



STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR FAIRFIELD COUNTY  
ORDINANCE NO. 707

**AUTHORIZING THE DEVELOPMENT OF A NEW COUNTY ADMINISTRATION BUILDING TO BETTER SERVE THE CITIZENS OF FAIRFIELD COUNTY; THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT AND ASSOCIATED CONTRACTS NECESSARY TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER RELATED MATTERS.**

WHEREAS, pursuant to Title 4, Chapter 9 of the Code of Laws of South Carolina, 1976, as amended, Fairfield County, South Carolina (“County”), acting by and through its County Council, (“County Council”), is authorized to enact ordinances, not inconsistent with the Constitution and general law of the State of South Carolina, enter into contracts, to acquire interests in real property, grant occupancy rights in real property, lease real property and transfer real property owned by the County;

WHEREAS, the County desires to partner with 1<sup>st</sup> & Main Development, LLC (“Developer”) to redevelop the historic Mount Zion Institute into a government complex to serve the residents of the County (“Project”);

WHEREAS, the County desires to acquire, license, lease, transfer, or grant easements on certain real property, interests in real property, and improvements thereon, if any, which is more particularly described on Exhibit A (collectively, the “Property”); and

WHEREAS, the County desires to enter into one or more agreements to effect one or more transactions involving the Project including, but not limited to a redevelopment agreement (“Redevelopment Agreement”) by and between the County and Developer, a copy of which is attached hereto as Exhibit B, a lease agreement for the Mount Zion Institute (“Lease Agreement”) by and between the County and MZI Master Tenant, LLC, a copy of which is attached hereto as Exhibit C, and any other agreements that County Council deems necessary to effectuate the intent of this ordinance (collectively, “Agreements”).

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

**Section 1. Findings.** County Council determines that support of the Project authorized hereby fulfills a public purpose and is anticipated to benefit the general public welfare of the County.

**Section 2. Authorization of Agreements.** County Council hereby authorizes and directs the County Council Chair, the County Administrator, or their designees, to negotiate, execute and deliver the Redevelopment Agreement and the Lease Agreement, the form, terms and provisions of the Redevelopment Agreement and Lease Agreement that are before this meeting are hereby approved and are incorporated into this Ordinance by reference.

**Section 3. Authorization of Property Transactions.** County Council hereby authorizes the acquisition, license, lease and transfer of any or all of the Property (“Transactions”) in support of the Project. Any actions taken in the name of or on behalf of the County in connection with the foregoing prior to the effective date of this Ordinance are expressly ratified and confirmed.

**Section 4. Further Acts.** County Council authorizes the County Council Chair, the County Administrator, or their designees, as appropriate, following receipt of advice from legal counsel to the County, to take such further acts and negotiate, approve and execute whatever further instruments on

behalf of the County as deemed necessary, desirable or appropriate to redevelop the Project or effectuate the Transactions. Any Agreements entered into prior to the effective date of this Ordinance are expressly ratified and confirmed.

**Section 5. *Savings Clause.*** The provisions of the Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

**Section 6. *General Repealer.*** Any ordinance, resolution, or other order of County Council, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

**Section 7. *Effectiveness.*** This Ordinance is effective after third reading and a public hearing.

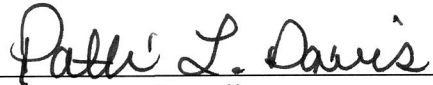
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FAIRFIELD COUNTY, SOUTH CAROLINA

  
\_\_\_\_\_  
Chair of County Council  
Fairfield County, South Carolina

*(SEAL)*

ATTEST:

  
\_\_\_\_\_  
Clerk to County Council  
Fairfield County, South Carolina

READINGS:

First Reading: August 13, 2018  
Second Reading: August 27, 2018  
Public Hearing: September 10, 2018  
Third Reading: October 8, 2018

**EXHIBIT A**  
**Property Description**

Description:

All that certain piece, parcel or lot of land, together with improvements thereon, lying, being and situate in the County of Fairfield, State of South Carolina, containing three and fifteen hundredths (3.15) acres, as shown on "Boundary Survey For Red Clay Development, Winnsboro, Fairfield County, South Carolina," prepared by Robert R. Brown, Jr., PLS No. 17218, dated November 23, 2009 and recorded in the Office of the Clerk of Court for Fairfield County in Plat Slide "605" at page 1947. The property is bounded on the North by Bratton Street; on the East by Gooding Street, formerly known as Tobacco Street; on the South by Hudson Street; and on the West by Zion Street. The property contains three buildings, the Mt. Zion School, the Auditorium and Gym, and the Cafeteria.

Less and Except the "teacherage", as such building is commonly known, and property surrounding it in such amounts as may be reasonably required for minimum lot size purposes for zoning and development requirements ("Retained Property") and as shall be shown on the Subdivision Plat.

Address:

250 N. Walnut Street, Winnsboro, SC 29180

**EXHIBIT B**  
**Redevelopment Agreement**

**EXHIBIT C**  
**Lease Agreement**