

STATE OF SOUTH CAROLINA)
) **ORDINANCE # 08-21-10**
COUNTY OF NEWBERRY)

AN ORDINANCE FOR THE PURPOSE OF SELLING THE JESSE F. HAWKINS AND SPRINGFIELD PLACE PROPERTIES AND TRANSFERRING IMPROVEMENTS AND OTHE PERSONAL PROPERTY LOCATED ON THE TWO REAL ESTATE PARCELS; TO TRANSFER THE LEASEHOLD INTEREST LOCATED AT 1400 CAMELLIA AVENUE WHICH IS LEASED BY PALMETTO HEALTH FOR HOSPICE PURPOSES; AND TO AUTHORIZE EXECUTION OF A PURCHASE AGREEMENT WITH MADISON HEALTHCARE MANAGEMENT, LLC OR ITS DESIGNEE

WHEREAS, the Newberry County Council desires to sell and transfer all of its interest in the real estate parcels containing the Jesse F. Hawkins Nursing Home and Springfield Place along with the improvements and equipment associated with those properties; and

WHEREAS, in compliance with Section 4-9-130, of the Code of Laws for South Carolina 1976, a public hearing has been duly advertised and held; and

WHEREAS, the Newberry County Council finds it to be in the economic interest and benefit to the citizens of Newberry County to sell the properties; and

WHEREAS, the Newberry County Council has completed an intensive and extensive review of the background of Madison Healthcare Management, LLC; and

WHEREAS, the Newberry County Council believes that the best interests of the County, its citizens and the residents of the facilities will be better served by transferring ownership of the facilities to Madison Healthcare Management, LLC or its designee; and

NOW, THEREFORE, BE IT ORDAINED, by the Newberry County Council that the sale and transfer of all assets associated with the Jesse F. Hawkins Nursing Home and Springfield Place is approved and all necessary documents and papers shall be executed by the appropriate official; and

BE IT FURTHER ORDAINED, that the real property to be transferred is as shown on “EXHIBIT A” which is incorporated fully by this reference; and

BE IT FURTHER ORDAINED, that the transfer of the County’s interest in a lease dated July 7, 2010 and effective July 1, 2010, with Palmetto Health, attached as EXHIBIT B” which is incorporated fully by this reference, shall be transferred along with the other assets at closing; and

BE IT FURTHER ORDAINED, that the Purchase Agreement attached as “EXHIBIT C” which is incorporated fully by this reference, is authorized and shall be executed on behalf of the County.

IT IS SO ORDAINED this 3rd day of November, 2010, by the Newberry County Council in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

BY: _____
Henry H. Livingston, III, Chairman

ATTEST:

Approved as to form

Laurie N. Renwick, Clerk to Council

A.J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator

1st Reading: September 1, 2010
2nd Reading: September 15, 2010
Public Hearing: October 6, 2010
3rd Reading: November 3, 2010