



BP0662038

# PGS:

12

FIRST AMENDMENT TO THE  
DEVELOPMENT AGREEMENT  
BY AND AMONG  
KIAWAH REAL ESTATE COMPANY, LLC, ET AL  
AND  
THE TOWN OF KIAWAH ISLAND

**WHEREAS**, the Town of Kiawah Island (the "Town") and Kiawah Real Estate Company, LLC; Kiawah Island Inn Company, LLC; Kiawah Tennis Club, LLC; Cougar Point Golf Company, LLC; Turtle Point Golf Company, LLC; Osprey Point Golf Company, LLC; and The Ocean Course Golf Club, LLC (collectively the "Property Owner"), entered a Development Agreement on October 5, 2010 (hereinafter the "Agreement"), effective that same date, recorded in the RMC Office for Charleston County at Book 0149, Page 023; and,

**WHEREAS**, the Agreement provides in Section 22 that the Agreement may be amended; and,

**WHEREAS**, the Property Owner and the Town desire to amend the Agreement as further described below to provide for, among other things, the redevelopment of the Property Owner's properties at West Beach, the addition of a parcel of land in an area known as Ocean Park across from the Ocean Course Golf Course acquired by the Property Owner, the addition of a limited number of Dwelling Units on a limited area of the Ocean Course Golf Course Parcel, the revision of the table of uses to allow "Church, Synagogue, Temple or Religious Assembly" as permitted uses for Parcel 6, and the extension of the term of the Agreement as allowed by Section 21 of the Agreement; and,

**WHEREAS**, certain of the amendments require separate changes to the zoning of certain parcels as well as to the Town's Comprehensive Plan for those parcels, and Property Owner and Town desire that this First Amendment be finally approved and become effective simultaneously with any necessary amendments to the zoning ordinances and Town's Comprehensive Plan except for any needed changes to the zoning and Town's Comprehensive Plan as pertains to the Ocean Course Golf Course Parcel which are anticipated to be obtained after the effective date of this Amendment;

**NOW, THEREFORE**, in return for the mutual promises herein and other valuable consideration, the Town and Property Owner agree to, and hereby amend, the Agreement as follows:

1. The introductory paragraph is amended to add RP Ocean Park, LLC, as an additional Property Owner party to the Agreement.
2. Section 4, titled "Legal Description of the Real Property" is amended to the following:

**Legal Description of the Real Property.** The Real Property subject to this Agreement consists of approximately 874.13 acres, including approximately 806.52 acres of highland. The Real Property is fully described in the legal description attached hereto as Exhibit 4.1. The Charleston County Tax Map Numbers for the Real Property on the Effective Date are: 207-00-00-009; 207-06-00-232; 207-06-00-401; 207-06-00-399; 207-06-00-407; 207-06-00-404; 207-06-00-405; 207-06-00-406; 207-06-00-402; 207-06-00-403; 207-00-00-017; 207-06-00-013; 209-01-00-121; 209-01-00-122; 209-05-00-098; 209-07-00-126; 209-07-00-105; 264-05-00-002; 209-07-00-124; 207-00-00-018; 264-01-00-054; 207-00-00-019; 207-00-00-020; and 265-16-00-017. The Real Property subject to this Agreement does not include the parcels comprising Night Heron Park, which zoning shall not be subject to change during the term of this Agreement unless the Town acts favorably on an application for rezoning by the owner of Night Heron Park.

3. Section 4 shall be amended to add the following after the end of the current paragraph:

"If Property Owner acquires title to the existing Sparrow Road right of way that is now owned by Kiawah Island Community Association, Inc. ("KICA"), the parcel conveyed to Property Owner by KICA that was formerly the right of way for Sparrow Road shall be added to the Real Property as part of Parcel 2B. The substituted right of way for Sparrow Road conveyed to KICA shall be removed as part of Parcel 2B and shall no longer constitute part of the Real Property. If Property Owner acquires title to a portion of the existing rights of way of Kiawah Beach Drive and Shipwatch Road from KICA as part of the exchange of land to re-configure the intersection of Kiawah Beach Drive and Shipwatch Road, the acquired portion of the existing right of way shall become part of the Real Property and included in Parcel adjacent to it. The land exchanged with KICA shall no longer be part of the Real Property. The exchange of the rights of way shall have no effect on the entitlements for the Parcels or subparcels as described in Exhibit 13.5."

