

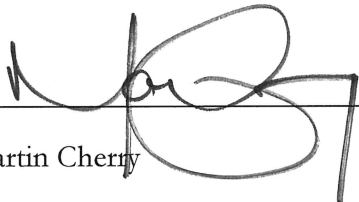
A Memorandum of Understanding between Four Season and Lake Village Development

The parties mutually understand and intend as follows:

1. **Construction access.** Construction Access through the Four Seasons community will be limited to construction of the Four Seasons Community Only. Specifically Phases 9, 10, and 11 will be only Phases that could access through Four Seasons as they are or will be owned and controlled by KHOV. All other construction access for the proposed PDMU will not be allowed access through the Four Seasons Community. Per the Development Agreement with the County, Pine Crest Drive must be connected to the Coves within 30 months of the PDMU approval. At that point, the majority of the construction access for the development can come off 17-A.
2. **Gated community connection.** The PD MUV design shall include a gated access point into the Four Seasons at Lakes of Cane Bay community through a roadway system connecting that community to the project and its planned ingress and egress points. The gated access point will be built in conjunction with Phase 11 of the KHOV Four Seasons and tie to the future Lake Loop Road providing access to 17-A in near future.
3. **Construction inspections.** The Developer shall retain professionals to certify that site construction elements have been completed in accordance with all Berkeley County-approved plans and specifications and the standards established in the applicable Cane Bay Village Development Agreement and Planned Development regulations.
4. **Drainage Maintenance.** These properties and surrounding communities within all of Cane Bay are under the Berkeley County Stormwater Management Program Covenants for Permanent Maintenance of Stormwater Systems. The Owner, successors assigns, are responsible for maintenance of stormwater facilities, BMPS, and improvements of the properties. Each Construction Phase as submitted to the County requires copies of the Covenants to be recorded. Meaning, the community HOAs / Declarants, are responsible for maintaining the stormwater facilities for scheduled and corrective actions. All of the pipes into the Lake are within Easements allowing for proper maintenance of these facilities. This is how it works throughout the Communities within Cane Bay. They maintain the ditches, conveyance, and stormwater ponds within their communities based on these Covenants.
5. **Conservation easement.** After approvals of the PDMU, we will commit for a conservation easement to be established over the proposed protected Wetland areas abutting Four Seasons at Lakes of Cane Bay and assigned to a qualified conservation organization, such as the The Lord Berkeley Conservation Trust or comparable other. In addition the underlying land could be deeded directly to the KHOV HOA for their ownership and use. The intent of the easement area adjacent to Four Seasons shall preservation of its natural and undisturbed state in perpetuity. Any future walking trails or other low-impact alterations shall be preceded by input from abutting communities. The community recognizes the area is wetland and/or wetland buffer that is currently under Covenants with the ACOE which restricts access and uses. Examples of these protected

Wetland areas are the large wooded areas along Fairwinds and area wrapping the Fire Station.

6. **Lake access restoration.** Full water access to the Main Lake shall be immediately restored for all Lakes of Cane Bay HOA members, excluding the Cypress Cove, and subject only to limited access restrictions in select areas where necessary for construction safety. The banks in undeveloped areas are off limits.
7. **Owner's Park reestablishment.** The Developer shall re-establish the Owners Park areas as trails and banks areas are developed and safe access is provided granting Lakes of Cane Bay HOA member's access to the developed areas. Temporary access may be granted in undeveloped areas to allow for the enjoyment of the community until the park is completed.
8. **Project phasing timeline.** The Developer shall provide a timeline showing the anticipated phasing of the major components of the proposal. This timeline is intended as a non-binding planning document to help affected communities understand how the project is expected to unfold and when critical infrastructure and development elements may occur.

 9/23/2022

Martin Cherry

Gramling Brothers Real Estate and Development