

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR FAIRFIELD COUNTY
ORDINANCE NO. 642

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 Blue Atlantic Columbia, LLC, a limited liability company organized and existing under the laws of the State of Delaware and previously identified as Project Peak ("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 Ordinance No. 072-14HR;

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 Ordinance No. 2014-123;

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

Parcel 1

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being at the Northwestern corner of the intersection of Gervais and Harden Streets, in the City of Columbia, State of South Carolina, shown and designated as .76 acres on a plat prepared by Collingwood Surveying, Inc., dated September 23, 1998, and recorded in Record Book 204 at page 226 in the Office of the Register of Deeds for Richland County, South Carolina. For a more detailed description as to courses, metes and bounds, reference is made to said plat of record.

Parcel 2

All that tract, parcel or block of land, with all buildings and other improvements thereon, located in the block surrounded by Harden, Gervais, Laurens and Lady Streets, in the City of Columbia, County of Richland, State of South Carolina, excepting therefrom only the lot located at the Southwest corner of Harden and Lady Streets, being the Northeast corner of said block, measuring One Hundred Four and three tenths (104.3') feet on Harden Street (East) and measuring One Hundred Thirty Three and five tenths (133.5') feet on Lady Street (North) and measuring One Hundred Thirty and four tenths (130.4') feet on its Southern side and One Hundred Four and five tenths (104.5') feet on its Western side, and including all other lands and lots located in said block.

ALSO LESS AND EXCEPTING:

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being at the Northwestern corner of the intersection of Gervais and Harden Streets, in the City of Columbia, State of South Carolina, shown and designated as .76 acres on a plat prepared by Collingwood Surveying, Inc., dated September 23, 1998, and recorded in Record Book 204 at page 226 in the Office of the Register of Deeds for Richland County, South Carolina. For a more detailed description as to courses, metes and bounds, reference is made to said plat of record.

Parcel 3

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the City of Columbia, County of Richland, State of South Carolina, the same being shown on a plat prepared for Almeta Gilbert Tilley, by Barber, Keels and Associates, Engineers, dated January 6, 1954, said lot being bounded and measuring as follows: On the North by Lady Street whereon it measures One Hundred Thirty-three and 5/10 (133.5') feet, more or less; on the East by a strip lying between said lot and Harden Street whereon it measures One Hundred Four and 33/100 (104.33') feet, more or less; on the South by property now formerly of Burnside whereon it measures One Hundred Thirty and 4/10 (130.4') feet, more or less; and on the West by property now formerly of Able whereon it measures One Hundred Four and 33/100 (104.33') feet, more or less. This property is presently known as 1239 Harden Street.


FAIRFIELD COUNTY, SOUTH CAROLINA

The seal of the Fairfield County Council is circular with the text "FAIRFIELD COUNTY COUNCIL" around the perimeter and "SEAL" in the center.
Carolyn B. Polsson

Chairman of County Council
Fairfield County, South Carolina

(SEAL)

ATTEST:

A handwritten signature in blue ink that reads "Shryll M. Brown".

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

READINGS:

First Reading: September 22, 2014
Second Reading: November 24, 2014
Third Reading: December 8, 2014