

BARNWELL COUNTY
RESOLUTION NO. 2016-12-470-R

A RESOLUTION TO AMEND THE AMENDED AND RESTATED MASTER AGREEMENT FOR THE ESTABLISHMENT OF THE QUAD-COUNTY INDUSTRIAL PARK I, PARK II, AND PARK III DATED AS OF MAY 6, 2013 BY AND AMONG ALLENDALE COUNTY, SOUTH CAROLINA, BAMBERG COUNTY, SOUTH CAROLINA, BARNWELL COUNTY, SOUTH CAROLINA, AND HAMPTON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF CERTAIN MULTI-COUNTY INDUSTRIAL PARKS, SO AS TO INCLUDE ADDITIONAL PROPERTY IN THAT PORTION OF THE PARKS GEOGRAPHICALLY LOCATED IN ALLENDALE COUNTY, SOUTH CAROLINA, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Barnwell County entered into an Amended and Restated Master Agreement for the Establishment of the Quad-County Industrial Park I, Park II, and Park III dated May 6, 2013 with Allendale County, Bamberg County, and Hampton County (the “Agreement”); and

WHEREAS, pursuant to Section 3 of the Agreement, the boundaries of Park III created therein may be enlarged pursuant to an ordinance of the county council of the county in which property to be added is located and a resolution of the county councils of the other counties; and

WHEREAS, Thunderbolt Biomass, Inc. (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 Exhibit A attached hereto, which is located in Allendale County (the “Property”); and

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

WHEREAS, the Company has requested Allendale County, Bamberg County, Barnwell County, and Hampton 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 Allendale County and Thunderbolt Biomass, Inc. dated as of December 15, 2016; and

WHEREAS, Barnwell 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 industrial and business park referred to as “Park III” created by the Agreement (the “Park”).

NOW, THEREFORE, be it resolved by the Barnwell County Council that:

1. The Agreement is hereby and shall be amended to include the Property in Park III for the longer of 30 years or the term of the Fee Agreement, and the County Administrator or Chairman of the Barnwell 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 Resolution shall amend, to the extent necessary, any other ordinances or resolutions of the Barnwell County Council pertaining to the Park.

BE IT RESOLVED in meeting duly assembled this 13th day of December, 2016.

BARNWELL COUNTY, SOUTH CAROLINA

Signature: 
Name: David Kenner
Title: Chairman of County Council

ATTEST:

Signature: 
Name: Kim Futrell
Title: Clerk to County Council



EXHIBIT A

ALL that certain piece, parcel or lot of land, situate, lying and being located in the County of Allendale, State of South Carolina, containing 8.435 acres, more or less, commencing at the intersection of the rights-of-way of SC Highway 125 and SC S-3-22 then proceeding northeasterly a distance of 51.58 feet S 14° 18' 13" W to a point and thence turning a running northwesterly 282.99 feet N 59° 05' 58" W to a point, said point being the Point of Beginning; thence, proceeding in a northwesterly direction 518.75 feet N 59° 05' 57" W to a set 5/8" rebar; thence turning and running in a northeasterly direction N 32° 21' 11" E for 1,054.64 feet to a set 5/8" rebar; thence turning and running southeasterly 171.37 feet S 64° 35' 16" E to a point; and, thence turning and running in a southwesterly direction 1,117.90 feet S 14° 11' 26" W to the point of beginning.

AMENDMENT TO AMENDED AND RESTATED MASTER AGREEMENT
FOR THE ESTABLISHMENT OF THE QUAD-COUNTY INDUSTRIAL
PARK I, PARK II, AND PARK III (PROJECT GRANT)

By authority of Ordinance No. _____ enacted by the County Council of Allendale County on _____, 201__, Resolution No. _____ enacted by the County Council of Bamberg County on _____, 201__, Resolution No. _____ enacted by the County Council of Barnwell County on _____, 201__, and Resolution No. _____ enacted by the County Council of Hampton County on _____, 201__, for value received, Allendale County, Bamberg County, Barnwell County and Hampton County hereby agree that the property described in Schedule I, attached hereto, which is located in Allendale County, is hereby added to and shall be deemed to be a part of Exhibit A-3 to the Amended and Restated Master Agreement for the Establishment of The Quad-County Industrial Park I, Park II, and Park III by and between Allendale County, Bamberg County, Barnwell County and Hampton County dated as of May 6, 2013, as amended (the "Agreement"). All other terms and provisions of said Agreement shall remain in full force and effect.

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

**ALLENDALE COUNTY,
SOUTH CAROLINA**

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

(SEAL)
ATTEST:

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

**BAMBERG COUNTY,
SOUTH CAROLINA**

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

(SEAL)
ATTEST:

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

(Signatures continue on following page)



(SEAL)
ATTEST:

Signature: *Kim Futrell*
Name: Kim Futrell
Title: Clerk to County Council

**BARNWELL COUNTY,
SOUTH CAROLINA**

Signature: *David Kenner*
Name: David Kenner
Title: Chairman of County Council

**HAMPTON COUNTY,
SOUTH CAROLINA**

(SEAL)
ATTEST:

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

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

SCHEDULE I

ALL that certain piece, parcel or lot of land, situate, lying and being located in the County of Allendale, State of South Carolina, containing 8.435 acres, more or less, commencing at the intersection of the rights-of-way of SC Highway 125 and SC S-3-22 then proceeding northeasterly a distance of 51.58 feet S 14° 18' 13" W to a point and thence turning a running northwesterly 282.99 feet N 59° 05' 58" W to a point, said point being the Point of Beginning; thence, proceeding in a northwesterly direction 518.75 feet N 59° 05' 57" W to a set 5/8" rebar; thence turning and running in a northeasterly direction N 32° 21' 11" E for 1,054.64 feet to a set 5/8" rebar; thence turning and running southeasterly 171.37 feet S 64° 35' 16" E to a point; and, thence turning and running in a southwesterly direction 1,117.90 feet S 14° 11' 26" W to the point of beginning.