4. The definition of "Parcel" in Exhibit 1.1 is amended and replaced with the following:

"Parcel" shall mean and refer to each of the twelve (12) separately numbered areas of land owned by Property Owner as shown on Exhibit 13.5 to the Agreement. Each numbered Parcel shall constitute a separate Parcel for purposes of this Agreement even if comprised of more than one tax map identification parcel.

5. The definition of "Property Owner" in Exhibit 1.1 is amended to and replaced with the following:

"Property Owner" means Kiawah Real Estate Company, LLC; Kiawah Island Inn Company, LLC; Kiawah Tennis Club, LLC; Cougar Point Golf Company, LLC; Turtle Point Golf Company, LLC; Osprey Point Golf Company, LLC; The Ocean Course Golf Club, LLC; and RP Ocean Park, LLC, together with all subsidiaries thereof and other entities, which have a legal interest on the date of execution hereof in any of the Real Property as described in Paragraph 4 of the Agreement and includes their successors in interest or successors in title and/or assigns by virtue of assignment or other instrument pursuant to Paragraph 33 of the Agreement. The Property Owner warrants that there are no other legal or equitable owners of the Real Property on the Effective Date.

6. Section 13 (b) is amended to and replaced by the following:

The Twelve Parcels. For the purpose of this Agreement, the Real Property has been conceptually divided into the twelve (12) Parcels delineated on a map of the Real Property attached hereto and incorporated herein by reference as Exhibit 13.1 and delineated on a chart showing the tax map number, parcel description, and highland acreage of each Parcel attached hereto and incorporated herein by reference as Exhibit 13.2. Each numbered Parcel shall constitute a separate Parcel for purposes of this Agreement even if comprised of more than one tax map identification parcel.

7. The table appearing on page III-3 of Exhibit 10.1 is amended to permit "Church, Synagogue, Temple or Religious Assembly" as a Permitted Use ("P") in the RST-1 district.

8. Section 13 (d) is amended to and replaced by the following:

R-2 (DA), R-3 (DA), and PR-OC Zoning. For the purpose of this Agreement and simultaneously herewith, the Town hereby adopts, as a zoning text and zoning map amendment, two (2) new residential zoning districts, which shall be referred to, respectively, as the R-2 (DA) zoning district and the R-3 (DA) zoning district and may adopt in the future one (1) new zoning district referred to as PR-OC district. The purpose and intent, allowed Uses, and Building Development Standards applicable to the R-2 (DA) zoning district shall be as set forth in Exhibit 13.3, attached hereto and incorporated herein by reference. The purpose and intent, allowed Uses, and Building Development Standards applicable to the R-3 (DA) zoning district shall be as set forth in Exhibit 13.4, attached hereto and incorporated herein by reference. The purpose and intent, allowed Uses, and Building Development Standards applicable to the PR-OC zoning district shall be as set forth in Exhibit 13.6, attached hereto and incorporated herein by reference, if adopted by the Town. The Town also adopts simultaneously herewith the other amendments to its Zoning Ordinance, the Zoning Map, and its Comprehensive Plan, if any,

required to make the Zoning Ordinance and the Comprehensive Plan consistent with this Agreement.

