



**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR FAIRFIELD COUNTY
ORDINANCE NO. 721**

AN ORDINANCE CERTIFYING PROPERTY LOCATED AT 199 MAPLE STREET, WINNSBORO, IN FAIRFIELD COUNTY, SOUTH CAROLINA AS AN ABANDONED TEXTILE MILL SITE PURSUANT TO THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TITLE 12, CHAPTER 65 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.

WHEREAS, the South Carolina Textiles Communities Revitalization Act (the “Act”) was enacted in Title 12, Chapter 65 of the South Carolina Code of Laws (1976), as amended, to create an incentive for the rehabilitation, renovation, and redevelopment of abandoned textile mills located in South Carolina;

WHEREAS, the Act provides that restoration of abandoned textile mills into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities;

WHEREAS, Section 12-65-30 of the Act provides that a taxpayer who rehabilitates an abandoned mill site is eligible either for a credit against certain real property taxes, income taxes, corporate license fees, or insurance premium taxes;

WHEREAS, Winnsboro Fibres L.L.C. or an affiliate, successor, or assign (the “Taxpayer”) intends to rehabilitate an abandoned textile mill site located in Fairfield County, South Carolina (“County”), which is located on a portion of the property more particularly described by tax map number 126-04-14-002-000 (“Mill Site”);

WHEREAS, the Taxpayer has expressed a desire to claim income tax credits under the Act, which shall have no fiscal impact on the County, and Taxpayer has submitted a Notice of Intent to Rehabilitate (“Notice of Intent”) to the County, a copy of which is attached hereto as Exhibit A;

WHEREAS, Section 12-65-60 of the Act provides that a taxpayer may apply to the county in which an abandoned textile mill site is located for a certification of the abandoned textile mill site, and the taxpayer may conclusively rely upon that certification in determining the credits allowed; and

WHEREAS, the Taxpayer has applied to the County to certify the Mill Site as an abandoned textile mill site, defined by Section 12-65-20 of the Act, in order to facilitate Taxpayer’s claim for income tax credits.

NOW THEREFORE, BE IT ORDAINED by the County Council of Fairfield County, South Carolina as follows:

Section 1. Certification. Based solely on information provided to the County by the Taxpayer including the Notice of Intent, and solely for the purposes of Section 12-65-60, the County hereby certifies the following: (i) the Mill Site was a “textile mill,” as defined in Section 12-65-20(3) of the Act, (ii) the Mill Site is “abandoned,” as defined in Section 12-65-20(1) of the Act, and (iii) the geographic area that qualifies as a “textile mill site” pursuant to Section 12-65-20(4) of the Act, is any portion or portions of the Mill Site on which the textile mill sits, together with the land and other improvements which were used directly for textile manufacturing operations or ancillary uses, but is limited to the land located within the boundaries where the textile manufacturing, dyeing, or finishing facility structure is located and does not include land located outside the boundaries of the structure or devoted to ancillary uses, consistent with Section 12-65-20(4) of the Act.

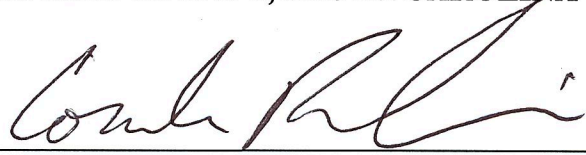
Section 2. No Representations or Warranties. This Ordinance regards only the certification of the Mill Site pursuant to Section 12-65-60 of the Act, and such certification is based solely on the representations provided to the County by the Taxpayer. The County makes no representations, warranties, findings or determinations regarding any other matters, including the eligibility of the Taxpayer for any credit authorized pursuant to the Act, the eligible portions of the Mill Site, the Mill Site’s fitness for a particular purpose or any zoning, permitting, or licensing matters.

Section 3. Savings Clause. Should any part, provision, or term of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding or determination shall not affect the rest and remainder of the Ordinance or any part, provision or term thereof, all of which is hereby deemed separable.

Section 4. General Repealer. All prior ordinances, orders, resolutions, or any parts thereof, in conflict with this Ordinance are, only to the extent of that conflict, repealed.

Section 5. Effectiveness. This Ordinance is effective after its third reading and public hearing.

FAIRFIELD COUNTY, SOUTH CAROLINA



Cornelius Robinson
Chair, Fairfield County Council

(SEAL)
ATTEST:



Patti L. Davis
Clerk to County Council

First Reading: May 13, 2018 ²⁰¹⁹
Second Reading: May 28, 2019
Third Reading: June 10, 2019
Public Hearing: May 28, 2019