

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR FAIRFIELD COUNTY
ORDINANCE NO. 624

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA, AND FAIRFIELD COUNTY, SOUTH CAROLINA, TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN REAL PROPERTY LOCATED IN RICHLAND COUNTY; AND OTHER RELATED MATTERS.

WHEREAS, Richland County, South Carolina (“Richland”), and Fairfield County, South Carolina (“Fairfield”) (collectively, “Counties”), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (“Act”), have jointly developed the I-77 Corridor Regional Industrial Park (“Park”);

WHEREAS, on April 15, 2003, the Counties entered into an agreement entitled “Master Agreement Governing the I-77 Corridor Regional Industrial Park” (“Master Agreement”), the provisions of which govern the operation of the Park;

WHEREAS, Richland has negotiated certain property tax incentives with CD/Park 7 Columbia SC Owner LLC and CD/Park 7 Columbia SC High Rise Owner LLC (collectively, “Company”) a component of which is including the property in Richland on which the Company’s investment is, or will be, located (“Property”) in the Park;

WHEREAS, Richland has authorized the inclusion of the Property in the Park by Richland County Ordinances Nos. 004-14HR and 005-14HR;

WHEREAS, because the Property is located entirely within the geographical boundaries of the City of Columbia, South Carolina (“City”), the City has given its consent to the inclusion of the Property within the Park by Ordinances Nos. 2014-015 and 2014-020;

WHEREAS, pursuant to the terms of the Master Agreement, Richland requests that Fairfield adopt this companion Ordinance to complete the expansion of the boundaries of the Park and amendment to the Master Agreement to include Property in the Park.

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

Section 1. Expansion of Park Boundaries. There is hereby authorized an expansion of the Park boundaries to include the Property, which is more particularly described on Exhibit A. The County Council Chair, or the Vice Chair in the event the Chair is absent, the County Administrator and the Clerk to the County Council are hereby authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the Master Agreement, the expansion shall be complete upon the adoption of this Ordinance by the Fairfield County Council.

Section 2. Savings Clause. If any portion of this Ordinance shall be deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

Section 3. General Repealer. Any prior ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 4. Effectiveness. This Ordinance shall be effective after third and final reading.

EXHIBIT A
DESCRIPTION OF PROPERTY

PROJECT PARK I SITE DESCRIPTION

Parcel 1

Beginning at the intersection of the southern right-of-way margin of Blossom Street and the eastern right-of-way margin of Huger Street at a X on conc. (o), this being the POINT OF BEGINNING 1 (POB 1); thence turning and running N 69°56'30" E along the southern right-of-way margin of Blossom Street for a distance of 417.26 feet to a X on conc (o); thence turning and running S 19°53'06" E along the western right-of-way margin of Pulaski Street (unopened) for a distance of 249.33 feet to a 2-3/4" Pipe (o); thence turning and running S 69°59'06" W along property of now or formerly Arnold Realty Company for a distance of 413.24 feet to a 2" Pipe (o) [Reference Iron]; thence turning and running S 69°59'06" W along property of now or formerly Arnold Realty Company for a distance of 1.66 feet to a Calc. point; thence turning and running N 20°25'37" W along the eastern right-of-way margin of Huger Street for a distance of 249.06 feet to a X on conc. (o). this being the POINT OF BEGINNING 1 (POB1).

TMS 08914-16-01

Parcel 2

Beginning at the intersection of the northern right-of-way margin of Wheat Street and the eastern right-of-way margin of Huger Street at a 1" Pipe (o), this being the POINT OF BEGINNING 2 (POB 2); thence turning and running N 20°07'00" W along the eastern right-of-way margin of Huger Street for a distance of 167.86 feet to a Calc. point; thence turning and running N 69°59'06" E along property of now or formerly Arnold Realty Company for a distance of 1.66 feet to a 2" Pipe (o) [Reference Iron]; thence turning and running N 69°59'06" E along property of now or formerly Arnold Realty Company for a distance of 413.24 feet to a 2-3/4" Pipe (o); thence turning and running S 20°04'50" E along the western right-of-way margin of Pulaski Street (unopened) for a distance of 167.12 feet to a 1/2" Rebar (o); thence turning and running S 69°53'02" W along the northern right-of-way margin of Wheat Street for a distance of 414.79 feet to a 1" Pipe (o), the POINT OF BEGINNING 2 (POB 2).

