

AN ORDINANCE

TO FURTHER AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN CHARLESTON COUNTY, SOUTH CAROLINA AND COLLETON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL BUSINESS PARK SO AS TO INCLUDE ADDITIONAL PROPERTY IN CHARLESTON COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK AND TO REMOVE CERTAIN PROPERTY IN CHARLESTON COUNTY (INCLUDING THE REDESIGNATION OF CERTAIN PARCEL NUMBERS) FROM THE JOINT COUNTY INDUSTRIAL PARK.

WHEREAS, Charleston County, South Carolina (the "County") and Colleton 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 a Joint County Industrial Park effective as of September 1, 1995 (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 Charleston County Council Ordinance 972, adopted September 19, 1995; was further amended from time-to-time to add or remove property to the Park; and, in particular, was substantively amended by that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the "First Modification"), which First Modification was approved by Charleston County Council Ordinance 1475, adopted December 5, 2006; and by Colleton County Council Ordinance 06-R-20 adopted January 2, 2007; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the "Agreement," and

WHEREAS, the Agreement contemplates the inclusion and removal of additional parcels within the Park 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; and

WHEREAS, the Counties desire to amend the Agreement to remove certain tax map parcels because these parcels no longer exist as the result of subdividing and combining tax map parcels since their original inclusion in the Park; and

WHEREAS, the Counties desire to amend the Agreement to include certain tax map parcels which have been created as the result of subdividing or combining the original tax map parcels; and

WHEREAS, the Counties desire to amend the Agreement to remove certain property because such property is no longer viable economic development property as the results of planning/zoning changes and development that has occurred around such property; and

WHEREAS, the Counties desire to amend the Agreement to include certain parcels that have resulted from the subdivision of property that was previously added to the Park; and

WHEREAS, the Counties desire to amend the Agreement to include certain parcels that the County intended to include in the Park but for administration reasons have not been previously included in an amendment to the Agreement; and

WHEREAS, in accordance with the Agreement, written notice of the public hearing to be held by County Council in connection with the enactment of this Ordinance was given to the owner of each property or parcel proposed to be removed from the Park and the Agreement; such notice was given by registered mail, return receipt requested, in care of the address of the property owner as shown on the tax records of the County or such other address which has been provided to the County by the property owners for this purpose;

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

SECTION 1. The Agreement is hereby amended as follows:

- (a) The Park and Agreement are expanded to include the parcels as described on the attached Exhibit A.
- (b) The Park and Agreement are amended by removing the tax map parcels listed on the attached Exhibit B.
- (c) The Park and Agreement are amended to include the tax map parcels listed on the attached Exhibit C.
- (d) The Park and Agreement are amended by removing the parcels described on the attached Exhibit D.
- (e) The Park and Agreement are amended to include tax map parcels listed on the attached Exhibit E.
- (f) The Park and Agreement are amended to include the parcels as described on the attached Exhibit F.

SECTION 2. All resolutions, ordinances, or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. This amendment to the Agreement shall become effective on the date of the later of:

- (a) enactment of this Ordinance by the Charleston County Council, after third and final reading and public hearing;
- (b) adoption of a resolution by Colleton County Council approving amending the Park premises to add or remove (as applicable) the property or tax map parcels described in **Exhibits A, B, C, D, E, and F**; and
- (c) adoption of resolutions by North Charleston City Council and the Mt. Pleasant Town Council consenting to the inclusion in the Park premises of the property or tax map parcels located within their respective corporate limits.

The North Charleston City Council, Mt. Pleasant Town Council, and Colleton County Council have been requested to give their respective approvals to this amendment by resolution in accordance with the Agreement.

SECTION 4. Should any part of this ordinance 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 ordinance as a whole, invalid. Any terms which, by their nature, should survive the suspension, termination, or expiration hereof shall be deemed to survive.

