

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR FAIRFIELD COUNTY
ORDINANCE NO. 537

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK BY AND BETWEEN FAIRFIELD COUNTY, SOUTH CAROLINA, AND RICHLAND COUNTY, SOUTH CAROLINA, TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN PROPERTY OWNED BY KIRCO CAROLINA PINES, LLC, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Fairfield County, South Carolina ("Fairfield") and Richland County, South Carolina ("Richland") (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"); and,

WHEREAS, in response to requests from companies seeking to invest in either Fairfield or Richland, the Counties have heretofore expanded the boundaries of the Park to include additional property, which inclusion has afforded the requesting companies additional tax benefits under South Carolina law; and

WHEREAS, the Counties have entered into separate agreements to reflect each new phase of expansion of the Park ("Phase Agreements"); and

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 replaced all existing Phase Agreements and now govern the operation of the Park; and

WHEREAS, Kirco Carolina Pines, LLC, a South Carolina limited company, its corporate affiliates and assigns (collectively, "Company"), has requested that the Counties expand the boundaries of the Park to include property located in Richland and described in the attached **Exhibit A** (collectively, "Property"); and

WHEREAS, the Counties now desire to expand the boundaries of the Park to include the Property.

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. 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 and a companion Ordinance by the Richland County Council.

Section 2. Removal of Property from Park. The Company may request that a portion of the Property be removed from the Park. In such case, the Counties hereby authorize removal of such portion of the Property upon receipt of a written request from the Company. No further action by either the

Fairfield County Council or the Richland County Council is required. 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 removal of a portion of the Property from the Park. The public hearing requirement set forth in Section 1.03 of the Master Agreement is hereby waived.

Section 3. 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.

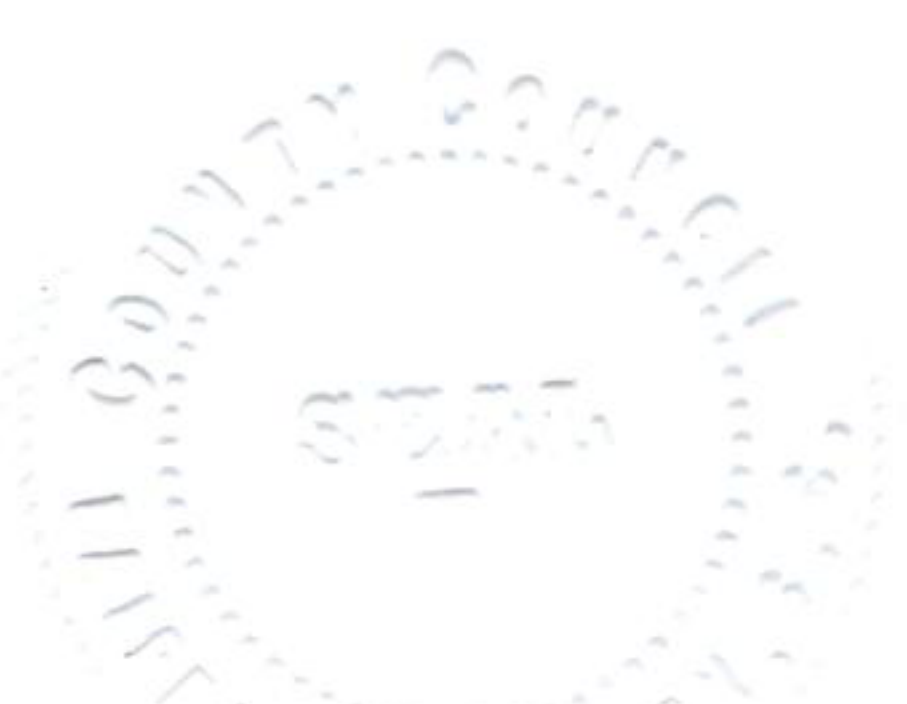
Section 4. General Repealer. Any prior Ordinance, the terms of which are in conflict herewith, is, only to the extent of such conflict, hereby repealed.

Section 5. Effectiveness. This Ordinance shall be effective after third and final reading.

FAIRFIELD COUNTY, SOUTH CAROLINA



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



(SEAL)
ATTEST:



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

READINGS:

First Reading: November 12, 2007
Second Reading: November 26, 2007
Public Hearing: December 10, 2007
Third Reading: December 10, 2007

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

All that certain piece, remnant, parcel, tract, lot and portion of land lying, being, and situate in the county of Richland, state of South Carolina containing 125.22 Acres located just northeast of Interstate highway 77, south of Jenkins Brothers Road, West of Farrow Road, north of the Bose plant, north and east of the CK Belk distribution center, and east of Carolina Pines Drive. The same being more particularly described as follows: Beginning at an Iron Pin #5 Rebar Found (IPF5) with observed SC North American Datum (NAD) 1983 Grid Coordinates of North 849,832.85, East 2,012,912.58 on the western margin of the Right of Way of SC Highway 555 (Farrow Road), at the northeastern corner of the H.G. Moore, Jr. property, southeast of a power pole and located S69°36'34"W - 59.00' from an IPF-3/4" pinchpipe, the Point of Beginning (POB); thence bearing S 69-37-20 W along a meandering fence on the northern boundary of Moore a distance of 1064.10 feet to a point a in GUM Tree which is witnessed by an IPF5 at N2°42'35"E-0.77' from the corner, thence turning and running with the eastern boundary line of PCO Carolina Pines, LP N20-22-05W a distance of 845.04 feet to an IPF5 on the southern boundary of CK/Belk Holdings and the northeastern corner of PCO Carolina Pines LP, thence turning and running with the southern boundary of CK/Belk Holdings bearing N69-37-27E - 101.77 feet to an IPF5, thence continuing with the CK/Belk property N69-37-27E - 430.05 feet to an IPF5, the southeastern corner of the CK/Belk property, thence turning and running with the eastern boundary of the CK/Belk property, N20-22-53W - 1189.57 feet to an IPF5, thence turning with the boundary of CK/Belk property S81-27-32W a distance of 439.32 feet to an IPF5 in a 10"hole, the common boundary with CK/Belk Holdings and Congaree Land Trust, thence running with the boundary of the Congaree Land Trust - Wetland A and upland Buffer in the following courses and distances, with Iron Pins (#5 Rebar) Set at all corners unless otherwise noted:

