

**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 UPDATE THE
STATUS OF CERTAIN PROPERTY IN CHARLESTON COUNTY WITH
RESPECT TO 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) the 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 of Joint Industrial Park, effective as of November 29, 2017 (the “Third Modification”), which Third Modification was approved by Charleston County Council Ordinance 1982, enacted on October 24, 2017, and by Colleton County Ordinance 17-O-08, enacted on November 7, 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 update the status of certain parcels as being within the Park or removed from the Park;

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

SECTION 1. The Agreement is hereby amended as follows:

- (a) the Park premises located within Charleston County are hereby expanded to include the parcels described on the attached Exhibit A; and
- (b) the Park premises located within Charleston County are hereby reduced by removing the parcels described on the attached Exhibit B.

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, and (iii) adoption of a resolution by Mt. Pleasant Town Council consenting to the inclusion in the Park premises of the property described in Exhibit A located within the Town of Mt. Pleasant. The Mt. Pleasant Town Council and Colleton County Council have been requested to give their respective approvals 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: May 23, 2023
Public Hearing: July 18, 2023
Second Reading: June 6, 2023
Third Reading: July 18, 2023

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>
Hubner	TMS# 537-00-00-454	2023

EXHIBIT B

PROPERTY REMOVED FROM THE PARK

Property Description

TMS# 535-00-00-097

TMS# 598-03-00-342

TMS# 598-03-00-345

TMS# 598-03-00-346

TMS# 600-00-00-057

TMS# 598-00-00-091