



**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR FAIRFIELD COUNTY
Ordinance No. 748**

AN ORDINANCE AUTHORIZING FAIRFIELD COUNTY TO PURCHASE CERTAIN REAL PROPERTY IN FAIRFIELD COUNTY, SOUTH CAROLINA; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT, AN OPTION AGREEMENT, AND A RIGHT OF FIRST REFUSAL AGREEMENT; AUTHORIZING THE EXPENDITURE OF CERTAIN GRANT FUNDS; 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 enter into contracts and to acquire interests in real property;

WHEREAS, the County desires to acquire certain real property in the County ("**Purchase Property**"), enter into an option to purchase certain property ("**Option Property**"), and enter into a right of first refusal for certain property ("**ROFR Property**," together with the Purchase Property and Option Property, the "**Property**"), each as more particularly identified on **Exhibit A**;

WHEREAS, the County desires to enter into one or more agreements to effect one or more transactions involving the Property; and

WHEREAS, the County desires to expend certain grant funds ("**Grant**") previously authorized by the County to acquire the interests in the Property.

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

Section 1. Findings. County Council determines that acquiring the interests in the Property fulfills a public purpose and is anticipated to benefit the general public welfare of the County.

Section 2. Approval of Acquisition of Interests in the Property. County Council approves the acquisition of the Purchase Property, option to purchase the Option Property, and the right of first refusal on the ROFR Property (collectively, the "**Transactions**"). County Council further authorizes the County Council Chair ("**Chair**"), the County Administrator, or their designees, to execute and deliver those documents that may be reasonably necessary to accomplish the Transactions. Any actions taken in the name of or on behalf of the County prior to the effective date of this Ordinance with respect to the Property and the Transactions are expressly ratified and confirmed.

Section 3. Authorization to Execute and Deliver Agreements. The terms and conditions of the Transactions, as more particularly set forth in the Contract of Sale attached hereto as **Exhibit B** ("**Agreement**"), are hereby approved. The form, terms and provisions of the Agreement that is before this meeting are approved and all of the Agreement's terms and conditions are incorporated in this Ordinance by reference. The Chair is authorized and directed to execute the Agreement as well as final versions of the attachments thereto in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Agreement and to deliver the Agreement.

Section 4. Grant Funds. County Council hereby approves the expenditure of the Grant and authorizes and directs the Chair, the County Administrator, or their designees, to expend the Grant for the purpose of accomplishing the Transactions.

Section 5. Further Assurances. County Council authorizes the 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 effect the intent of this Ordinance.

Section 6. Savings Clause. The provisions of this 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 7. 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 8. Effectiveness. This Ordinance is effective after third reading and a public hearing.

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Signature Page to Follow]

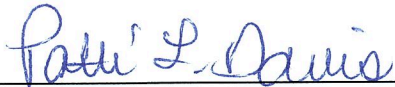
FAIRFIELD COUNTY, SOUTH CAROLINA



Cornelius Robinson, Chairman
Fairfield County Council

(SEAL)

ATTEST:



Patti L. Davis, Clerk to Council
Fairfield County Council

First Reading: April 27, 2020
Second Reading: May 11, 2020
Public Hearing: May 26, 2020
Third Reading: May 26, 2020

EXHIBIT A

PROPERTY DESCRIPTION

EXHIBIT B

PURCHASE CONTRACT