY OF DORCHESTER

AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK, SO AS TO INCLUDE ADDITIONAL PROPERTY IN DORCHESTER COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK

WHEREAS, Orangeburg County, South Carolina (the “County”) and Dorchester County, South Carolina (jointly the “Counties”) are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for Joint County Industrial Business Park dated as of May 17, 2010 (the “Original Agreement”) to develop jointly an industrial and business park (the “Park”), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the “Act”); and

WHEREAS, the Original Agreement was initially approved by Dorchester County Council Ordinance #10-10, adopted May 17, 2010, and the Original Agreement was initially approved by Orangeburg County Council Ordinance April 19, 2010, adopted April 19, 2010;

WHEREAS, the Original Agreement, and any amendments thereto, is referred to herein as the “Agreement”; and

WHEREAS, the Agreement contemplates the boundaries of the Park may be changed from time to time; and

WHEREAS, the Counties desire to amend the Agreement to include certain additional parcels in order to fulfill commitments made to companies which are considering expansion or location decisions.

NOW, THEREFORE, BE IT ORDAINED BY THE DORCHESTER COUNTY COUNCIL:

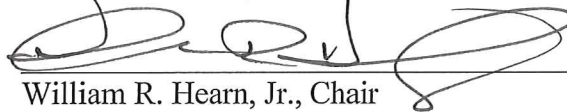
SECTION 1: The Agreement is hereby amended so as to expand the Park premises located within Dorchester County. Attached hereto as **Exhibit A** is the property description of that parcel to be added to the Park premises within Dorchester County.

SECTION 2: This amendment to the Agreement shall become effective upon adoption of this Ordinance by the County, after third and final reading and public hearing; subject to adoption of resolutions approving such amendment by Dorchester County Council.

SECTION 3: Should any part of this Agreement be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect and shall not render any other section herein, nor this Agreement as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination or expiration hereof shall be deemed to survive.

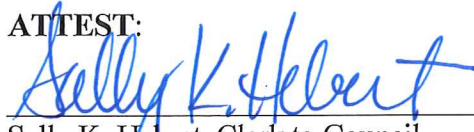
DORCHESTER, SOUTH CAROLINA

By:



William R. Hearn, Jr., Chair
Dorchester County Council, South Carolina

ATTEST:



Sally K. Hebert, Clerk to Council
Dorchester County Council, South Carolina

First Reading: March 17, 2014

Second Reading: April 7, 2014

Public Hearing: April 21, 2014

Third Reading: April 21, 2014

EXHIBIT A

PROPERTY DESCRIPTION DORCHESTER COUNTY

ALL that certain piece, parcel or tract of land, situate, lying and being in Dorchester County, South Carolina, shown and designated as Tract A, 14.922 acres, on that certain Plat entitled "Plat Showing the New Easements on a 33.502 Acre Tract of Land Along with the Division into Tract "A" and Tract "B", Property of A.T.O. Properties, Inc., Located northwest of Summerville, Dorchester County, South Carolina- dated February 24, 1995, and prepared by Andrew C. Gillette, P.L.S. 5933-B, which said Plat is recorded in the RIC Office for Dorchester County in Plat Cabinet I, at Slide 355. Said tract having such size, shape, form, marks, courses, distances, buttings, boundings and content as will be shown by reference to said Plat.

SUBJECT to any and all restrictive covenants recorded in the RMC Office for Dorchester County; also subject to any and all other easements or rights-of-way heretofore granted affecting the property above described and recorded in the Office aforesaid.

BEING the same property conveyed to Steven E. Potts by Deed of Figgie Properties, Inc., dated March 10, 1995, recorded March 15, 1995, in Book 1434, at Page 218, in the RNC Office for Dorchester County.

T.M.S. No: 129-00-00-121