

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

ORDINANCE NO. 189.2011

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR THE DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BETWEEN KERSHAW COUNTY AND SUMTER COUNTY DATED APRIL 27, 1999, ADDING ADDITIONAL PROPERTY OF SRE KERSHAW LLC, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Kershaw County and Sumter County entered into an Agreement for the Development of a Joint County Industrial and Business Park dated April 27, 1999 (the "Agreement"); and

WHEREAS, pursuant to Section 3 of the Agreement, the boundaries of the park created therein may be enlarged pursuant to ordinances of the respective county councils; and

WHEREAS, SRE Kershaw LLC (the "Company") is investing through the acquisition, construction, and/or renovation of land, buildings, improvements, and/or personal property (the "Project") on land described in Schedule I attached hereto, which is located in Kershaw County (the "Property"); and

WHEREAS, the Property is not located in any multi-county industrial and business park; and

WHEREAS, the Company has requested that Sumter County and Kershaw County include the Property in the Agreement in order to allow an enhanced jobs tax credit and to facilitate the granting of a special source revenue credit; and

WHEREAS, the Company has requested that the Property be included in the Agreement for the longer of 30 years or the term of the Fee Agreement between Kershaw County and SRE Kershaw LLC dated Dec. 13, 2011; and

WHEREAS, Kershaw County benefits from having the Project located in one park in order to avoid confusion in the administration of multiple Park Agreements and has therefore agreed to include the Property in the joint county industrial and business park created by the Agreement (the "Park").

NOW, THEREFORE, be it ordained by the Kershaw County Council that:

1. The Agreement is hereby and shall be amended to include the Property, and the County Administrator or Chairman of the Kershaw County Council are hereby authorized to execute and deliver any desired amendments to the Agreement necessary to accomplish the within amendments and enlargement.

2. This Ordinance shall amend, to the extent necessary, any other ordinances or resolutions of the Kershaw County Council pertaining to the Park.

FILED FOR RECORD
2012 JAN 10 PM 1:56
CLERK OF COURT
KERSHAW COUNTY, S.C.

3. This Ordinance shall be effective after third and final reading thereof.

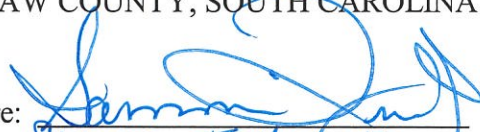
DONE in meeting duly assembled this 13th day of December, 2011.

KERSHAW COUNTY, SOUTH CAROLINA

Signature:

Name:

Title:


Sammie Tucker, Jr.
Vice-Chairman KC County

ATTEST:

Signature:

Name: Merri M. Seigler

Title: Clerk to County Council



STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

I, the undersigned, Clerk to County Council of Kershaw County, South Carolina ("County Council") DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on November 8, November 22, December 13, 2011. At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on December 13, 2011 and notice of the public hearing was published in the Camden Chronicle Independent on Nor. 4, 2011. At each meeting, a quorum of County Council was present and remained present throughout the meeting.

Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Kershaw County Council, South Carolina, as of this 13th day of December, 2011.

Signature: Merri M. Seigler
Name: Merri M. Seigler
Title: Clerk to County Council

SCHEDULE I

**Property Added to Exhibit B to the
Agreement for the Development of a Joint County Industrial and Business Park
Between Kershaw County and Sumter County Dated as of April 27, 1999**

ALL that certain piece, parcel or tract of land containing thirty (30.00) acres, more or less, together with the buildings and other improvements thereon, if any, situated, lying and being in the County of Kershaw, State of South Carolina, and being more fully shown and delineated as “**30.00 ACRES**” on that certain plat prepared for Southeast Renewable Energy by Robert H. Lackey Surveying, Inc” dated February 2, 2011, and recorded on _____, 2011, in the Office of the Register of Deeds for Kershaw County, South Carolina, in Plat Book _____ at Page _____, a copy of said plat being attached hereto. Said property having such size, shape, dimensions, buttings and boundings as will by reference to said plat more fully and at large appear, and which plat is incorporated herein by reference.

Tax Map Number 245-00-00-001 (portion)