

**A RESOLUTION TO AMEND THE EXISTING AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA TO ENLARGE THE BOUNDARIES OF THE INDUSTRIAL PARK TO INCLUDE CERTAIN PROPERTY LOCATED IN ORANGEBURG COUNTY, SOUTH CAROLINA; AND AUTHORIZING OTHER RELATED MATTERS.**

WHEREAS, Dorchester County, South Carolina, a political subdivision of the State of South Carolina (the "County"), acting by and through its County Council (the "Council"), and Orangeburg County, South Carolina, a political subdivision of the State of South Carolina ("Orangeburg County"), acting by and through its County Council, are authorized pursuant to Article VIII, Section 13(D) of the Constitution of the State of South Carolina and Title 4, Chapter 1 of the Code of Laws of the State of South Carolina 1976, as amended, and specifically Section 4-1-170 thereof (collectively, the "Park Act"), to develop jointly an industrial or business park with other counties within the geographical boundaries of one or more member counties; and

WHEREAS, pursuant to the Park Act, the County and Orangeburg County entered into that certain Amended and Restated Agreement for Development of Joint County Industrial Park dated as of May 17, 2010, (as amended, modified, and supplemented, collectively, the "Park Agreement") whereby the County and Orangeburg County agreed to develop a joint county industrial or business park eligible to include property located in either the County or Orangeburg County (the "Park"); and

WHEREAS, Sections 3(B) and 3(D) of the Park Agreement establish the procedure for enlargement of the boundaries of the Park to include additional property; and

WHEREAS, Section 3(H) of the Park Agreement provides, in part, that unless otherwise expressly set forth in the Park Agreement or an amendment or modification to the Park Agreement, the term during which property is to be included in the Park shall automatically end on December 31 of the tenth (10<sup>th</sup>) year after the initial year in which such property is included in the Park; and

WHEREAS, the County and Orangeburg County, having determined that (i) an enlargement of the boundaries of the Park to include therein certain property described in greater detail in Exhibit A attached hereto (the "Project Green Property"), and (ii) an extended period of time, beyond the 10-year period described above, for inclusion of the Project Green Property in the Park, would promote economic development and thus provide additional employment and investment opportunities within said counties, have agreed to enter into an Amendment of the Amended and Restated Agreement for Development of Joint County Industrial Park (the "Amendment") to effect such matters, as set forth in greater detail in the form of the Amendment

which is presented to this meeting, and which Amendment is to be dated as of such date as the County and Orangeburg County may agree.

NOW, THEREFORE, BE IT RESOLVED, by the Council as follows:


Section 1. The enlargement of the boundaries of the Park, and the granting of an extended period of time, for inclusion of the Project Green Property in the Park, all as set forth in greater detail in the Amendment, is hereby authorized and approved. The provisions, terms, and conditions of the Amendment presented to this meeting and filed with the Clerk to the Council are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the Amendment were set out in this Resolution in its entirety. The Chairman of the Council is hereby authorized, empowered, and directed to execute and deliver the Amendment in the name and on behalf of the County; the Clerk to the Council is hereby authorized, empowered and directed to attest the same; and the Chairman of the Council is further authorized, empowered, and directed to deliver the Amendment to Orangeburg County. The Amendment is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Amendment now before this meeting.

Section 2. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall take effect upon adoption by the Council.

[End of Resolution]


Adopted and approved, in meeting duly assembled, this 1<sup>st</sup> day of December, 2014.

DORCHESTER COUNTY, SOUTH CAROLINA

By:   
William R. Hearn, Jr., Chairman, County Council  
of Dorchester County, South Carolina

[SEAL]

Attest:

