

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

ORDINANCE #O-2022-32

ORDINANCE OF JASPER COUNTY COUNCIL

An Ordinance authorizing the sale of TMS 048-00-01-029, approximately 10.62 acres, a portion of TMS 048-00-01-012, approximately 12.40 acres, and TMS 048-00-01-032, approximately 2 acres, to Gopher Hill Holdings, LLC, or its assigns, and to authorize the Jasper County Administrator to execute such contracts, deeds and other documents as may be necessary and appropriate to effect the sale.

WHEREAS, Jasper County and Gopher Hill Holdings, LLC (“GHH”) have negotiated the terms of a proposed Contract for the Purchase and Sale of Commercial Real Property (“Agreement”) between them by which Jasper County would sell, by and through St. Peters Parish/Jasper County Public Facilities Corporation, and GHH would purchase three parcels of land totaling approximately 25.02 acres located at the Cypress Ridge Industrial Park, said parcels having TMS 048-00-01-029, approximately 10.62 acres, a portion of TMS 048-00-01-012, approximately 12.40 acres, and TMS 048-00-01-032, approximately 2 acres, in order to expand and grow the existing commercial enterprise located adjacent thereto; and

WHEREAS, the Agreement further provides for the acquisition from GHH by Jasper County at closing as part of the sales price of the properties being acquired by GHH, title to approximately 25.52 acres, more or less, located in the Cypress Ridge Industrial Park; and

WHEREAS, the Jasper County Council on October 3, 2022, approved the negotiation and execution of the Agreement by the Administrator on behalf of Jasper County; and

WHEREAS, subsequently, a modification to the Agreement was requested by GHH, which has been presented to Council for ratification by Council and authorization for the Administrator to execute; and

WHEREAS, in accordance with South Carolina law, Jasper County Council must pass an ordinance authorizing the sale of real property; and

WHEREAS, Jasper County Council finds the terms of the modified Agreement to be fair, equitable and in the best interests of the citizens of Jasper County, and in furtherance of additional economic development within the County;

NOW THEREFORE, BE IT RESOLVED by Jasper County Council, in council duly assembled and by the authority of the same:

1. Jasper County Council hereby acknowledges the approval of the Agreement, a copy of which is attached as Exhibit "A", and the execution and delivery of the Agreement for the Purchase and Sale of commercial real property on behalf of the County;
2. Jasper County Council adopts the foregoing recitals as part of this Ordinance, and approves the sale of the referenced County property, and the acceptance of the property being transferred from Gopher Hill Holdings, LLC, upon the terms and conditions of the Agreement;
3. The Jasper County Administrator, with the assistance of the County Attorney, is further authorized to execute and deliver on behalf of Jasper County an executed copy of the modified Agreement (Exhibit "A"), a deed, closing statements and such other documents as may be necessary or desirable to accomplish the transfer of title to the property to the purchaser and obtain title to the properties being transferred from Gopher Hill Holdings, LLC, as part of this transaction as more particularly described in the Agreement, as modified.
4. County Council authorizes the acceptance of the two parcels of land referenced in the Agreement as partial payment for the property being transferred from the County, and the County Administrator, with the assistance of the County Attorney, is further authorized to execute and

deliver on behalf of Jasper County, closing statements and such other documents as may be necessary or desirable to accomplish the transfer of title to the property referenced to Jasper County.

5. In connection with the execution and delivery of the deeds and other documents authorized hereunder, the County Administrator, with the advice and counsel of the County Attorney, is fully authorized to prepare, review, negotiate, execute, deliver, and agree to such additional agreements, amendments, certifications, documents, closing proofs, and undertakings as he shall deem necessary or advisable.
6. Any actions previously undertaken by the County Administrator, County Council or County staff in connection with the execution and delivery of the contracts, contract amendments, deeds, acceptance of the deeds from Gopher Hill Holdings, LLC and its affiliates, including the negotiation of the terms related thereto and any other agreements prior to the enactment of this Ordinance are ratified and confirmed.
7. This Ordinance shall take effect upon approval of the Council.

Done this _____ day of _____, 2022.

Barbara B. Clark, Chairwoman

ATTEST:

Wanda Simmons, Clerk to Council

ORDINANCE# O-2022-32

First Reading: 10.17.2022
Second Reading: 11.21.2022
Public hearing: 11.07.2022
Adopted: 12.05.2022

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder Date: _____