

**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 Samba Property"), and (ii) an extended period of time, beyond the 10-year period described above, for inclusion of the Project Samba 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 Samba 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 2<sup>nd</sup> day of March, 2015.

DORCHESTER COUNTY, SOUTH CAROLINA

By: C. David Chinnis  
C. David Chinnis, Chairman, County Council  
of Dorchester County, South Carolina

[SEAL]

Attest:

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

Exhibit A

Project Samba Property

All that certain piece, parcel and tract of land lying and being situate in the New Hope Township, County of Orangeburg, State of South Carolina, shown and designated as 21.51 acres, more or less, on plat of survey entitled "ALTA/ACSM LAND TITLE SURVEY: INBRA CHEMICAL COMPANY, INC., INBRA HOLDINGS, LLC & CHICAGO TITLE INSURANCE COMPANY" prepared by Nesbitt Surveying, Inc., Jonathan W. Nesbitt, PLS No. 24770, surveyor, dated November 19, 2014, and being more particularly described by metes and bounds thereon as follows:

Commencing (P.O.C.) at a computed point at the centerline intersection of U.S. Hwy. 21 (U.S. Hwy. 21 – STA. 135+08.90) and Gulbrandsen Road (S–38–1449) (STA. 0+00.00);

Thence leaving the centerline intersection of U.S. Hwy. 21 and Gulbrandsen Road (S–38–1449) S48°52'38"W 90.91' to a #5 rebar set being the intersecting point of the southern right of way of Gulbrandsen Road (S–38–1449) and the western right of way of U.S. Hwy. 21, the Point of Beginning (P.O.B.);

Thence leaving the P.O.B. and the southern right of way of Gulbrandsen Road (S–38–1449) and with the western right of way of U.S. Hwy. 21 for the next three (3) calls, S20°20'44"E 114.76' to a #5 rebar set, S69°39'16"W 5.00' to a #5 rebar set, S20°20'44"E 789.05' to a #5 rebar set being a common corner to U.S. Hwy. 21 and the remainder of The Methodist Home, Inc.;

Thence leaving the western right of way of U.S. Hwy. 21 and with the property line of the remainder of The Methodist Home, Inc., S82°01'45"W 1,156.56' to a #5 rebar found being a common corner to the remainder of The Methodist Home, Inc. and Gulbrandsen MFG., Inc.;

Thence leaving the property line of the remainder of The Methodist Home, Inc. and with the property line of Gulbrandsen MFG., Inc. N07°42'34"W 887.49' to a #5 rebar found being a common corner to Gulbrandsen MFG., Inc. and the southern right of way of Gulbrandsen Road (S–38–1449);

Thence leaving the property line of Gulbrandsen MFG., Inc. and with the southern right of way of Gulbrandsen Road (S–38–1449) N82°14'35"E 963.71' to the P.O.B.

Together with that certain easement to install and operate a railroad spur line and appurtenant facilities connecting the property to the Norfolk Southern Main Railroad Line, the location and width of which is to be determined.