

STATE OF SOUTH CAROLINA )  
 )  
DARLINGTON COUNTY )

ORDINANCE NO. 25-04

**AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A MULTI-COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN DARLINGTON COUNTY AND MARLBORO COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK SO AS TO INCLUDE ADDITIONAL PROPERTY IN DARLINGTON COUNTY AND MARLBORO COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATING THERETO.**

WHEREAS, Marlboro County, South Carolina ("Marlboro County") and Darlington County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended ("the Act"), to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties;

WHEREAS in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties previously entered into a Joint County Industrial and Business Park Agreement dated November 17, 1997 as amended (the "Park Agreement") to combine and jointly develop an industrial and business park (the "Park");

WHEREAS, Darlington County, acting by and through its County Council ("County Council") is authorized pursuant to the provisions of Title 12, Chapter 44 of the Act to encourage manufacturing and commercial enterprises to locate in the State of South Carolina (the "State") or to encourage manufacturing and commercial enterprises now located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the Act, that provides for the payment of a fee-in-lieu of *ad valorem* taxes ("FILOT"), with respect to economic development property, as defined in the Act;

WHEREAS, the Park Agreement, by its terms, contemplates the expansion of the Park by the inclusion of additional parcels within the Park from time to time, pursuant to ordinances of the County Council and the Darlington County Council; and

WHEREAS, the Counties now desire to amend the Agreement to expand the Park to include additional property located in Darlington County and Marlboro County in the Park and extend the term of the Park Agreement with respect to such property.

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

SECTION 1. Darlington County is hereby authorized to enter into the twenty fourth (or successor) amendment to the Park Agreement to increase the Park's boundaries located in the Counties. Attached hereto as Exhibit A is the property description of the increase of the Park within Marlboro County to be added to Exhibit B of the Park Agreement. The form, terms and provisions of the Park Agreement amendment is presented to this meeting and attached hereto as Exhibits B as filed with the Clerk of the


Marlboro County Council and the Clerk of the Darlington County Council be and it is approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference.

SECTION 2. Pursuant to the MCIP Act and the terms of the Agreement, the expansion of the Park's boundaries is complete on adoption of this ordinance by County Council and the adoption of a companion ordinance by Marlboro County authorizing the expansion of the Park with a description of the additional property to be included in the Park.


SECTION 3. The provisions of this ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

SECTION 4. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This ordinance shall take effect and be in full force from and after its passage by the County Council.

**DARLINGTON COUNTY, SOUTH CAROLINA**

Signature:   
Name: Bobby Hudson  
Title: Chairman of County Council

**ATTEST:**

Signature:   
Name: J. Janet Bishop  
Title: Clerk to County Council

**READINGS:**

First Reading: February 3, 2025

Second Reading: March 3, 2025

Public Hearing: April 7, 2025

Third Reading: April 7, 2025

EXHIBIT A

MARLBORO COUNTY PROPERTY DESCRIPTION FOR ADDITION TO PARK

All parcels identified by the tax map numbers listed below of property located in Marlboro County, South Carolina:

**1) Devon Holdings, LLC**

022-01-02-028, 022-01-02-027, 028-00-02-019, 028-00-02-022, 028-00-02-023, 029-00-01-014, and 029-00-01-013

**2) Dorset Holdings, LLC**

059-00-02-023, 059-00-02-004, 059-00-02-005, 059-00-02-007, 059-00-02-013, 059-00-02-014, 059-00-02-041, 059-00-02-012, 059-00-02-015, and 059-00-02-046

**3) Flax Holdings, LLC**

017-01-01-002, 023-01-02-001, 023-01-02-002, and 023-01-02-018

**4) Ferroglobe USA Quartz, Inc.**

001-01-03-003, 001-01-03-001, and 013-00-01-031

**5) AAC East, LLC and PV Development, LLC**

027-00-02-096

**6) J.L. Anderson Co., LLC**

019-01-01-008

**EXHIBIT B**

**TWENTY FOURTH PARK AGREEMENT AMENDMENT**

**TWENTY FOURTH (24<sup>th</sup>) (OR SUCCESSOR) AMENDMENT  
TO**

**AGREEMENT FOR DEVELOPMENT OF  
JOINT COUNTY INDUSTRIAL AND BUSINESS PARK**

This **TWENTY FOURTH (24<sup>th</sup>) (OR SUCCESSOR) AMENDMENT** entered into as of this day of 12-10, 2024 between **DARLINGTON COUNTY, SOUTH CAROLINA** and ~~MARLBORO COUNTY, SOUTH CAROLINA~~.

