

ORDINANCE NO. 2026-_____

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT CONCERNING THE VILLAGE SQUARE DEVELOPMENT, AUTHORIZING THE EXECUTION THEREOF, AND OTHER MATTERS RELATING THERETO.

NOW THEREFORE, BE IT ORDAINED, by the Town Council of Moncks Corner (the “*Town Council*”), the governing body of the Town of Moncks Corner, South Carolina (the “*Town*”), as follows:

Section 1 Findings. The Town Council makes the following findings of fact in connection with the enactment of this ordinance (this “*Ordinance*”):

(1) The Town Council is authorized pursuant to the South Carolina Local Government Development Agreement Act, codified at Title 6, Chapter 31 of the Code of Laws of South Carolina 1976, as amended (the “*Act*”) to enter into development agreements (generally, “*Development Agreements*”) with developers that provide certain terms under which developments may proceed.

(2) The Town has received a request from STYO Development, LLC. (the “*Property Owner*”) that the Town consider entering into a Development Agreement concerning that certain 29.97 highland acres and approximately 1.33 acres of wetlands, for a total of 31.30 acres of real property of the Property Owner, identified by Berkeley County TMS Number 162-00-01-017, comprising the Village Square development (the “*Development*”). The form of the Development Agreement between the Town and the Property Owner concerning the Development is attached to this Ordinance at **Exhibit A** (the “*Village Square Development Agreement*”).

(3) In accordance with Section 6-31-50 of the Act, the Town has caused a notice of a public hearing concerning the Village Square Development Agreement to be published in a newspaper of general circulation within the Town, providing notification of the date, time, and location of such public hearing, and which included certain particulars concerning the Development and the Village Square Development Agreement. As further required by Section 6-31-50 of the Act, at this public hearing the Town Council announced the date, time, and place of a second public hearing concerning the Village Square Development Agreement.

(4) The Town Council now desires to approve and enter into the Village Square Development Agreement in accordance with the Act.

Section 2 Approval of Development Agreement. The Town hereby agrees to enter into the Village Square Development Agreement. The form, provisions, terms, and conditions of the Village Square Development Agreement, as attached at **Exhibit A** of this Ordinance, are hereby approved, and all of the provisions, terms, and conditions thereof are hereby incorporated herein by reference as if the Village Square Development Agreement were set out in this Ordinance in its entirety. The Mayor of the Town (the “*Mayor*”) is hereby authorized, empowered, and directed to execute the Village Square Development Agreement in the name and on behalf of the Town; the Clerk to the Town Council (the “*Clerk*”) is hereby authorized, empowered, and directed to attest the same; and the Mayor is further authorized, empowered, and directed to cause the delivery of the Village Square Development Agreement to the Developer. The Village Square Development

Agreement, as executed and delivered, is to be in substantially the form as attached at **Exhibit A** of this Ordinance, or with such changes therein as shall not materially adversely affect the rights of the Town thereunder and as shall be approved by the official or officials of the Town executing the same, upon the advice of legal counsel; their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Village Square Development Agreement approved hereby.

Section 3 Further Action. The Mayor, the Town Administrator (the “*Town Administrator*”), and the Clerk, for and on behalf of the Town, are hereby each authorized, empowered, and directed to do any and all things necessary or proper to effect the performance of all obligations of the Town under and pursuant to the Village Square Development Agreement. The Mayor and the Town Administrator, or either one of them acting alone, are hereby authorized to execute and deliver on behalf of the Town all certificates and documents as they deem necessary, upon advice of counsel, to accomplish the foregoing.

Section 4 Severability. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision 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 5 Repealer; Effective Date. All orders, 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 enactment.

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DONE AND ENACTED this _____ day of _____, 2026.

TOWN MONCKS CORNER

ATTEST:

Marilyn M. Baker, Clerk to Council

Thomas J. Hamilton, Jr. Mayor

First Reading: [February 17, 2026]
First Public Hearing: [March 17, 2026]
Second Reading: [April 21, 2026]
Second Public Hearing: [April 21, 2026]

Exhibit A

Form of Village Square Development Agreement