

IN WITNESS WHEREOF, the parties have executed this Agreement as of the 4<sup>th</sup> day of February, 2014.

**FAIRFIELD COUNTY,  
SOUTH CAROLINA**

Signature: David L. Ferguson, Sr.  
Name: David L. Ferguson, Sr.  
Title: Chairman

ATTEST:

Signature: Shryll M. Brown  
Name: Shryll M. Brown  
Title: Clerk to County Council

**BOMAG AMERICAS, INC.**

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

IN WITNESS WHEREOF, the parties have executed this Agreement as of the 4<sup>th</sup> day of February 2014.

**FAIRFIELD COUNTY,  
SOUTH CAROLINA**

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

ATTEST:

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Clerk to County Council

**BOMAG AMERICAS, INC.**

Signature: Walter J. O.  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

EXHIBIT A  
LAND DESCRIPTION



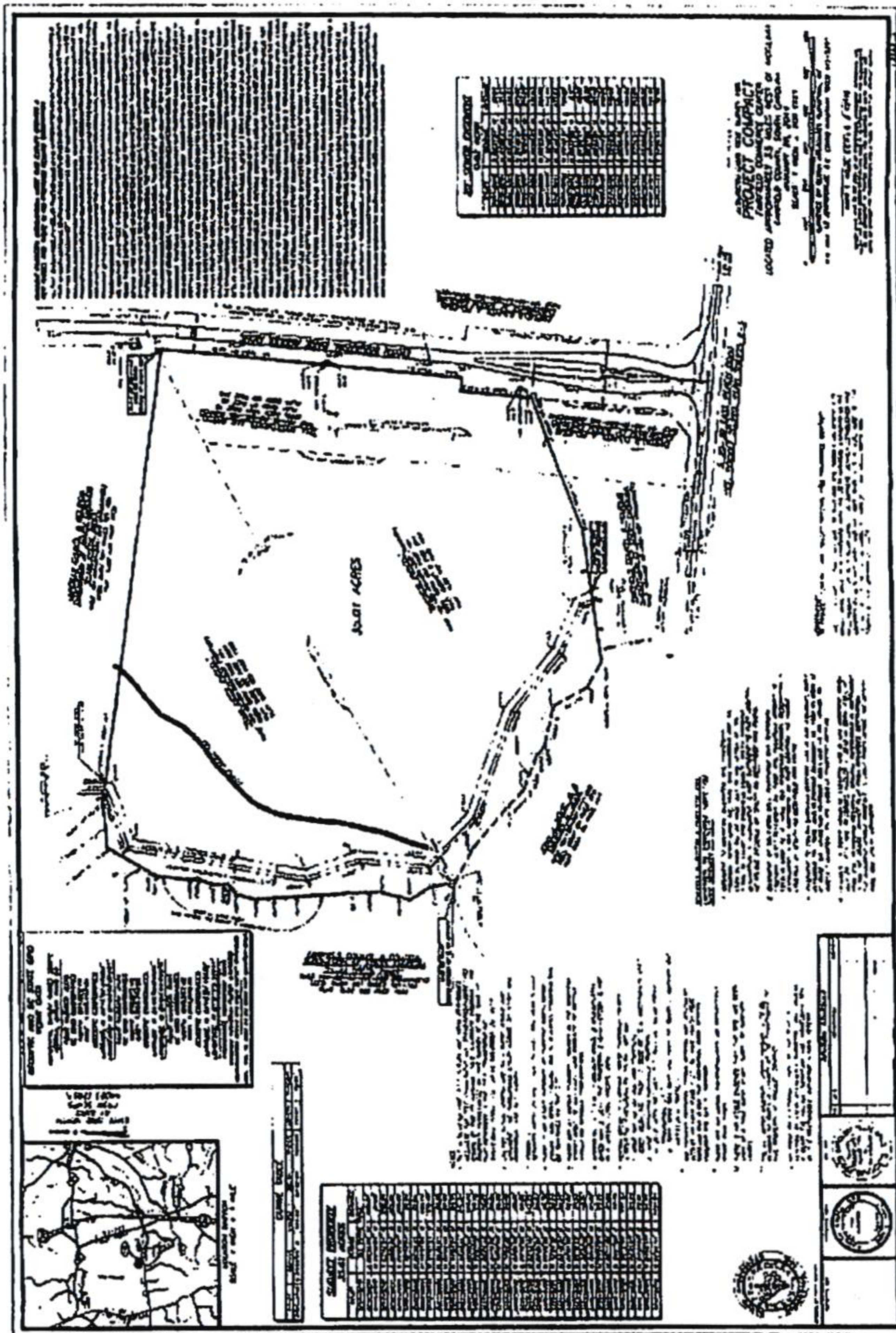


EXHIBIT B

THIRD PARTY INCENTIVES

Nikki R. Haley  
Governor

**SOUTH CAROLINA**  
DEPARTMENT OF COMMERCE

Robert A. Hill III  
Secretary

December 6, 2013

Mr. J. Michael Mullis  
President & CEO, J.M. Mullis, Inc.  
BOMAG Americas, Inc.  
c/o J.M. Mullis, Inc. - Mr. J. Michael Mullis  
3753 Tyndale Dr., Suite 101  
Memphis, Tennessee 38125

**RE: Rural Infrastructure Fund Grant #C-14-2303 to Fairfield County**

Dear Mr. Mullis: *Mike*

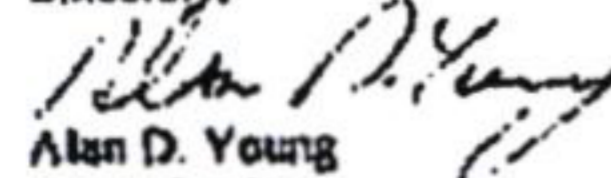
Pursuant to the meeting of the Coordinating Council on December 05, 2013, I am pleased to inform you that funding in the amount of \$1,100,000 has been approved for the above-referenced project. Enclosed for signature are three copies of the Performance Agreement between the SC Coordinating Council for Economic Development, Fairfield County, and BOMAG Americas, Inc. The agreement must be signed by officials (or their authorized designees) with legal authority to execute the agreement for the Grantee (Fairfield County) and for the Company (BOMAG Americas, Inc.), as well as two witnesses. Please read this contract carefully. Once signed, please return all three copies to my attention within fourteen (14) days. Once the signed agreements are received signed by all parties, they will be signed by our office. One original executed agreement will be sent to your attention and the other to the county. *Please note that work for which the grant is approved should not commence prior to the Council's receipt of the signed agreement by all parties and the Council's issuance of a notice to proceed.*

If you find that there is language in the agreement that does not accurately reflect the intent of the project, please contact our general counsel, Cynthia Turnipseed, at 803-737-0095 and she will assist you with possible revisions to the agreement.

Please note that once the Company accepts the grant assistance by signing and returning the Agreement, the project then becomes subject to public disclosure pursuant to the SC Freedom of Information Act; provided, however, that prior to disclosure, the Coordinating Council will redact all eligible information in accordance with S.C. Code Ann. § 30-4-40(a)(2) (information of a personal nature) and § 30-4-40(a)(5)(c) (confidential proprietary information provided to a public body for economic development or contract negotiations purposes).

Please also note that funds will not be released until the signed Performance Agreement is received by the Coordinating Council. If you have any questions, or if we can be of any further assistance, please feel free to contact our office.

Sincerely,



Alan D. Young  
Executive Director  
Coordinating Council for Economic Development

cc: David Ferguson

Enclosures

1201 Main Street, Suite 1600, Columbia, SC 29201  
Tel: (803) 737-0400 • Fax: (803) 737-0410 • www.sccommerce.com