MEMORANDUM OF AGREEMENT
AND ROAD ACCEPTANCE

RESOLUTION NO. 706

STATE OF SOUTH CAROLINA

COUNTY OF DARLINGTON

LKPK Enterprises, Inc.
Grantees,

County of Darlington
Grantee,

WHEREAS, LKPK Enterprises, Inc., the Grantees, desire to dedicate a certain section of a road right of way and appurtenances herein below described to the County of Darlington; and

WHEREAS, the County of Darlington, the Grantee, is willing to accept the grant of this section of road right of way and appurtenances as set out herein;

Now, Therefore, KNOW ALL MEN BY THESE PRESENTS, that LKPK Enterprises, Inc. desire to dedicate a certain section of road right of way and appurtenances herein below described and the County of Darlington, in the State aforesaid, for in consideration of the mutual covenants herein described, do hereby agree to the following:

This to certify that Darlington County has accepted in part the road right of way for Rivergate Drive to access lots 26, 27, 28, 33, 34, 35, 36, 37, and 38, in Darlington County, South Carolina. The indicated right of way are shown on a Survey prepared by Engineering Consultants, Inc. dated February 18, 2008, and being recorded in the Office of the Clerk of Court for Darlington County in Plat Book 205 at Page 45, and is provided for in the Deeds and/or the Right-of-Way Agreements, copies of which are attached.

More specifically the additional road right of way accepted is as follows:
1. Station 3+74 through Station 9+53

As a general condition of acceptance for maintenance, the developer agrees to ensure that any damage to the drainage system, roadway, pavement, and appurtenances thereto shall be the legal and binding liability of the developer, who will remain responsible for all such damages to the aforementioned items until all lots are sold or development is completed, whichever is the later.

In addition to the above, Darlington County will not be responsible for any driveway installed by owners or contractors where materials are not South Carolina Department of Transportation Standard Specifications for highway construction approved, where improperly sized pipe is used, or where concrete or asphalt driveway swales are constructed without prior written approval.

Any such installations which have to be removed to correct drainage problems will not be the responsibility of Darlington County for replacement or payment.
SPECIAL CONDITIONS

1. Provided, further, that the Grantor herein understands and acknowledges that there will be no responsibility on the part of the County of Darlington for drainage of the property adjoining said street or road herein conveyed, nor will the County of Darlington be responsible for any water standing or flowing onto adjoining property, or damage therefrom which arises out of or is caused by the original design or construction of said street or road.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this

_12___ day of __August___, 2019.

Signed, Sealed, and Delivered in the Presence of:

[Signature]

1ST WITNESS

[Signature]

2ND WITNESS

DARLINGTON COUNTY

By: [Signature]
COUNTY COUNCIL CHAIRMAN

Attest: [Signature]
COUNTY ADMINISTRATOR

STATE OF SOUTH CAROLINA )
COUNTY OF DARLINGTON )

Personally appeared before me the undersigned witness and made oath that (s)he saw the within named Grantee, by COUNTY COUNCIL CHAIRMAN, sign, seal and as his act or deed, deliver the within MEMORANDUM OF AGREEMENT AND ROAD ACCEPTANCE, and that (s)he with the other witness subscribed above witnessed the execution thereof:

[Signature]

WITNESS—CANNOT BE NOTARY

SWORN TO before me this __12___ day of __August___ 2019

[Signature]

NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: _4/1/2029_
IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this

29th day of July, 2019.

Signed, Sealed, and Delivered
in the Presence of:

Julie

BY: Karen S. Shumpert
for LKP Enterprises, Inc.

ST WITNESS

2ND WITNESS

STATE OF SOUTH CAROLINA )
COUNTY OF DARLINGTON )

Personally appeared the undersigned witness and made oath that (s)he saw the
within named grantor sign, seal, and as the grantor's act and deed, deliver the within
written MEMORANDUM OF AGREEMENT AND ROAD ACCEPTANCE, and that
(s)he with the other witness subscribed above witnessed the execution thereof.

SIGNATURES

WITNESS-CANNOT BE NOTARY

SWORN to before me this 29th day of July, 2019.

Maryellen Tinkham
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 12/31/22