

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DARLINGTON )

ORDINANCE NO. 25-18

**AN ORDINANCE AUTHORIZING THE ENLARGEMENT OF THE JOINT COUNTY INDUSTRIAL PARK BETWEEN DARLINGTON COUNTY, SOUTH CAROLINA AND FLORENCE COUNTY, SOUTH CAROLINA RELATING TO A PROPOSED SOLAR FARM DEVELOPMENT LOCATED AT TAX PARCELS 074-00-01-001, 073-00-01-069, 050-00-01-004, 051-00-01-012, 051-00-01-077, 074-00-01-074, 051-00-01-086, AND 050-00-01-014 NEAR UNDERGROUND BRANCH ROAD, WHITEHALL LANE, PERSIMMONS DRIVE, AND E. OLD CAMDEN ROAD; AND OTHER MATTERS RELATED THERETO (IP SOLAR, LLC).**

WHEREAS, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Title 4, Section 1, Code of Laws of South Carolina, 1976, as amended (collectively, "*MCIP Act*"), Darlington County (the "*County*"), acting by and through its County Council ("*County Council*"), is authorized to jointly develop multicounty parks with counties having contiguous borders with the County and, in the County's discretion, include property within the boundaries of such multicounty park; and

WHEREAS, under the authority provided in the MCIP Act, the County created a multicounty park ("*Park*") pursuant to that certain Agreement Governing the Darlington-Florence Industrial Park, effective April 21, 2016 (the "*Agreement*"); and

WHEREAS, IP Solar, LLC (the "*Company*") has obtained or will obtain control over certain land in Darlington County and is considering the establishment of a solar power generation facility on such land; and

WHEREAS, in connection therewith, the Company and the County desire to include certain property owned/controlled by or to be owned/controlled by the Company as more particularly described on Exhibit A attached hereto (the "*Property*") in the Park; and

WHEREAS, the County desires to expand the boundaries of the Park and amend the Agreement to include the Project by an amendment to the Agreement in substantially the same form as set forth on Exhibit B attached hereto (the "*Amendment*").

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

**SECTION 1.** The County approves the inclusion of the Property within the Park.

**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 resolution or ordinance by Florence County authorizing the expansion of the Park with a description of the additional property to be included in the Park. The County Administrator and Clerk to Council are hereby authorized and directed to execute the

Amendment in substantially the form presented to County Council, together with such changes as are not materially adverse to the County in the determination of the County Administrator with the advise of counsel.

**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.

ENACTED in meeting duly assembled this 11<sup>th</sup> day of August, 2025.

DARLINGTON COUNTY, SOUTH  
CAROLINA



\_\_\_\_\_  
Name: Bobby Hudson, Chairman  
Darlington County Council

ATTEST:



\_\_\_\_\_  
Name: Janet Bishop, Clerk  
Darlington County Council

First Reading: June 2, 2025

Second Reading: July 7, 2025

Third Reading: August 11, 2025

Public Hearing: August 11, 2025

**Exhibit A**

**PROPERTY DESCRIPTION**

A portion of that certain piece, parcel, or tract of land, with all improvements thereon, situate lying or being in the County of Darlington, State of South Carolina, bearing the following Tax Map Parcel Numbers:

**074-00-01-001, 073-00-01-069, 050-00-01-004, 051-00-01-012, 051-00-01-077,  
074-00-01-074, 051-00-01-086, and 050-00-01-014**

**Exhibit B**

**Amendment to Agreement**

*[follows on next page]*

STATE OF SOUTH CAROLINA ) AMENDMENT TO THE AGREEMENT  
 ) GOVERNING THE DARLINGTON-  
COUNTY OF FLORENCE ) FLORENCE INDUSTRIAL PARK TO  
COUNTY OF DARLINGTON ) INCLUDE IP SOLAR, LLC

This Amendment to the Agreement Governing the Darlington-Florence Industrial Park dated as of April 21, 2016 (the "*Amendment*") is made and entered into by and between Florence County, South Carolina ("*Florence County*") and Darlington County, South Carolina ("*Darlington County*"), each a body politic and corporate and political subdivision of the State of South Carolina (collectively the "*Counties*"), and is to be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**WITNESSETH:**

**WHEREAS**, Florence County, acting by and through its County Council, and Darlington County, acting by and through its County Council, are authorized pursuant to Article VIII, Section 13(D) of the Constitution of the State of South Carolina and Title 4, Chapter 1 of the Code of Laws of the State of South Carolina 1976, as amended, and specifically Section 4-1-170 thereof (collectively, the "*Park Act*"), to develop jointly an industrial or business park with other counties within the geographical boundaries of one or more member counties; and

**WHEREAS**, pursuant to the Park Act, Florence County and Darlington County entered into that Agreement Governing the Darlington-Florence Industrial Park dated as of April 21, 2016 (as amended, modified, and supplemented, collectively, the "*Park Agreement*"), whereby Florence County and Darlington County agreed to develop a joint county industrial or business park eligible to include property located in either Florence County and Darlington County (the "*Park*"); and

**WHEREAS**, Section 1.01 of the Park Agreement establishes the procedure for enlargement of the boundaries of the Park to include additional property; and

**WHEREAS**, Florence County and Darlington County, having determined that an enlargement of the boundaries of the Park to include therein certain property described in greater detail in Schedule 1 attached hereto ("*IP Solar, LLC*") would promote economic development and thus provide additional employment and investment opportunities within said Counties, have agreed to enter into this Amendment to the Agreement Governing the Darlington-Florence Industrial Park between Florence and Darlington Counties to enlarge the boundaries of the Park by including therein IP Solar, LLC, located in Darlington County; and

**WHEREAS**, each of Florence County and Darlington County has authorized the execution and delivery of this Amendment by Florence County Council Ordinance No. \_\_\_\_\_ adopted on \_\_\_\_\_, 2025 and Darlington County Council Ordinance No. 25-18 enacted on August 11, 2025 respectively.

**NOW THEREFORE**, in consideration of the mutual agreement, representations and benefits contained in this Amendment and for other good and valuable consideration, the adequacy of which is hereby acknowledged, the parties hereby agree as follows:

1. Exhibit A-1 to the Park Agreement, which describes the boundaries of the Park property located in Darlington County, is hereby amended to include IP Solar, LLC, consisting of the parcel which is described on Schedule 1 hereto and made a part hereof by reference.

2. Except as expressly amended or modified herein, the remaining terms and conditions of the Park Agreement shall remain in full force and effect.

3. In the event that any clause or provisions of this Amendment shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not affect any of the remaining provisions hereof.

4. This Amendment may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute but one and the same instrument.

*[SIGNATURE PAGE FOLLOWS]*

In WITNESS WHEREOF, the duly authorized and appointed officers of Florence County, South Carolina and Darlington County, South Carolina have set their hand and seals hereto to be effective as of the above written date.

FLORENCE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
C. William Schofield, Chairman  
Florence County Council

(SEAL)  
ATTEST:

\_\_\_\_\_  
Hope Jones, Clerk to Council  
Florence County Council

DARLINGTON COUNTY, SOUTH CAROLINA

By: Bobby Hudson  
Bobby Hudson, Chairman  
Darlington County Council

(SEAL)  
ATTEST:

J. Janet Bishop  
J. Janet Bishop, Clerk to Council  
Darlington County Council

**Schedule 1 to Park Agreement**

*IP Solar, LLC*

Property located in Darlington County

<b>Tax Map Numbers</b>
074-00-01-001, 073-00-01-069, 050-00-01-004, 051-00-01-012, 051-00-01-077, 074-00-01-074, 051-00-01-086, and 050-00-01-014