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

## EXHIBIT A

### LEGAL DESCRIPTION OF PROJECT GREEN PROPERTY

#### PARCEL1

All that certain piece, parcel or tract of land, containing twenty-six and nine hundred sixty-four one-thousandths (26.964) acres, more or less, situate, lying and being southwest of the Town of Eutawville, Eutaw Township, County of Orangeburg, State of South Carolina, shown and delineated on a Plat for Westvaco Corporation prepared by Lloyd S. Moore, Jr., RLS, dated May 16, 1974, and recorded in the office of the Clerk of Court for Orangeburg County in Plat Book 40, at page 22, and described as follows: Commencing at an iron pipe in the southwesternmost corner of the property herein described, thence South 73 degrees, 31 minutes East along other property of Charles Myers a distance of one thousand fifty (1,050) feet to an iron pipe; thence South 41 degrees 29 minutes West along other property of Charles Myers, a distance of one thousand five hundred eight and ninety-four one-hundredths (1,508.94) feet to an iron pipe; thence North 69 degrees 18 minutes West along property of Richburg a distance of eighty-six and ninety-two one-hundredths (86.92) feet to an iron pipe; thence continuing along property of Richburg North 32 degrees 48 minutes West a distance of three hundred forty-three and twenty one-hundredths (343.20) feet to an iron pipe; thence along property of Richburg North 52 degrees 33 minutes West a distance of three hundred twenty-three and forty one-hundredths (323.40) feet to an iron pipe; thence along property of Richburg North 6 degrees 33 minutes West a distance of two hundred ninety-two and thirty-eight one-hundredths (292.38) feet to an iron pipe; thence along the right-of-way of the Seaboard Coastline Railroad North 41 degrees 29 minutes East a distance of eight hundred thirty and thirty one-hundredths (830.30) feet to the point of beginning; all measurements being more or less.

AND ALSO: All that certain piece, parcel or tract of land, situate, lying and being near the Town of Eutawville, Eutaw Township, County and State aforesaid, containing three and four-tenths (3.4) acres, more or less, and bounded as follows: On the North by S.C. Road S-38-1898, measuring thereon three hundred (300) feet; on the East by property now or formerly of Colvin, measuring thereon eight hundred (800) feet; on the South by property now or formerly of Holly Hill Forest Industries, Inc., hereinabove described, measuring thereon two hundred (200) feet; and on the West by right-of-way of the Seaboard Coastline Railroad, measuring thereon six hundred (600) feet; all measurements being more or less.

ALSO: All that certain piece, parcel or tract of land, situate, lying and being near the Town of Eutawville, Eutaw Township, County and State aforesaid, containing eight and six-tenths (8.6) acres, more or less, being triangular in shape and bounded and measuring as follows: On the Northeast by lands now or formerly of Colvin, measuring thereon one thousand two hundred (1,200) feet; on the Southeast by the run of Sandy Run Creek, measuring thereon six hundred (600) feet; on the West by property now or formerly of Holly Hill Forest Industries, Inc., first

piece of property hereinabove described, measuring thereon one thousand four hundred (1,400) feet; all measurements being more or less.

ALSO: All that certain piece, parcel or tract of and situate, lying and being near the Town of Eutawville, Eutaw Township, County and State aforesaid, containing fourteen (14) acres, more or less, bounded and measuring as follows: North by S.C. Road S-38-1898, 600 feet, more or less; Southeast by property now or formerly of Holly Hill Forest Industries, Inc., 800 feet, more or less; and Northwest by property now or formerly of Colvin, 800 feet, more or less.

TMS #: 0347-00-05-003.000

## **PARCEL 2**

All those certain pieces, parcels, or tracts of land with building and improvements thereon, situate, lying and being in the Town of Branchville, County of Orangeburg, State of South Carolina, being shown and delineated as Tract "A" containing 3.15 acres and Tract "B" containing 0.20 acre on a Plat of 3.35 acres prepared for Lumber Components, Inc. by Edisto Surveyors, Inc., A.R. Parler, RLS, dated November 6, 1995, and filed of record in the Office of the RMC for Orangeburg County in Plat Book 711, at page 255, and all such metes, bounds, courses and distances as are shown on said plat are incorporated herein by reference.

TMS# 0191-12-07-001.000

## **PARCEL 3**

All that certain piece, parcel, or tract of land with improvements thereon, situate, lying and being in the County of Orangeburg, State of South Carolina containing 45.23 acres, more or less, on a plat prepared for Cox Industries, Inc., by Edisto Engineers & Surveyors, Inc., approved by Richard L. Stroman, RLS, dated October 22, 2012, and recorded in the Office of the Register of Deeds for Orangeburg County in Plat Book D240, at Page 10, and having such metes, bounds, courses, distances, directions and measurements as are shown on said plat and are incorporated herein and made a part hereof by reference.

TMS# 0270-00-02-016.000 (A portion of)

## **PARCEL 4**

All that certain piece, parcel or tract of land with any improvements thereon, situate, lying and being in Hebron Township, School District 6, County of Orangeburg, State of South Carolina, containing 2.23 acres and being set forth and shown on a plat of the property of North-South Lumber Co., prepared by Chaplin & Associates, approved by Henry M. Chaplin, R.L.S., dated February 25, 1986, and having the following boundaries and measurements: Northwest by property of Memikell, 300 feet; Northeast by property of North-South Wood Preserving Company, 325.45 feet; Southeast by South Carolina Highway S-38-160, 300 feet, and on the Southwest by property of H. H. Livingston, et al., 322.05 feet. Being the same property conveyed to the grantor by deed of North - South Wood Preserving Company, Inc., dated

November 28, 1986 and recorded December 1, 1986 in the RMC office for the County of Orangeburg, State of South Carolina in Deed Book 520 at page 507.

TMS# 0044-00-02-009

## **PARCEL 5**

All that certain piece, parcel or tract of land, situate, lying and being in School District No. 5 (outside), in Zion Township, in Orangeburg County, South Carolina, containing two (2) acres, being bounded and measuring as follows: On the North by Tract A, of Samuel D. Watson, measuring thereon six hundred seventy-four (674) feet, on the East by the Cannon Bridge Road, measuring thereon one hundred twenty-four (124) feet, on the South by Tract B on plat hereinafter set forth, of S. D. Watson, measuring thereof seven hundred thirty-seven and four-tenths (737.4) feet, and on the West by the right-of-way of the Atlantic Coast Line Railroad Company, measuring thereon one hundred thirty-six and four tenths (136.4) feet; Being set forth as Tract C on Revised Plat, dated May 3, 1955, on plat of property of S.D. Watson made by H. Frank O’Cain, C.E., August 31, 1954, appearing of record in the office of the Clerk of Court for Orangeburg County in Plat Book 11, at page 193.

ALSO: All that certain piece, parcel or tract of land, situate, lying and being in School District No. 5 (outside), in Zion Township, in Orangeburg County, South Carolina, containing two (2) acres, being bounded and measuring as follows: On the North by other property of Samuel D. Watson, being tract “E” as hereinafter set forth, measuring thereon six hundred and six-tenths (600.6) feet; on the East by the Cannon Bridge Road, measuring thereon one hundred thirty-seven (137) feet; on the South by tract “C” on said plat, now of Samuel D. Watson, measuring thereon six hundred seventy-four (674) feet, and on the West by the right-of-way of the Atlantic Coast Line Railroad Company measuring thereon one hundred fifty-four and one-tenth (154.1) feet; being designated as tract “D” on plat of property of S.D. Watson as amended to show “D” and “E” by H. Frank O’Cain, C.E., dated May 8, 1956, and appearing of record in the office of the Clerk of Court for Orangeburg County in Plat Book 13, at page 69.

ALSO: All that certain piece, parcel or tract of land, situate, lying and being in Zion Township, Orangeburg County, State of South Carolina, containing 5.65 acres specifically shown as Tract “B” on plat of survey, property of S.D. Watson, made by H. Frank O’Cain, C.E., dated August 31, 1951, as beginning at an iron on the Cannon Bridge Road 1,079.7 feet in a southerly direction from the intersection of A.C.L. right-of-way and Cannon Bridge Road, continuing thence along Cannon Bridge Road south 10 degrees 5 minutes west for 300 feet to an iron; thence south 84 degrees 15 minutes west for 405.7 feet to an axle; thence north 46 degrees 55 minutes west for 497.3 feet to an iron on A.C.L. right-of-way; thence in a northerly direction along A.C.L. right-of-way for 150 feet to an iron; thence south 81 degrees 20 minutes east for 737.4 feet to the point or place of beginning on Cannon Bridge Road.

ALSO: All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Orangeburg approximately one (1) mile from the Southwestern limits of the City of Orangeburg containing seventeen and five one-hundredths (17.05) acres being bounded as follows: on the north by lands of C. E. Thomas (3.37 acre tract); on the northeast by

lands of W. B. Cox; on the east by a three and thirty-seven one hundredths (3.37) acre tract of C. E. Thomas, and on the east by Cannon Bridge Road; on the South by lands now or formerly of McLean Lumber Company and by lands of J. L. McLean Estate; on the northwest by the Atlantic Coast Line Railway right-of-way. Said seventeen and five one-hundredths (17.05) acre tract being more specifically designated on a plat made by H. Frank O'Cain, C.E., dated January 16, 1960 for W.B. and E.J. Cox, said plat being of record in the Office of the Clerk of Court for Orangeburg County in Plat Book 14 at page 224.

TMS# 153-14-05-001.000