3. By authority of ordinance no. \_\_\_\_ enacted by the County Council of Darlington County on \_\_\_\_\_, 2024 and ordinance no. 857 enacted by the County Council of Marlboro County on 12-10, 2024, for value received, Darlington County and Marlboro County hereby agree that the property described in Schedule I hereto is hereby added to and shall be deemed to be a part of Exhibit A to the Agreement for Development of Joint County Industrial and Business Park between Darlington County and Marlboro County dated as of November 17, 1997, as amended by a First Amendment dated as of December 10, 1998, a Second Amendment dated as of December 6, 1999, a Third Amendment dated as of September 14, 2000, a Fourth Amendment dated as of May 3, 2001, a Fifth Amendment dated as of May 7, 2001, a Sixth Amendment dated as of December 12, 2002, a Seventh Amendment dated as of August 16, 2004, an Eighth Amendment dated as of December 8, 2005, a Ninth Amendment dated July 16, 2007 and a Tenth Amendment dated as of July 8, 2008 and an Eleventh Amendment dated February 10, 2009, and any such further amendments not reflected herein (which are not intentionally excluded) (cumulatively, the "Agreement").

4. All other terms and provisions of said Agreement shall remain in full force and effect.

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

**MARLBORO COUNTY, SOUTH CAROLINA**

(SEAL)

Signature: Anthony Woods

Name: Anthony Woods

Title: Chairman of County Council

ATTEST:

Signature: Susan E. Rivers

Name: Susan Rivers

Title: Clerk to County Council

**DARLINGTON COUNTY, SOUTH CAROLINA**

(SEAL)

Signature: \_\_\_\_\_

Name: Bobby Hudson

Title: Chairman of County Council

ATTEST:

By: \_\_\_\_\_

J. JaNet Bishop

Darlington County, South Carolina

**TWENTY FOURTH (OR SUCCESSOR) AMENDMENT**

**TO**

**AGREEMENT FOR DEVELOPMENT OF**

**JOINT COUNTY INDUSTRIAL AND BUSINESS PARK**

This **TWENTY FOURTH (OR SUCCESSOR) AMENDMENT** entered into as of this 7<sup>th</sup> day of April 2025 between **DARLINGTON COUNTY, SOUTH CAROLINA** and **MARLBORO COUNTY, SOUTH CAROLINA**.

1. By authority of Ordinance No. 25-04 enacted by the County Council of Darlington County on April 7, 2025, and ordinance no. \_\_\_\_\_ enacted by the County Council of Marlboro County on \_\_\_\_\_, 2024, for value received, Darlington County and Marlboro County hereby agree that the property described in Schedule I hereto is hereby added to and shall be deemed to be a part of Exhibit A to the Agreement for Development of Joint County Industrial and Business Park between Darlington County and Marlboro County dated as of November 17, 1997, as amended by a First Amendment dated as of December 10, 1998, a Second Amendment dated as of December 6, 1999, a Third Amendment dated as of September 14, 2000, a Fourth Amendment dated as of May 3, 2001, a Fifth Amendment dated as of May 7, 2001, a Sixth Amendment dated as of December 12, 2002, a Seventh Amendment dated as of August 16, 2004, an Eighth Amendment dated as of December 8, 2005, a Ninth Amendment dated July 16, 2007 and a Tenth Amendment dated as of July 8, 2008 and an Eleventh Amendment dated February 10, 2009, and any such further amendments not reflected herein (which are not intentionally excluded) (cumulatively, the "Agreement").

2. All other terms and provisions of said Agreement shall remain in full force and effect.

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

**MARLBORO COUNTY, SOUTH CAROLINA**

(SEAL)

Signature: \_\_\_\_\_

Name: Anthony Woods

Title: Chairman of County Council

ATTEST:

Signature: \_\_\_\_\_

Name: Susan Rivers

Title: Clerk to County Council

**DARLINGTON COUNTY, SOUTH CAROLINA**

(SEAL)

Signature: Bobby Hudson

Name: Bobby Hudson

Title: Chairman of County Council

ATTEST:

By: J. JaNet Bishop  
J. JaNet Bishop

Darlington County, South Carolina

## **SCHEDULE I**

### **Addition to Exhibit B**

**to Agreement for Development of Joint County Industrial  
and Business Park dated as of November 17, 1997, as amended,  
between Darlington County and Marlboro County**

#### **1) Devon Holdings, LLC**

022-01-02-028, 022-01-02-027, 028-00-02-019, 028-00-02-022, 028-00-02-023, 029-00-01-014, and 029-00-01-013

#### **2) Dorset Holdings, LLC**

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#### **3) Flax Holdings, LLC**

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#### **5) AAC East, LLC and PV Development, LLC**

027-00-02-096

#### **6) J.L. Anderson Co., Inc.**

019-01-01-008

# Darlington County Recording Page



Darlington Clerk of Court / ROD  
**Scott B. Suggs**  
Darlington County Courthouse  
110 N. Main St.  
Darlington, SC 29532  
(843) 398-4330

OrdinanceNo : **2025-06**



Doc ID - 004085040010

On (Recorded Date) : **5/5/2025**  
At (Recorded Time) : 12:25:18 PM

Recording Pages : 10  
Recording Fee : \$0.00

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Type of Transaction: Ordinance

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Darlington County, South Carolina

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Darlington Clerk of Court / ROD  
**Scott B. Suggs**  
Darlington County Courthouse  
110 N. Main St.  
Darlington, SC 29532  
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