

FILED
OFFICE OF CLERK
OF COURT
2015 FEB 11 AM 11:10
CLERK OF COURT
LANCASTER, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO. 2015-1321

AN ORDINANCE

TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK DATED JUNE 1, 2001 BY AND BETWEEN CHESTERFIELD AND LANCASTER COUNTIES SO AS TO ENLARGE THE PARK AND EXTEND THE EARLIEST TERMINATION DATE APPLICABLE TO THE PROPERTY OF SCHAEFFLER GROUP USA INC. IN CHESTERFIELD COUNTY.

Be it ordained by the Council of Lancaster County, South Carolina:

Section 1. Findings and Determinations.

The Lancaster County Council finds and determines that:

- a. Chesterfield County and Lancaster County entered into an agreement for development of a joint county industrial park dated June 1, 2001 (the "Park Agreement"), approved by the Lancaster County Council by Ordinance No. 443; and
- b. Pursuant to Section 3(A) of the Park Agreement, the boundaries of the park created therein (the "Park") may be enlarged pursuant to ordinances of the respective County Councils of Chesterfield County and Lancaster County; and
- c. Chesterfield County and Lancaster County amended the Park Agreement to enlarge it by an amendment dated June 1, 2008, approved by the Lancaster County Council by Ordinance No. 913; and
- d. Chesterfield County and Lancaster County now desire to again enlarge the boundaries of the Park; and
- e. The expansion of the Park shall include the real estate described in the schedule attached to this Ordinance as Exhibit A ("Property"); and

f. Chesterfield County and Lancaster County wish to amend Section 12 of the Park Agreement to provide that the Park Agreement shall not be terminated prior to December 31, 2030 with respect to all property of Schaeffler Group USA Inc. in Chesterfield County.

Section 2. Approval of Additional Property.

The County Council hereby approves the amendment to the Park Agreement to include the Property.

Section 3. Approval of Revised Termination.

The County Council hereby approves the amendment to Section 12 of the Park Agreement to provide that the Park Agreement shall not be terminated prior to December 31, 2030 with respect to all property of Schaeffler Group USA Inc. in Chesterfield County, notwithstanding the provisions of the original Park Agreement or the original enabling ordinances of Chesterfield and Lancaster Counties.

Section 4. Approval of Amendment.

The Amendment to the Park Agreement attached hereto as Exhibit B is hereby approved, and the Chair of County Council, the Secretary of the County Council, and the Clerk to Council are hereby authorized, empowered and directed to execute, acknowledge and deliver the Amendment to Schaeffler Group USA Inc. and Chesterfield County.

Section 5. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 6. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained in the Lancaster County Code or other County ordinances, orders and resolutions, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 7. Effective Date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

And it is so ordained, this 9th day of February, 2015.

LANCASTER COUNTY, SOUTH CAROLINA



Bob Bundy, Chair, County Council



Steve Harper, Secretary, County Council

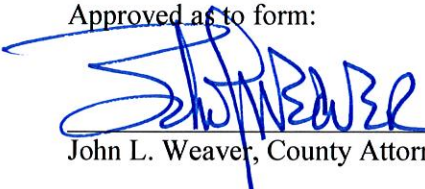
ATTEST:



Debbie C. Hardin, Clerk to Council

First Reading:	January 12, 2015
Second Reading:	January 26, 2015
Public Hearing	February 9, 2015
Third Reading;	February 9, 2015

Approved as to form:



John L. Weaver, County Attorney

EXHIBIT A to Ordinance No. 2015-1321

SCHAEFFLER GROUP USA, INC. PROPERTY
CHESTERFIELD COUNTY

All that certain piece, parcel or tract of land, situate, lying and being in Cheraw Township, Chesterfield County, South Carolina, containing 20.99 acres, more or less, (excluding highway right-of-way), commencing at a point in the center line of Highway S-13-388 located 284 feet east of an old spike in the center line of Oak Street where it intersects with the said highway; thence S72°-50'E along the center line of said highway for a distance of 993 feet to a corner; thence S26°-41'W, traversing a new iron at the southern boundary of the 66 foot right-of-way of the said highway, for a distance of 1,052.7 feet to an old axle by a cherry at a corner; thence N61°57'W for a distance of 998.5 feet to an old concrete marker at a corner; thence N27°-58'E for a distance of 551.7 feet to an old iron; thence N27°51'E, traversing an old iron at the southern boundary of the 66 foot right-of-way of Highway S-13-388, for a distance of 312.9 feet to the center line of said highway in the beginning corner and being generally bounded, now or formerly, as follows: On the North by Highway S-13-388; on the East by property of James and Eula Mae Thomas; on the South by "Finlayson Lots"; and on the West by C.N. Hewitt Lots, all of which will more particularly appear by reference to Map of Land of Mrs. Hattie S. McKay Estate made by Carl Maness, L.B., on August 1, 1980, and recorded in Plat Book 31 at Page 42, in the office of the Clerk of Court for Chesterfield County. See Tracts C, D and E, Plat Book 2, page 62.

This is the identical property conveyed to INA USA, Corporation by deed of William P. Griggs, Trustee dated March 5, 1999, and recorded on March 9, 1999, in Deed Book 371 at Page 1243-1247 in the said Clerk's Office.

Tax Map #259-1

EXHIBIT B to Ordinance No. 2015-1321

AMENDMENT TO PARK AGREEMENT

**STATE OF SOUTH CAROLINA) AMENDMENT TO AGREEMENT FOR
COUNTY OF CHESTERFIELD) DEVELOPMENT OF A JOINT COUNTY
COUNTY OF LANCASTER) INDUSTRIAL PARK DATED JUNE 1, 2001
(SCHAEFFLER GROUP USA, INC.)**

THIS AMENDMENT ENTERED INTO AS OF THE ____ DAY OF _____, 2015
BETWEEN CHESTERFIELD COUNTY, SOUTH CAROLINA AND LANCASTER COUNTY,
SOUTH CAROLINA

By authority of Ordinance No. _____ enacted by the County Council of
Chesterfield County on _____ and Ordinance No. 2015-1321 enacted by the County
Council of Lancaster County on February 9, 2015, for value received, Chesterfield County and
Lancaster County hereby agree that the property described in Exhibit A attached hereto is hereby
added to and shall be deemed to be a part of the Agreement for Development of a Joint County
Industrial Park between Chesterfield County and Lancaster County dated as of June 1, 2001 (the
"Park Agreement"). In addition, with respect to all property of Schaeffler Group USA Inc. in
Chesterfield County, South Carolina described in Exhibit B attached hereto, Chesterfield County
and Lancaster County confirm that such property is included in the Park Agreement and agree that
the Park Agreement shall not be terminated with respect to that property prior to December 31,
2030. All other terms and provisions of said Park Agreement shall remain in full force and effect.

WITNESS our hands and seals as of the day first above written.

**CHESTERFIELD COUNTY,
SOUTH CAROLINA**

Signature: _____
Name: _____
Title: Chairman of County Council

ATTEST:

Signature: _____
Name: _____
Title: Clerk to County Council

LANCASTER COUNTY SIGNATURES FOLLOW ON NEXT PAGE.

**LANCASTER COUNTY,
SOUTH CAROLINA**

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

EXHIBIT A to the Amendment to the Park Agreement

PROPERTY TO BE ADDED TO PARK AGREEMENT
SCHAEFFLER GROUP USA, INC.
CHESTERFIELD COUNTY

All that certain piece, parcel or tract of land, situate, lying and being in Cheraw Township, Chesterfield County, South Carolina, containing 20.99 acres, more or less, (excluding highway right-of-way), commencing at a point in the center line of Highway S-13-388 located 284 feet east of an old spike in the center line of Oak Street where it intersects with the said highway; thence S72°-50'E along the center line of said highway for a distance of 993 feet to a corner; thence S26°-41'W, traversing a new iron at the southern boundary of the 66 foot right-of-way of the said highway, for a distance of 1,052.7 feet to an old axle by a cherry at a corner; thence N61°57'W for a distance of 998.5 feet to an old concrete marker at a corner; thence N27°-58'E for a distance of 551.7 feet to an old iron; thence N27°51'E, traversing an old iron at the southern boundary of the 66 foot right-of-way of Highway S-13-388, for a distance of 312.9 feet to the center line of said highway in the beginning corner and being generally bounded, now or formerly, as follows: On the North by Highway S-13-388; on the East by property of James and Bula Mae Thomas; on the South by "Finlayson Lots"; and on the West by C.N. Hewitt Lots, all of which will more particularly appear by reference to Map of Land of Mrs. Hattie S. McKay Estate made by Carl Maness, L.B., on August 1, 1980, and recorded in Plat Book 31 at Page 42, in the office of the Clerk of Court for Chesterfield County. See Tracts C, D and E, Plat Book 2, page 62.

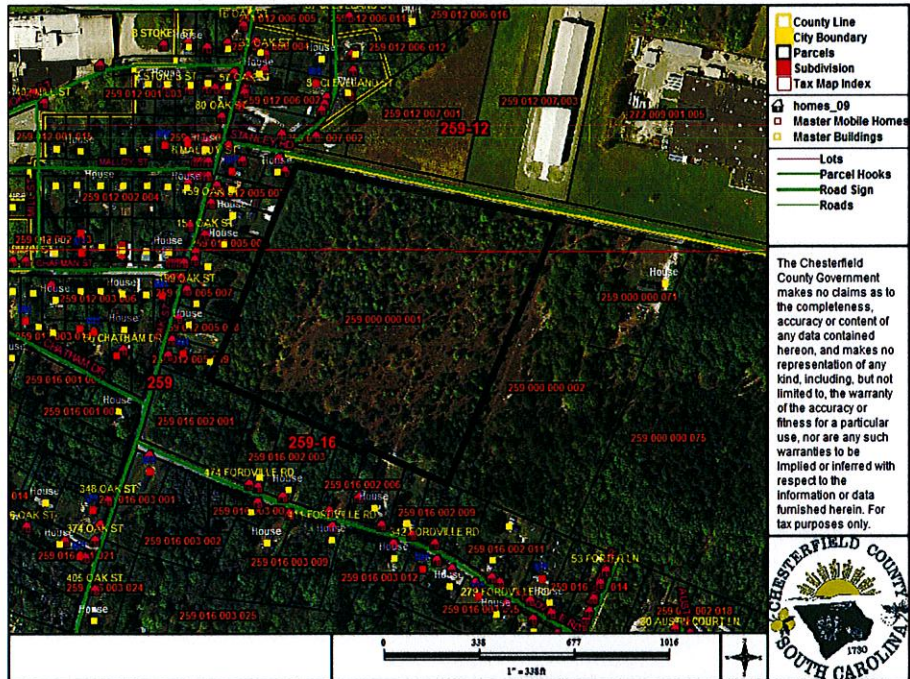
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Tax Map #259-1

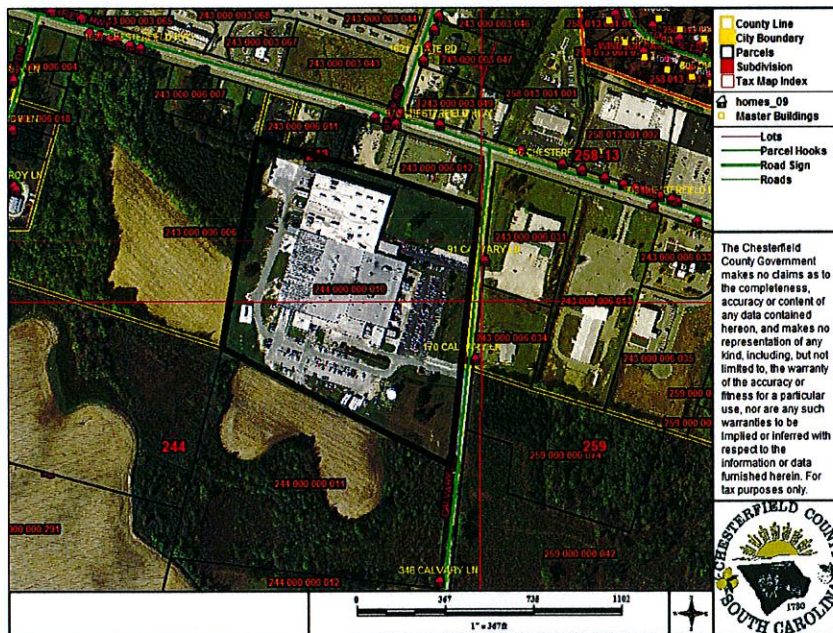
EXHIBIT B to the Amendment to the Park Agreement

SCHAEFFLER GROUP USA, INC. PROPERTY
CHESTERFIELD COUNTY

TMS # 259-000-000-001



TMS # 244-000-000-010



Legend:

- County Line
- City Boundary
- Parcels
- Subdivision
- Tax Map Index

homes_09

- Master Mobile Homes
- Master Buildings

Other Features:

- Lots
- Parcel Hooks
- Road Sign
- Roads

The Chesterfield County Government makes no claims as to the completeness, accuracy or content of any data contained herein, and makes no representation of any kind, including, but not limited to, the warranty of the accuracy or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information or data furnished herein. For tax purposes only.

CHESTERFIELD COUNTY SOUTH CAROLINA

1780

Scale: 1" = 301 ft