

RESOLUTION NO.: R-2013-062

Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park

WHEREAS, the City of Columbia, South Carolina ("City"), is a body, politic and corporate located in Richland County, South Carolina ("County"); and,

WHEREAS, through Columbia City Council ("Council"), the City is entitled to exercise all the powers and privileges provided to municipal corporations in the State of South Carolina; and,

WHEREAS, the County and Fairfield County, South Carolina (collectively, "Counties," each, a "County"), as authorized under Article VIII, Section 13(0) of the South Carolina Constitution and South Carolina Code Annotated Sections 4-1-170, -172 and -175 (collectively, "Act"), have created a multi-county park ("Park"); and,

WHEREAS, the Counties are seeking to include within the Park certain property as described on the attached Exhibit A ("Property"); and,

WHEREAS, the Property is located in the City and the Act, in particular Section 4-1-170, requires the Counties to gain the consent of the City prior to the inclusion of the Property in the Park; NOW, THEREFORE,

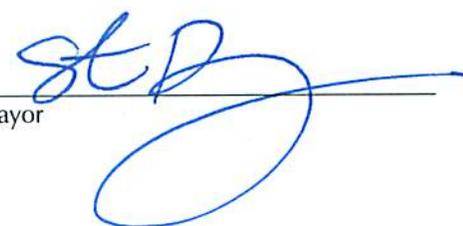
BE IT RESOLVED by the Mayor and City Council this 21st day of May, 2013 that the City hereby consents to the inclusion of the Property in the Park, which consent is conditioned upon the following:

1. The County's approval, execution and delivery of the Fee Agreement and Special Revenue Credit Agreement related to the Property (the "Fee Agreement"); and,

2. The Fee Agreement will provide that (a) the owner of the Property will pay a fee in lieu of tax related to the machinery and equipment installed in or on the Property ("FILOT") during the 20-year term of the Fee Agreement; (b) the annual FILOT payment payable from the Company to the County will be subject to reduction by a 25% special source revenue credit ("Credit") for the first five years of the term of the Fee Agreement; (c) in each year during the term of the Fee Agreement, the City will be entitled to receive the portion of the FILOT payment (net of the Credit, as applicable) received by the County under the Fee Agreement in the same proportion as if the Fee Agreement were not in place; and, (d) the Property will be deemed removed from the Park upon the expiration or earlier termination of the Fee Agreement.

Requested by:

City Manager



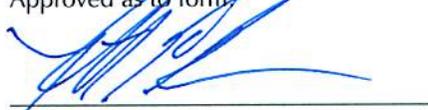
Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 5/21/2013
Final Reading: 5/21/2013

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EXHIBIT A
PROPERTY DESCRIPTION

All that certain piece, parcel or lot of land, with improvements thereon, located in the tract known as Industrial Park situate on Bluff Road in the County of Richland, State of South Carolina, approximately one and one-half (1.5) miles South of the southern limits of the City of Columbia, said lot beginning at a point marked by an iron pin on the North side of First Street South approximately three hundred fifty (350) feet West of Second Avenue and running N 30° 15' W for a distance of four hundred forty-nine and five-tenths (449.5') feet to a point marked by an iron pin; thence turning and running N 62° E for a distance of three hundred fifty and three tenths (350.3') feet to a point marked by an iron pin; thence turning and running S 30° 15' E for a distance of three hundred forty-nine and five-tenths (349.5') feet along the western boundary of Second Avenue to a point marked by an iron pin; thence turning and running S 5° 52' W for a distance of one hundred thirty-eight and six-tenths (138.6) feet to a point marked by an iron pin; thence turning and running S 62° W two hundred fifty and three-tenths (250.3') feet along the northern boundary line of First Street South to the point of beginning.

Said property being conveyed, containing three and five-tenths (3.5) acres and bounded on its western side by lands now or formerly of the City of Columbia, on its northern side by a proposed railroad right-of-way and lands now or formerly of the City of Columbia, on its eastern side by Second Avenue and on its southern side by First Street South, its more clearly described and delineated on a plat prepared for Food Service Supplies, Inc. by William Wingfield, RLS #752, dated October 27, 1986.

ALSO: All that certain piece, parcel or lot of land situate, lying and being in the City of Columbia, County of Richland, State of South Carolina, beginning at an old iron on the western right of way of Second Avenue in Columbia Industrial Park and running S 65° 29' 59" W along the northern property line of Tax Map 13512, Block 3, Lot 1, and Tax Map 13511, Block 2, Lot 3, for a distance of Six Hundred Forty-one and two tenths (641.2') feet to an old iron; thence turning and running N 26°45'40" W for a distance of Twenty (20') feet to the southern property line of Tax Map 13512, Block 2, Lot 1; thence turning and running N 65 9'59" E along the southern property line of Tax Map 13512, Block 2, Lot 1, for a distance of Six Hundred Forty-one and twenty one hundredths (641.21') feet to an old iron on the western right of way of Second Avenue; thence turning and running S 26°46'48" E along the western right of Second Avenue for a distance of Twenty (20') feet to the point of beginning; an measurements being more or Jess; being 0.29 acre shown as proposed railroad right of way lying between The Boulevard and First Street South on Boundary Survey of 0.29 acres to be conveyed to Food Service Supplies, Inc. by City of Columbia Department of Utilities and Engineering, dated May 13, 1993, and being shown on Richland County tax maps dated LR1279 as strip bounded north by Tax Map 860, Block 4, Lot 2, and bounded south by Tax Map 860, Block 4, Lot 6 and portion Lot 10, and on Richland Maps dated LR1290 as strip bounded north by Tax Map 13512, Block 2, portion of Lot 1, and bounded south by Tax Map 13512, Block 3, Lot 1, and Tax Map 13511, Block 2, Lot 3.

ALSO: All that certain piece, parcel or tract of land situate, lying and being in the County of Richland, State of South Carolina, shown on boundary survey of property to be conveyed to Food Services Supplies, Inc. by City of Columbia Department of Utilities and Engineering dated March 5, 1990, beginning at an old iron on the northern right-of-way of First Street South Three Hundred Seventy-nine and eighty-nine hundredths (379.89') feet west of the center line of Second Avenue and running along the said right-of-way of First Street South S 65 30' 00" W for a distance of Two Hundred Ninety and seventy-two hundredths (290.72') feet to a new iron; thence turning and running N 26.45' 40" W along property now or formerly of the City of Columbia for a distance of Four Hundred Forty- nine and fifty- nine hundredths (449.59') feet to a new iron; thence turning and running along proposed railroad right-of-way N 65 29' 59" E for a distance of Two Hundred Ninety and. seventy-one hundredths (290.71') feet to an old iron; thence turning and running along three and five-tenths (3.5) acre tract now or formerly of Food Services Supplies, Inc. S 26 45' 48" E for a distance of Four Hundred Forty-nine and fifty-seven hundredths (449.57') feet to the point of beginning; containing Three (3.0) acres (130,602.7 square feet.); being shown on Richland County tax maps dated LR1279 as Tax Map 850, Block 4, portion Lot 10, and on Richland County tax maps dated LR1287 as Tax Map 13511, Block 2, portion Lot 2.