

Null + Void

FILED FOR RECORD

AN ORDINANCE NO. 2011-12-278 2011 DEC 14 PM 3:38

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN BARNWELL COUNTY, SOUTH CAROLINA, AND [PROJECT HURRICANE], ITS AFFILIATES AND ASSIGNS, TO PROVIDE FOR A FEE IN LIEU OF *AD VALOREM* TAXES INCENTIVE; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; AND OTHER MATTERS THERETO RELATED.

RHONDA D. McELVEEN  
CLERK OF COURT  
BARNWELL COUNTY, S.C.

WHEREAS, Barnwell County, South Carolina ("County"), acting by and through its County Council ("County Council") is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended ("Act"), (i) to enter into agreements with qualifying industry to encourage investment in projects constituting economic development property through which the industrial development of the State of South Carolina will be promoted by inducing new and existing manufacturing and commercial enterprises to locate and remain in the State and thus utilize and employ manpower and other resources of the State; and (ii) to covenant with such industry to accept fee payments in lieu of *ad valorem* taxes ("FILOT") with respect to such investment;

WHEREAS, on November 23, 1993, the County and Aiken County, South Carolina (collectively, "Counties"), as authorized under Article VIII, Section 13(D) of the South Carolina Constitution and South Carolina Code Annotated sections 4-1-170, -172 and -175 (collectively, "MCIP Act"), have jointly developed a multi-county industrial business park by entering an agreement entitled "Agreement for Development for Joint Industrial Business Park" ("Park Agreement") to govern the operation of a multi-county industrial business park ("Park");

**Kim Futrell**

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**From:** Marty Martin [bcedc1@bellsouth.net]  
**Sent:** Tuesday, March 12, 2013 12:41 PM  
**To:** Kim Futrell  
**Subject:** FILOT-Project Hurricane

Kim:

We started down that road but didn't go further when SCDOR told us in Feb. 2012 the property did not qualify for a FILOT.

Thanks.

Marty