CHARLESTON COUNTY, SOUTH

CAROLINA

Teddie E. Pryor, Chairman, Charleston County

Council ATTEST:

Beverly T. Craven
 Clerk to County Council
 Charleston County, South Carolina

EXHIBIT A

PROPERTY DESCRIPTION
 CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AND INITIAL TAX YEAR (FOR TAXES WHICH WILL BE LEVIED ON PROPERTY OWNED ON DECEMBER 31 OF THE PRIOR CALENDAR YEAR).

<u>Parcels to be Added</u>	<u>Initial Tax Year</u>
393-00-00-304	2013
393-00-00-305	2013

EXHIBIT B

PROPERTY DESCRIPTION
 CHARLESTON COUNTY REMOVAL OF PARCELS

TAX MAP PARCEL NUMBERS FOR EACH PARCEL TO BE REMOVED FROM THE PARK BY THIS AMENDMENT BECAUSE SUCH PARCELS NO LONGER EXIST AS THE RESULT OF SUBDIVIDING AND COMBINING TAX MAP PARCELS.

Parcels to be Removed

390-00-00-048
393-00-00-006
393-00-00-010
393-00-00-023
393-00-00-024
393-00-00-035
393-00-00-075
393-00-00-081
486-00-00-018
486-00-00-022
487-00-00-001
502-00-00-012
514-00-00-005
514-16-00-006
514-16-00-010
514-16-00-011
514-16-00-040
514-16-00-041
514-16-00-042
514-16-00-043
514-16-00-050
514-16-00-071
514-16-00-089
514-16-00-090

EXHIBIT C

PROPERTY DESCRIPTION
CHARLESTON COUNTY ADDITIONAL TAX MAP PARCELS

TAX MAP PARCEL NUMBERS FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AS THE RESULT OF SUBDIVIDING AND COMBINING ORIGINAL TAX MAP PARCELS IN THE PARK.

Parcels to be Added

393-00-00-065
393-00-00-181
393-00-00-069
393-00-00-067
393-00-00-067-1

Property Description

See Attached
See Attached
See Attached
See Attached
See Attached

393-00-00-066	See Attached
393-00-00-070	See Attached
393-00-00-074	See Attached
393-00-00-056	See Attached
393-00-00-022	See Attached

EXHIBIT D

PROPERTY DESCRIPTION
CHARLESTON COUNTY REMOVAL OF PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL TO BE REMOVED FROM THE PARK BY THIS AMENDMENT BECAUSE SUCH PROPERTY IS NO LONGER VIABLE ECONOMIC DEVELOPMENT PROPERTY.

Parcels to be Removed

286-00-00-002
393-00-00-063
390-00-00-157
393-00-00-007
393-00-00-011
393-00-00-073
397-00-00-067
410-00-00-033
457-12-04-019
457-12-04-020
457-12-04-023
471-16-00-130
472-15-00-019
486-00-00-008
514-16-00-052
600-00-00-047

EXHIBIT E

PROPERTY DESCRIPTION
CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS AMENDMENT AS THE RESULT OF THE SUBDIVISION OF PROPERTY THAT WAS PREVIOUSLY ADDED TO THE PARK.

<u>Parcels to be Added</u>	<u>Property Description</u>
393-00-00-058-1	See Attached
393-00-00-058-2	See Attached

EXHIBIT F

PROPERTY DESCRIPTION
CHARLESTON COUNTY ADDITIONAL PARCELS

PROPERTY DESCRIPTION FOR EACH PARCEL ADDED TO THE PARK BY THIS
AMENDMENT.

<u>Parcels to be Added</u>	<u>Property Description</u>
421-08-00-002	See Attached
421-11-00-080	See Attached
421-11-00-084	See Attached
421-11-00-085	See Attached
421-11-00-087	See Attached
421-11-00-274	See Attached
421-11-00-275	See Attached
473-16-00-026	See Attached
473-16-00-027	See Attached
473-16-00-117	See Attached
473-16-00-120	See Attached
502-00-00-004	See Attached
484-00-00-129	See Attached
484-00-00-130	See Attached
486-00-00-190	See Attached
537-00-00-063	See Attached