

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED MAY 17, 2010, SO AS TO INCLUDE ADDITIONAL PROPERTY IN ORANGEBURG COUNTY (WALKER EMULSIONS (USA) INC.) AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATED THERETO

WHEREAS, Dorchester County entered into an Amended and Restated Agreement for Development of Joint County Industrial Park dated May 17, 2010, as amended by that certain First Modification to Agreement for Development of Joint Industrial Park dated May 17, 2010 (the “Agreement”); and

WHEREAS, pursuant to Section 3 of the Agreement, the boundaries of the park created therein may be enlarged pursuant to an ordinance of the county council of the county in which property to be added is located and a resolution of the county council of the other county; and

WHEREAS, Walker Emulsions (USA) Inc. (the “Company”) is investing through the acquisition, construction, and/or renovation of land, buildings, improvements, and/or personal property (the “Project”) on land described in Exhibit A attached hereto, which is located in Orangeburg County (the “Property”); and

WHEREAS, the Property is not located in any multi-county industrial and business park; and

WHEREAS, the Company has requested that Orangeburg County and Dorchester County include the Property in the Agreement in order to allow an enhanced jobs tax credit and to facilitate the granting of a special source revenue credit; and

WHEREAS, the Company has requested that the Property be included in the Agreement for the longer of 30 years or the term of the Fee Agreement between Orangeburg County and Walker Emulsions (USA) Inc. dated November 3, 2014; and

WHEREAS, Dorchester County benefits from having the Project located in one park in order to avoid confusion in the administration of multiple Park Agreements and has therefore agreed to include the Property in the joint industrial and business park created by the Agreement (the “Park”).

NOW, THEREFORE, be it resolved by the Dorchester County Council that:

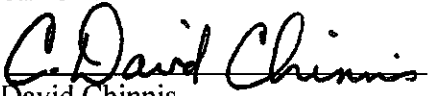
1. The Agreement is hereby and shall be amended to include the Property, and the County Administrator or Chairman of the Dorchester County Council are hereby authorized to execute and deliver any desired amendments to the Agreement necessary to accomplish the within amendments and enlargement.

2. This Resolution shall amend, to the extent necessary, any other ordinances or resolutions of the Dorchester County Council pertaining to the Park.

3. This Resolution shall be effective as of the date hereof.

BE IT RESOLVED in meeting duly assembled this 17th day of February, 2015.

**DORCHESTER COUNTY,
SOUTH CAROLINA**

Signature: 
Name: C. David Chinnis
Title: Chairman of County Council

(SEAL)

ATTEST:

Signature: 
Name: Sally K. Hebert
Title: Clerk to County Council

EXHIBIT "A"

All that certain piece, parcel, or tract of land, situate, lying and being near the City of Orangeburg County of Orangeburg, State of South Carolina, and Township of Orange containing 10.873 acres and being more particular described having metes and bounds as follows; to-wit:

Beginning at an iron pin found along the right-of-way of Prosperity Drive at the point where said road turns approximately 90 degrees from South to East, said pin also being along a spur of the Southern Railroad which services the property; thence running South 61 Degrees, 32 Minutes, 02 Seconds West, 151.31 feet to an iron pin found; thence continuing South 61 Degrees, 32 Minutes, 02 Seconds West, 254.72 feet to an iron pin found; thence continuing South 61 Degrees, 32 Minutes, 02 Seconds West, 294.43 feet to an iron pin found at the common corner with the Orangeburg Municipal Airport, City of Orangeburg; thence turning and running with the common boundary of the Orangeburg Municipal Airport, City of Orangeburg, North 13 Degrees, 27 Minutes, 37 Seconds West, 700.09 feet, to an iron pin found at the common corner with Trinity Industries; thence turning and running with the common boundary with Trinity Industries North 61 Degrees, 32 Minutes, 10 Seconds East, 265.47 feet, to an iron pin found at the common corner with Trinity Industries; thence continuing with the common boundary with Trinity Industries, North 61 Degrees, 32 Minutes, 10 Seconds East, 434.94 feet, to an iron pin found on the westerly right-of-way line of Prosperity Drive; thence turning and running with said right-of-way South 13 Degrees, 27 Minutes, 46 Seconds East, 700.06 feet, to the Point of Beginning, as shown on a plat of the survey by Smith Surveyors, Inc., dated the 21st day of June in the year of our Lord 2004, and in the 227th year of the sovereignty and independence of the United States of America.

Also all that certain piece, parcel, or tract of land, situate, lying and being near the City of Orangeburg County of Orangeburg, State of South Carolina, and Township of Orange containing 1.80 acres and being more particular described having metes and bound as follows, to-wit:

Beginning at an iron pin found along the right-of-way of Prosperity Drive at the point where said road turns approximately 90 degrees from South to East, said pin also being along a spur of the Southern Railroad which services the property thence running along the right-of-way of North 61 Degrees, 32 Minutes, 02 Seconds East, 473.52 feet, to a concrete monument found at on the western right-of-way of the Southern Railroad; thence turning and running with the right-of-way of the Southern Railroad, South 10 Degrees, 40 Minutes, 01 Seconds East, 405.55 feet, an iron pin found at the common corner with DMC Prints, Inc., Edisto Plant; thence turning and running along the common boundary with DMC Prints, Inc., Edisto Plant, 476.70 feet along a curve to the right of radius 443.43 feet, a chord bearing and distance of North 71 Degrees, 33 Minutes, 58 Seconds West, 454.07 feet, to an iron pin found; thence continuing with the common boundary with DMC Prints, Inc., Edisto Plant, South 77 Degrees, 37 Minutes, 09 Seconds West, 198.37 feet, an iron pin found; thence turning and running North 61 Degrees, 32 Minutes, 02 Seconds East, 151.31 feet, to the Point of Beginning, as shown on a plat of the survey by Smith Surveyors, Inc., dated the 21st day of June in the year of our Lord 2004, and in the 227th year of the sovereignty and independence of the United States of America.

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Reference is hereby made to a plat of Orangeburg County Development Commission by Edisto Surveyors, Inc. dated November 1, 1988 last revised March 31, 1989, and a plat for Associated Chemists by Edisto Surveyors, Inc. dated November 1, 1989, last revised May 4, 1994.

DERIVATION:

Being the same property conveyed to Engineered Polymer Solutions, Inc. by Special Warranty Deed of Associated Chemists, Inc. dated July 30, 2004 recorded in Deed Book 1052, Page 312, in the RMC Office for Orangeburg County, South Carolina.

TMS Number O171-00-01-014
O171-00-01-004
O171-00-01-013