9. The first paragraph of Section 13 (e) is amended to and replaced by the following:

Parcel-Specific Development Standards: Pursuant to this Agreement, the Parcel-specific Development standards (including but not limited to Parcel Density, Building Development Standards, Bedrooms cap, and allowed Uses) set forth in Exhibit 13.5, attached hereto and incorporated herein by reference, shall apply to the Development of the Real Property. All residential, resort, commercial, recreational or other Uses allowed under the Zoning Ordinance (including those uses allowed under the R-2 (DA), R-3 (DA), and PR-OC zoning districts as set forth in Exhibit 13.3, Exhibit 13.4, and Exhibit 13.6 (if adopted by the Town), as well as those in the Parcel-specific Development standards set forth in Exhibit 13.5, shall be considered to be vested and permitted as a matter of right on the Real Property for each designated Parcel thereof. Lot area, Lot width, Lot depth, Lot coverage, setback, Building Height, yard requirements, and all other Building Development Standards shall be in accord with Exhibit 13.5 and shall be vested and permitted as a matter of right for each numbered Parcel on the Real Property as set forth therein. Building Development Standards shall not be transferred from one Parcel to another Parcel.

10. Section 18 titled "East Beach Villa Check-in" is amended to add the following after the last sentence: "Property Owner shall promptly notify the Town if it determines that it will no longer use the East Beach conference center (replaced by the new West Beach conference center) for any purposes and will demolish the building within one year of this notice. Prior to demolition the Property Owner will have a landscape plan, with a timeline for completion, approved by ARB."

11. The first sentence of Section 21 is amended to and replaced by the following:

Term of the Agreement. This Agreement shall expire ten years after the Effective Date of the First Amendment hereto, on July 11, 2027.

12. The portion of Section 34 (h), "Notices," setting forth the name and address of Dennis J. Rhoad is removed and replaced with the following:

Dwayne Greene  
Law Offices of Dwayne Green  
602 Rutledge Ave.  
Charleston, SC 29403

13. Section 13 is amended to add subsection (e) as follows: "(e) Ocean Course Zoning. Property Owner is in the process of subdividing a parcel or parcels from the greater Ocean Course Parcel in the approximate location of parcel 10B up to approximately 33 acres, which may be rezoned from PR to PR-OC if the PR-OC district is approved. At such time as the subdivision of Parcel 10B is approved and the subdivision plat recorded, the exact boundaries of Parcel 10B shall be those on the recorded plat, which shall then replace the graphic showing the approximate boundaries that is part of Exhibit 13.5."

14. The following original numbered Exhibits are removed and replaced by the following numbered Exhibits attached hereto:

4.1 Legal Description

13.1 Map of the Real Property Showing Twelve Parcels

13.2 Chart Showing Real Property Owned by Property Owner

13.5 Parcel Specific Development Standards

13.6 PR-OC Zoning District

All other terms, conditions, and provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment to the Agreement has been entered and enacted this 11th day of July, 2017.

SIGNED, SEALED, AND DELIVERED  
IN THE PRESENCE OF:

TOWN OF KIAWAH ISLAND (Town)  
(SEAL)

Sullivan

Rushy Lawrence

By: Craig Weaver  
Craig Weaver, Mayor

Attest: Petra S. Reynolds  
Petra S. Reynolds, Clerk of Council

SIGNED, SEALED, AND DELIVERED  
IN THE PRESENCE OF:

PROPERTY OWNER

Sara Yougna  
KM

**Kiawah Real Estate Company, LLC**, a  
Virginia limited liability company

By: Roger M. Warren (SEAL)  
Name: Roger M. Warren  
Title: President

Sara Yougna  
KM

**Kiawah Island Inn Company, LLC**, a Virginia  
limited liability company

By: Roger M. Warren (SEAL)  
Name: Roger M. Warren  
Title: President

Sara Yougna  
KM

**Kiawah Tennis Club, LLC**, a Virginia limited  
liability company

By: Roger M. Warren (SEAL)  
Name: Roger M. Warren  
Title: President

Sara Yougna  
KM

**Cougar Point Golf Company, LLC**, a Virginia  
limited liability company

By: Roger M. