

FILED
OFFICE OF CLERK
OF COURT

2017 DEC 18 AM 10:17

CLERK OF COURT
LANCASTER, SC

STATE OF SOUTH CAROLINA)
COUNTY OF LANCASTER)

ORDINANCE NO. 2017-1481

AN ORDINANCE

TO AMEND THE AMENDED AND RESTATED MASTER MULTI-COUNTY PARK AGREEMENT BETWEEN CHESTERFIELD COUNTY, SOUTH CAROLINA AND LANCASTER COUNTY, SOUTH CAROLINA, AS AMENDED AND RESTATED AS OF NOVEMBER 9, 2015, EXHIBITS UPDATED THROUGH FEBRUARY 13, 2017, SO AS TO FURTHER UPDATE THE EXHIBITS BY ADDING PROPERTY LOCATED IN LANCASTER COUNTY (GOLDEN SPIKE, LLC).

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

Section 1. Findings and determinations; Purpose.

(a) The Council finds and determines that:

(1) Lancaster County, South Carolina ("Lancaster County") is authorized by Article VIII, Section 13(D) of the South Carolina Constitution and by Sections 4-1-170, -172 and -175 of the Code of Laws of South Carolina 1976, as amended, to jointly develop, in conjunction with contiguous counties, industrial and business parks (each a "Multi-County Park");

(2) Lancaster County and Chesterfield County, South Carolina ("Chesterfield County"), are contiguous counties which, pursuant to Ordinance No. 2013-14-08, enacted by Chesterfield County Council on December 4, 2013, and Ordinance No. 2013-1230 enacted by Lancaster County Council on December 9, 2013, established a Multi-County Park pursuant to the Master Multi-County Park Agreement dated as of December 9, 2013 (the "Park Agreement");

(3) Lancaster County, pursuant to Ordinance No. 2015-1352 enacted by Lancaster County Council on November 9, 2015, Resolution No. 0903-R2015 enacted on December 14, 2015, Ordinance No. 2015-1381 enacted on January 11, 2016, Ordinance No. 2016-1407 enacted on September 12, 2016, Ordinance No. 2016-1420 enacted on November 28, 2016, and Ordinance No. 2016-1427 enacted on December 12, 2016 and Chesterfield County, pursuant to Ordinance No. 14-15-20 enacted by Chesterfield County Council on November 4, 2015, Ordinance No. 15-16-10 enacted on December 16, 2015, Resolution No. 2016-01 enacted on January 6, 2016, Resolution No. 2016-11 enacted on September 7, 2016, Resolution No. 2016-16 enacted on December 7, 2016, and Resolution No. 2016-15 enacted on December 7, 2016 authorized an Amended and Restated Master Multi-County Park Agreement dated as of November

9, 2015 with Exhibits Updated Through February 13, 2017 (the “Amended and Restated Park Agreement”); and

(4) the County has committed itself by passage of Resolution No. 0979-R2017 to include the Golden Spike, LLC, property in a multi-county park; and

(5) the Amended and Restated Park Agreement provides that property may be added to the Multi-County Park upon the passage of an approving ordinance of the county in which the subject property is located and a resolution of the non-host county.

(b) It is the purpose of this ordinance to approve the addition of the properties identified in Section 2 of this ordinance to the Amended and Restated Park Agreement.

Section 2. Approval of amendment.

Council approves the amendment of Exhibit A (Lancaster County) of the Amended and Restated Park Agreement by adding at the end of Exhibit A (Lancaster County):

/I. Properties included pursuant to Lancaster County Ordinance No. 2017-1481, enacted on December 14, 2017, and Chesterfield County Resolution No. 2018-__, enacted on January __, 2018:

2213 Industrial Park Road

Tax Map No.

Owner

0045-00-027.00

Golden Spike, LLC/

Section 3. Preparation of amended Park Agreement.

When Chesterfield County has passed a resolution approving the addition of the property identified in Section 2 of this ordinance, the County Administrator, in consultation with the County Administrator of Chesterfield County, shall cause to be prepared an Amended and Restated Park Agreement with Exhibit A (Lancaster County) revised as set forth in Section 2 of this ordinance. A copy of the revised Amended and Restated Park Agreement with a revised Exhibit A (Lancaster County) shall be provided to the Administrator, Clerk to Council, Assessor, Auditor and Treasurer of Lancaster County and Chesterfield County.

Section 4. Conflicting provisions.

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

Section 5. Severability.

If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

Section 6. Effective Date.

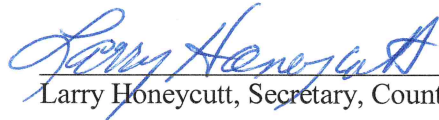
This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED


Dated this 14th day of December, 2017.

LANCASTER COUNTY, SOUTH CAROLINA


Charlene McGriff, Vice-Chair, County Council


Larry Honeycutt, Secretary, County Council

ATTEST:


Sherrie Simpson, Clerk to Council

First Reading:	November 13, 2017
Second Reading:	November 27, 2017
Public Hearing:	December 14, 2017
Third Reading:	December 14, 2017