TMS 08914-16-02

PROJECT PARK II SITE DESCRIPTION

Parcel 1

All that certain piece, parcel, or tract of land, together with the improvements thereon, situate, lying and being on the Western side of Assembly Street between Senate and Pendleton Streets in the City of Columbia, County of Richland, State of South Carolina, being shown and designated as 1011 Assembly Street and 1013 Pendleton Street on a plat prepared for Bessie Bernstein and Jane Gibbes Edens by William Wingfield, Registered Surveyor, dated October 25, 1957, revised January 3, 1958 and later revised February 24, 1959, and having the following metes and bounds: commencing at a point on said Assembly Street Two Hundred Nine and 75/100 (209.75') feet North of the Northeast corner of Pendleton

Street and Assembly Street and running along said Assembly Street South 18 degrees 50 minutes East for a distance of One Hundred Forty (140') feet; thence turning and running South 70 degrees 59 minutes West for a distance of Two Hundred Eight and 25/100 (208.25') feet; and being bounded on the South along said line by property now of Leventis; thence turning and running South 19 degrees no minutes East for distance of Sixty-nine and 75/100 (69.75') feet; thence turning and running along Pendleton Street South 71 degrees seven (7) minutes West for a distance of One Hundred Twelve and 64/100 (112.64') feet; thence turning and running North 18 degrees 52 minutes West for a distance of Twenty-nine (29') feet, and being bounded on the West along said line by property of Rivkin; thence turning and running South 71 degrees 7 minutes West for a distance of Ninety-six (96') feet to Park Street and being bounded on the South along said line by property of Rivkin; thence turning and running North 18 degrees 52 minutes West for a distance of One Hundred Seventy-nine and Eight-tenths (179.8') feet along said Park Street; thence turning and running North 70 degrees 56 minutes East for a distance of Four Hundred Sixteen and Nine-tenths (416.9') feet to the point of commencement, be all measurements a little more or less and being bounded on the North along said line by property of Bookman, Caughman and Sebastian, all of which is shown on said plat.

TMS # 08916-09-08

Property Address 1011 Assembly Street, Columbia, SC 29201

Parcel 2

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being the northeastern corner of the intersection of Park (formerly Gates) and Pendleton Streets in the City of Columbia, County of Richland, State of South Carolina, measuring 96 feet on its northern and southern sides and 29 feet on its eastern and western sides, and bounded on the north and on the east by property formerly of Mimnaugh and others, now owned by Edens, Bernstein, et al; on the south by Pendleton Street; and on the west by Park Street (formerly Gates).

TMS# 08916-09-09

Property Address: 1000 Park Street, Columbia, SC 29201


Parcel 3

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being on the east side of the 1000 block of Park Street (formerly Gates) in the City of Columbia, County of Richland, State of South Carolina, commencing at a point on the east side of said 1000 block of Park Street where said lot adjoining the property on the south thereof owned by Edens, Bernstein, et. al. and running back therefrom in an easternly direction for a distance of one hundred (100') feet along said property, thence turning and running in a northernly direction for distance of twenty-seven (27') feet along property formerly of Logan, thence turning and running in a westernly direction for a distance of sixty (60') feet, thence turning and running in in a southernly direction for a distance of eight (8') feet five (5'') inches, thence turning and running in a westernly direction for a distance of forty (40') feet to a point along said eastern side of Park Street, thence running along said eastern side of Park Street in a southernly direction for distance of eighteen (18') feet seven (7'') inches to the point of commencement.

TMS# 08916-09-10

Property Address: 1016 Park Street, Columbia, SC 29201

FAIRFIELD COUNTY, SOUTH CAROLINA



David L. Ferguson Sr.

David L. Ferguson Sr., Chairman of County Council
Fairfield County, South Carolina

(SEAL)
ATTEST.

Shryll M. Brown

Shryll M. Brown, Clerk to County Council
Fairfield County, South Carolina

READINGS:

First Reading: February 24, 2014

Second Reading: March 10, 2014

Third Reading: March 24, 2014