

FILED FOR RECORD

STATE OF SOUTH CAROLINA)
)
COUNTY OF BARNWELL)

ORDINANCE NO. 2021-08-382

2021 AUG 30 11 3: 32
RHONDA D. HARRISON
CLERK OF COURT
BARNWELL COUNTY, S.C.

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE ESTABLISHMENT OF THE QUAD-COUNTY INDUSTRIAL PARK AGREEMENT AMONG ALLENDALE COUNTY, BAMBERG COUNTY, BARNWELL COUNTY, AND HAMPTON COUNTY TO PROVIDE FOR THE ADDITION OF PROPERTY TO THE PARKS.

WHEREAS, pursuant to Title 4, Chapter 1 of the Code of Laws of South Carolina, as amended (the "Act") and Article VIII, Section 13(D) of the South Carolina Constitution, Barnwell County (the "County"), acting through the Barnwell County Council (the "County Council") is authorized to develop multi-county industrial or business parks with other counties; and

WHEREAS, Allendale County, Bamberg County, Barnwell County, and Hampton County (the "Counties" and each a "County") are parties to that certain 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 (the "Master Park Agreement"); and

WHEREAS, pursuant to Section 3 of the Master Park Agreement, the boundaries of the Park therein may be enlarged pursuant to the ordinance of the host County and resolutions of the participating counties; and

WHEREAS, Barnwell PV1, LLC, previously identified as Project Echo (the "Company") is contemplating investing in the County through the development and construction of real property improvements and/or the acquisition of personal property (the "Project"), on land more specifically described on Exhibit A attached herein by reference (the "Property"); and

WHEREAS, at the request of the Company and pursuant to the form of the Amendment to the Master Park Agreement (the "Amendment") attached hereto as Exhibit B, the County desires to add to the Property to Park III under the Master Park Agreement.

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

1. The Amendment is hereby approved.
2. The County hereby authorizes the execution of the Amendment in substantially the form presented to this meeting with such changes as are not material and do not adversely affect the County with such changes to be approved by the Chairman of County Council and the County Attorney.
3. In the name of and on behalf of the County, the Chair of the County Council, and in the event the Chair is unavailable, the Vice-Chair, is authorized and directed to execute the

Amendment, along with any other documents reasonably necessary to effect the intent of this Ordinance.

4. All previous actions taken by the County Council, or those acting on the County Council's behalf, in connection with the adoption of this Ordinance and the approval of the Agreement are ratified as official acts of the County Council.
5. Any prior ordinance, resolution, order, agreement or other act of the County Council, the terms of which are in conflict with this Ordinance is, only to the extent of that conflict, repealed.
6. If, and only to the extent, any portion of this Ordinance is unenforceable for any reason, the enforceability and binding effect of the remaining portions are not affected.
7. This Ordinance is effective after the third reading.



BARNWELL COUNTY, SOUTH CAROLINA

A handwritten signature in cursive script that reads "Harold Buckman".

Harold Buckman
Chairman of County Council
Barnwell County, South Carolina

ATTEST:

A handwritten signature in cursive script that reads "Elaine S. Ferguson".

Elaine S. Ferguson
Clerk to County Council
Barnwell County, South Carolina

Readings:

First Reading: June 8, 2021

Second Reading: July 13, 2021

Public Hearing: August 10, 2021

Third Reading: August 10, 2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF BARNWELL)

I, the undersigned, Clerk to County Council of Barnwell 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 June 8, 2021, July 13, 2021, and August 10, 2021. 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 August 10, 2021, and notice of the public hearing was published in The People Sentinel on July 22, 2021. 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 Barnwell County Council, South Carolina, as of this 10th day of August, 2021.

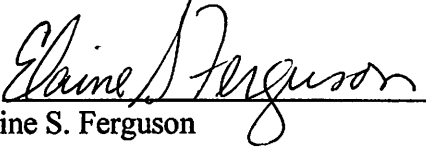
Signature: 
Name: Elaine S. Ferguson
Clerk to Barnwell County Council
Barnwell County, South Carolina

EXHIBIT A
LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Barnwell, State of SC, and is described as follows:

APPROXIMATELY 450 ACRES OF LAND THAT IS A PORTION OF ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE SEVEN PINES SCHOOL DISTRICT OF THE COUNTY OF BARNWELL, STATE OF SOUTH CAROLINA. THIS TRACT CONTAINS 1,021 ACRES, MORE OR LESS AND IS SHOWN AND DELINEATED AN A PLAT PREPARED BY ERNEST L. BRYAN, RLS, DATED SEPTEMBER 14, 1989, AND RECORDED ON OCTOBER 25, 1989, IN THE OFFICE OF THE CLERK OF COURT FOR BARNWELL COUNTY, SC, IN PLAT CABINET A, SLIDE 53, PAGE 9.

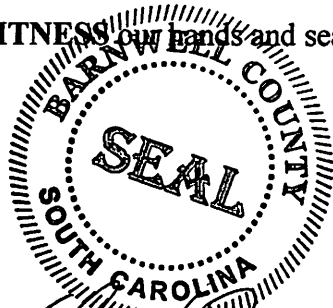
THIS TRACT IS BOUNDED, NOW OR FORMERLY, AS FOLLOWS: ON THE NORTH BY LANDS OF THE UNITED STATES OF AMERICA, BY LANDS OF J.D. RENEW, AND LANDS OF DENTON FRASER, ON THE EAST BY LANDS OF DENTON FRASER, BY SOUTH CAROLINA SECONDARY HIGHWAY S-6-54, BY SOUTH CAROLINA SECONDARY HIGHWAY S-6-20, AND BY SOUTH CAROLINA SECONDARY HIGHWAY S-3-361, ON THE SOUTH BY SOUTH CAROLINA SECONDARY HIGHWAY S-6-80 AND ON THE WEST BY LANDS OF THE UNITED STATES OF AMERICA.

**EXHIBIT B
AMENDMENT**

**AMENDMENT TO AMENDED AND RESTATED MASTER AGREEMENT
FOR THE ESTABLISHMENT OF THE QUAD-COUNTY INDUSTRIAL
PARK I, PARK II, AND PARK III (BARNWELL PV1, LLC)**

By authority of Ordinance No. 2021-08-382 enacted by the County Council of Barnwell County on August 10, 2021, Resolution No. _____ enacted by the County Council of Bamberg County on August 9, 2021, Resolution No. _____ enacted by the County Council of Hampton County on August 16, 2021, and Resolution No. _____ enacted by the County Council of Allendale County on August 19, 2021, 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 Hampton 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.



(SEAL)
ATTEST:

Signature: *Elaine Ferguson*
Name: Elaine Ferguson
Title: Clerk to County Council

**BARNWELL COUNTY,
SOUTH CAROLINA**

Signature: *Harold Buckmon*
Name: Harold Buckmon
Title: Chairman of 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 the following page)

**HAMPTON COUNTY,
SOUTH CAROLINA**

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

(SEAL)
ATTEST:

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

**ALLENDALE COUNTY,
SOUTH CAROLINA**

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

(SEAL)
ATTEST:

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

SCHEDULE I

The land referred to herein below is situated in the County of Barnwell, State of SC, and is described as follows:

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Also being depicted hereinbelow.

Barnwell PV1 Solar Facility, Area Map

8/24/2020

