

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

RESOLUTION #03-13

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT GOVERNING THE GREENWOOD-NEWBERRY INDUSTRIAL PARK DATED AS OF DECEMBER 31, 2012 BY AND BETWEEN NEWBERRY COUNTY, SOUTH CAROLINA, AND GREENWOOD COUNTY, SOUTH CAROLINA, TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN REAL PROPERTY LOCATED IN NEWBERRY COUNTY; AND OTHER RELATED MATTERS.

WHEREAS, Newberry County, South Carolina (“Newberry”), and Greenwood County, South Carolina (“Greenwood”) (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 Greenwood-Newberry Industrial Park (“Park”);

WHEREAS, the Counties entered into an agreement entitled “Master Agreement Governing the Greenwood-Newberry Industrial Park” dated December 31, 2012 (“Master Agreement”), the provisions of which govern the operation of the Park;

WHEREAS, pursuant to Section 1.01, Newberry desires to expand the boundaries of the Park to include property located in Newberry, as more particularly described in the attached Exhibit A, on which Kiswire, Inc. or its affiliate is planning to locate its economic development project (“Property”); and

WHEREAS, pursuant to the Master Agreement, the expansion of the Park boundaries to include the Property is complete on adoption of this Resolution by Newberry’s County Council and delivery of the description of the Property to Greenwood.

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

Section 1. Expansion of Park Boundaries. There is hereby authorized an expansion of the Park boundaries to include the Property. The Newberry Council Chair, or the Vice Chair in the event the Chair is absent, the Newberry County Administrator and the Clerk to the Newberry 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.

Section 2. Savings Clause. If any portion of this Resolution is deemed unlawful, unconstitutional or otherwise invalid, the validity and binding effect of the remaining portions are not affected.

Section 3. General Repealer. Any prior resolution, the terms of which are in conflict herewith, is, only to the extent of such conflict, repealed.

Section 4. Effectiveness. This Resolution shall be effective after its adoption by Newberry County Council.

Adopted this ____ day of February, 2013.

NEWBERRY COUNTY, SOUTH CAROLINA

Henry H. Livingston, III
Chairman of County Council
Newberry County, South Carolina

(SEAL)
ATTEST:

Laurie N. Renwick, Clerk to County Council
Newberry County, South Carolina

EXHIBIT A
DESCRIPTION OF PROPERTY

All that certain piece, parcel or tract of land, situate, lying and being in the County of Newberry, State of South Carolina, and being shown and designated as 50.712 acres on a plat prepared for Kiswire, Inc., by Adtech Surveying, Inc., dated April 30, 2012 and recorded in the Office of the Register of Deeds for Newberry County in Book C-275 at page 9, and having such metes, bounds, courses and distances as shown on said plat.

Being the same property conveyed to Kiswire, Inc. by deed of Rodney S. Griffin, a/k/a Rodney Griffin, dated and recorded on July 13, 2012 in Book 1633, page 185 in the Office of the Clerk of Court for Newberry County, South Carolina.

TMS No.: 457-15