

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.

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 (i) 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, enacted December 5, 2006; and by Colleton County Council Ordinance 06-O-20 enacted January 2, 2007; and (ii) the Second Modification to Agreement for Development of Joint Industrial Park, dated as of December 31, 2014 (the "Second Modification"), which Second Modification was approved by Charleston County Council Ordinance 1828, enacted on September 9, 2014, and by Colleton County Ordinance 14-O-13, enacted on December 11, 2014; and (iii) the Third Modification to Agreement for Development for Joint County Industrial Park, dated _____, 2017 (the "Third Modification"), which Third Modification was approved by Charleston County Council Ordinance _____, enacted on October __, 2017, and by Colleton County Ordinance _____, enacted on October __, 2017; 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 fulfil commitments made to companies which are considering expansion or location decisions;

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

SECTION 1. The Agreement is hereby amended so as to expand the Park premises located within Charleston County. Attached hereto as Exhibit A is the property description of the parcels to be added to the Park premises within Charleston County.

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 (i) enactment of this Ordinance by the Charleston County Council, after third and final reading and public hearing, (ii) adoption of a resolution by Colleton County Council approving expanding the Park premises to add the property described in Exhibit A, (iii) adoption of a resolution by North Charleston City Council consenting to the inclusion in the Park premises of the property described in Exhibit A located within the City of North Charleston, and (iv) adoption of a resolution by the Town Council of the Town of Mount Pleasant consenting to the inclusion in the Park premises of the property described in Exhibit A located within the Town of Mount Pleasant. The North Charleston City Council, the Mount Pleasant Town Council, Colleton County Council have been requested to give their respective approval to this amendment by resolution.

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

By: _____
Chairman, County Council of
Charleston County, South Carolina

ATTEST:

Clerk to County Council
Charleston County, South Carolina

First Reading:

Public Hearing:

Second Reading:

Third Reading:

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>Property Description</u>	<u>Initial Tax Year</u>
Alcami Carolinas Corporation	410-00-00-034 Parcel D-Faber Place Executive Park	2017
Firefly Distillery, Inc.	470-15-00-107 25.60 acres on Rome Lane	2017
Protego USA, Inc.	393-00-00-307 Commerce Parkway	2017
Isringhausen, Inc.	393-00-00-439 Crosspoint Drive	2017
T-Mobile USA, Inc.	485-00-00-231 Northwoods Plaza	2017
Heat Works Technologies, Inc.	580-14-00-006 US Highway 17 Mt. Pleasant	2017
Mission Solutions, Inc.	403-04-00-024 Lot 7, Jet Industrial Park	2017
Holy City Brewing, Inc.	470-16-00-065	2017
Streit USA Armoring	502-14-00-006	2017
Coast Brewing	400-00-00-086 1.298 acres, Charleston Naval Base	2017
FedEx	393-00-00-444	2017
Mercedes (Marshalling Yard)	393-00-00-053	2017
J Geiger Shading	397-00-00-029 Pepperdam Industrial Park	2017

SCHEDULE 1

PROPERTY DESCRIPTIONS