



RESOLUTION TITLE: AN ORDINANCE TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN GASTON COUNTY, LINCOLN COUNTY, AND RIVERBEND PRESERVE, LLC

WHEREAS, this Ordinance is adopted for the purpose of approving a Development Agreement (the "Agreement") by and between Lincoln County ("Lincoln"), Gaston County ("Gaston") and Riverbend Preserve, LLC, a North Carolina limited liability company ("Riverbend") pursuant to the authority granted by Article 10, Chapter 160D of the North Carolina General Statutes; and,

WHEREAS, the General Assembly has determined that development projects often occur in multiple phases over several years, requiring a long-term commitment of both public and private resources; and,

WHEREAS, Riverbend submitted, and was approved for, a rezoning request identified as REZ-23-01-06-00137, which was a request to rezone from (R-1) Single Family Limited with (SH) Special Highway and (US) Urban Standards Overlays to the (CD/I-2) Conditional General Industrial with Special Highway (SH) and Urban Standards (US) Overlays; and,

WHEREAS, Riverbend is the owner of Lincoln County Parcel No. 70208 (the "Lincoln Parcel") and Gaston County Parcel No. 310408 (the "Gaston Parcel") (collectively referred to with the Lincoln Parcel as the "Property") and desires to develop an industrial park on both of the Properties; and,

WHEREAS, the adoption of this Ordinance and approval of the Agreement (attached hereto as Exhibit A) are undertaken for economic development purposes, to provide water and sewer services from Lincoln to the Property, and to provide necessary funding for the extension of said water and sewer services subject to the terms of the Agreement; and,

WHEREAS, the Agreement provides for the installation of Lincoln County water and sewer infrastructure to the Property, which shall be solely funded from grant funds received from the General Assembly to Lincoln, for that purpose, in the amount of \$18.55 Million; and,

WHEREAS, the Agreement provides that Lincoln shall exercise all efforts to provide water and sewer utilities to the Property no later than twenty-three (23) months after Lincoln's approval of construction plans for said infrastructure; and,

WHEREAS, the Agreement and the statutorily required legislative public hearing have been properly advertised and noticed to the public as required by N.C.G.S. §160D-1005; and,

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I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

WHEREAS, the Gaston County Board of Commissioners hereby finds that approval of the Agreement is in the best interest of Gaston County, and is consistent with the requirements set out in Article 10, Chapter 160D of the North Carolina General Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Gaston County Board of Commissioners that after consideration of the development agreement, the foregoing findings, and the authority granted to Gaston County by Chapter 160D of the North Carolina General Statutes, it is hereby ordained as follows:

1. The recitals set forth hereinabove are incorporated as part of this Ordinance.
2. The agreement between Lincoln County, Gaston County, and Riverbend Preserve, LLC, which is attached hereto as Exhibit A, is hereby approved.
3. The County Manager is hereby authorized to execute the agreement, and any other necessary documentation required on behalf of Gaston County.
4. This Ordinance is adopted in the interest of public health, safety, and general welfare of Gaston County, and shall be in full force and effect from and after its adoption.

Adopted this 24th day of October, 2023.

Chad Brown, Chairman
Gaston County Board of Commissioners

ATTEST:

Donna S. Buff, Clerk to the Board