- [1] N20-22-31W for 190.47 feet;
- [2] S80-37-02E for 40.28 feet;
- [3] N06-34-17E for 101.58 feet;
- [4] N53-29-38E for 3.78 feet;
- [5] N42-02-26E for 55.94 feet;
- [6] N18-23-59E for 7.80 feet;
- [7] N82-39-32E for 30.21 feet;
- [8] N09-08-13W for 75.04 feet;
- [9] N01-12-21W for 39.44 feet;
- [10] N05-17-29W for 33.12 feet;
- [11] N65-01-16W for 37.45 ft;
- [12] N07-40-50W for 66.74 ft (8" Birch);
- [13] N05-11-36W for 49.63 feet (10" Pine Tree);
- [14] N88-34-11W for 10.62 feet;
- [15] S05-45-37E for 54.66 feet;
- [16] S07-07-30E for 63.51 feet;
- [17] S84-37-16W for 44.65 feet;
- [18] S80-33-10W for 75.00 feet;
- [19] S03-43-46E for 33.69 feet;
- [20] S09-1-59E for 21.93 feet;
- S04-42-31E for 3.94 feet to point in pond;
- [21] S06-31-16W for 4.57 feet;
- [22] S76-33-45W for 12.59 feet;
- [23] S73-12-10W for 142.48 feet;
- [24] N83-26-56W for 74.12 feet;

[25]S85-28-04W for 29.48 feet;
[26] N84-07-5W for 23.31 feet;
[27]N70-51-12W for 28.32 feet;
[28] S87-09-33W for 25.92 feet;
[29]N74-58-34W for 53.45 feet;
[30] S89-40-56W for 35.52 feet;
[31]N64-27-51W for 37.00 feet;
[32] N85-00-23W for 71.87 feet;
[33]S66-07-53W for 58.65 feet;
[34] S49-08-12W for a distance of 28.57 feet (6" Pine Tree);
[35] S89-31-43W for 37.77 feet;
[36] S80-48-00W for 53.68 feet;
[37] S64-16-25W for 63.86 feet;
[38] S55-12-37W for 67.87 feet;
[39] S57-08-05W for 33.09 feet;
[40] S72-59-15W for 33.42 feet;
[41] S74-13-36W for 54.60 feet;
[42] S69-27-58W for 30.21 feet;
[43] N83-10-16W for 10.35 feet;
[44] N79-14-12W for 44.60 feet;
[45] N66-14-05W for 12.34 feet;
[46] N01-56-42W for 17.96 feet;
[47] N43-09-58W for 60.73 feet;
[48] N70-27-40W for 68.79 feet;
[49] S82-14-37W for 49.08 feet;
[50] S52-50-51W for 73.63 feet;
[51] S23-50-22W for 28.13 feet;
[52] S38-38-46W for 43.35 feet;
[53] N72-09-45W for 23.31 feet;
[54] S47-40-06W for 98.06 feet;
[55] S47-40-06W for 102.55 feet;
[56] S12-17-19W for 33.31 feet;
[57] S24-44-53W for 28.57 feet;
[58] S32-52-35W for 23.20 feet;
[59] S33-3-18W for 26.34 feet;
[60] S40-43-21W for 40.83 feet;
[61] S40-40-28 W for a distance of 14.89 feet to an IPS#5 Rebar on the Eastern Right of way of Carolina Pines Drive located N 04-20-34 E - 11.39' from an IPF5 on the Right of way of Carolina Pines Drive, thence turning and running with Eastern Right of Way as described on plat of W.K. Dickson dated February 8, 2000 which is unrecorded, yet performed for Sony Corporation bearing N 04-20-34 E - 1205.15 feet to an IPF5 on the southwestern corner of Patterson Logistics Services, Inc., thence turning and leaving the right of way along the southern boundary of Patterson N 76-06-25 E - 992.68 feet to an IPF5 at the southeastern corner of Patterson and southwestern corner of Jenkins Brothers Road, L.P, thence through a railway easement and along the southern boundary of Jenkins Brothers Road, LP bearing N 76-06-25 E a distance of 314.04 feet to an IPF5 located on the southeastern corner of Jenkins Brothers Road LP at its intersection with the southwestern corner of Richland County property within the railway easement, thence continuing along the southern boundary of Richland County Property and leaving the railway easement and along the southern edge of the 50.00' railway easement bearing N 76-06-25 E a distance of 1470.11 feet to an IPF5 on the southeastern corner of the Richland County property and the western right of way of SC Highway 555 - Farrow Road, thence with the western right of way of SC Highway 555 bearing S 05-47-53 E a distance of 1118.53 feet to an IPF5; continuing with the western

right of way of SC Highway 555 along a curve to the LEFT, having a radius of 13618.67 feet, a delta angle of 3.67, and whose long chord bears S07-37-50 E a distance of 872.63 feet and an arc length of 872.78'; thence continuing along the western right of way of SC Highway 555 bearing S09-28-33E a distance of 1532.92 feet to an IPF5, the POINT OF BEGINNING.