
STATE OF SOUTH CAROLINA)
) **ORDINANCE NO. 2022-1829**
COUNTY OF LANCASTER)

AN ORDINANCE

**TO REMOVE CERTAIN PROPERTY FROM THE ROSELYN RESIDENTIAL
IMPROVEMENT DISTRICT; AND TO PROVIDE FOR OTHER MATTERS
RELATING THERETO**

Be it ordained by the County Council of Lancaster County, South Carolina:

Section 1. Findings.

The County Council (the “Council”) of Lancaster County, South Carolina (the “County”) hereby finds and determines:

(a) Pursuant to the South Carolina Residential Improvement District Act, codified as Chapter 35 of Title 6 of the Code of Laws of South Carolina 1976, as amended (the “Act”), and Ordinance No. 2020-1691 enacted by the Council on December 14, 2020, and certain resolutions adopted by the County prior thereto (together, the “Ordinance”), the County has created the Roselyn Residential Improvement District (the “Roselyn District”), comprised of the parcels shown in Table A within the Ordinance, which is approximately 1,446.506 acres in total (the “Original Parcels”).

(b) Pursuant to the Ordinance, the Council has also approved an “improvement plan” within the meaning of Section 6-35-20(3) of the Act, entitled: Roselyn Residential Improvement District Improvement Plan, attached as Exhibit A to the Ordinance (the “Improvement Plan”), a Report on the Reasonable Basis of Assessment, attached as Exhibit B to the Ordinance (the “Assessment Report”), and an Assessment Roll with attached Rate and Method of Apportionment of Assessment, attached as Exhibit C to the Ordinance (the “Assessment Roll” and, together with the Improvement Plan and the Assessment Report, the “Assessment Documents”), each of which contains the same description of the Original Parcels within the Roselyn District as the Ordinance.

(c) Lennar Carolinas, LLC, the primary land owner within the District (“Lennar”), has advised the County that, after the District was created, efforts were made to combine most of the Original Parcels into a single parcel for development and to convey a portion of the Original Parcels to the County and that, during such process, it was discovered that a portion of the Original Parcels actually consisted of

land owned by an adjacent landowner which was not intended to remain within the District (the “Excluded Parcels”). Lennar has represented to the County that the District (excluding the Excluded Parcels) should be comprised of the parcels described in Exhibit A to this Ordinance (the “Corrected Parcels”), which represents approximately 1,395.829 acres in total.

(d) Lennar has requested that the County modify the District to remove the Excluded Parcels from the District and amend the Ordinance and the Assessment Documents to reflect the Corrected Parcels, and the County has received the written consent and waiver of Lennar with respect to such modifications.

Section 2. Removal of Excluded Parcels from District; Amendment of Ordinance and Assessment Documents.

The Council does hereby approve the removal of the Excluded Parcels from the District and confirms the District consists of the Corrected Parcels. The Council further approves the amendment of the Ordinance and the Assessment Documents (by its approval hereof, the County also provides its consent as a property owner within the District, and waives all notice, hearing and appeal otherwise available under Section 6-35-180 of the Act) to reflect the Corrected Parcels and authorizes and directs the Chairman of the Council and the County Administrator, or either one of them acting alone, to take such actions as are necessary or desirable, with the advice from the County Attorney and bond counsel, to make such modifications to the Ordinances and the Assessment Documents, including any amendment, revision or restatement of one or more of the Assessment Documents. For the avoidance of doubt, all statements, findings and determinations in the Ordinance or the Assessment Documents that relate to the District are hereby reaffirmed or remade based upon the District as modified by this ordinance (e.g., the Corrected Parcels).

Section 3. Authority to Act.

The Council Chair, Council Secretary, Clerk to Council, County Administrator, County Attorney, County Finance Director and all other appropriate officials of the County are authorized and directed to take such actions and do any and all things necessary or desirable in connection with the removal of the Excluded Parcels from the District, including the execution and delivery of any agreements, certificates, directions or other documents authorized or contemplated herein, to effect the purposes of this ordinance.

Section 4. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 5. Controlling Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, resolutions or orders, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 6. Effective Date.

This ordinance is effective upon third reading.

SIGNATURES FOLLOW ON NEXT PAGE.

AND IT IS SO ORDAINED, this ____ day of _____, 2022.

LANCASTER COUNTY, SOUTH CAROLINA

Steve Harper, Chair, County Council

Billy Mosteller, Secretary, County Council

ATTEST:

Sherrie Simpson, Clerk to Council

Approved as to form:

John K. DuBose III, County Attorney

First Reading:	October 10, 2022
Second Reading:	October 24, 2022
Public Hearing:	October 24, 2022
Third Reading:	November 14, 2022

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Exhibit A to Ordinance No. 2022- 1829
Description of Corrected Parcels (Roselyn Residential Improvement District)

The real property included within the Roselyn Residential Improvement District (the “District”) is located in the County and is generally located between Highway 521 and Old Hickory Road, slightly south of W. North Corner Road, as further identified in the following table.

Parcel	Owner	Acres
0044-00-024.01	Lancaster County, South Carolina	84.279
0044-00-024.00	Lennar Carolinas, LLC	1,235.50
0045-00-004.01	Lennar Carolinas, LLC	76.05

The District is approximately 1,395.829 acres in total.