

ORDINANCE NO. 168.2010

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN OPTION TO PURCHASE REAL PROPERTY FROM KERSHAW COUNTY, OPTIONOR, TO SOUTHEAST RENEWABLE ENERGY, LLC, OPTIONEE, IN REGARD TO A PROPOSED SITE FOR CONSTRUCTION BY SOUTHEAST RENEWABLE ENERGY, LLC OF A 15.2 MW BIOMASS PLANT THAT WILL PROVIDE ELECTRICITY AND REC'S TO SANTEE COOPER UNDER PURCHASE POWER AGREEMENTS; AND TO AUTHORIZE IN THE EVENT OF EXERCISE OF THE OPTION BY SOUTHEAST RENEWABLE ENERGY, LLC THE EXECUTION OF A DEED FROM KERSHAW COUNTY TO SOUTHEAST RENEWABLE ENERGY, LLC CONVEYING A PARCEL OF LAND CONTAINING 30 ACRES, MORE OR LESS, BEING PROPERTY OF KERSHAW COUNTY THE NORTHERN BOUNDARY BEING THE SANTEE COOPER TRANSMISSION LINE AND THE EASTERN AND SOUTHERN BOUNDARIES BEING PROPERTY OF KERSHAW COUNTY AND THE WESTERN BOUNDARY BEING PARK ROAD; AND AUTHORIZING SUCH OTHER MATTERS AS DETERMINED BY KERSHAW COUNTY AND SOUTHEAST RENEWABLE ENERGY, LLC.

WHEREAS, Kershaw County Council desires to enter into an Option Agreement from Kershaw County to Southeast Renewable Energy, LLC in regard to a proposed site for construction by Southeast Renewable Energy, LLC of a 15.2 MW Biomass Plant that will provided electricity and REC's to Santee Cooper under purchase power agreements; and

WHEREAS, in the event the Option is exercised by Southeast Renewable Energy, LLC, the Chairman and Vice-Chairman of Kershaw County Council shall be authorized to execute the deed by and between Kershaw County as Seller and Southeast Renewable Energy, LLC as Purchaser and do all acts necessary, to consummate the Option Agreement in the event of exercise;

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


1. That the Chairman and Vice-Chairman of Kershaw County Council are authorized to execute the Option Agreement by and between Kershaw County as Optionor and Southeast Renewable Energy, LLC, Optionee attached hereto and incorporate herein and to do all acts necessary, including execution of a deed, to consummate the Option Agreement in the event of exercise, and

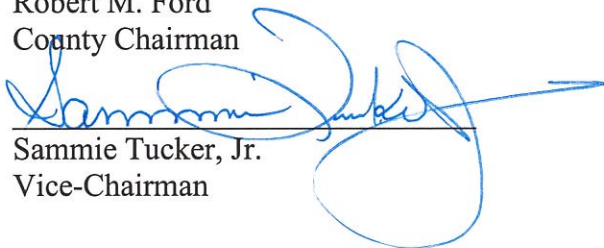
2. To do such further acts as necessary as approved by County Council to facilitate the conveyance of the property in the event the Option Agreement is exercised.

FILED FOR RECORD
2010 DEC 13 11:53
KERSHAW COUNTY

ADOPTED by Kershaw County Council this 23rd day of November, 2010.

KERSHAW COUNTY COUNCIL


BY: 
Robert M. Ford
County Chairman

BY: 
Sammie Tucker, Jr.
Vice-Chairman

Camden, South Carolina

First Reading: 10/12/10
Second Reading: 10/26/10
Public Hearing: 11/23/10
Third Reading: 11/23/10

ATTEST:


Merri M. Seigler
Clerk to Council

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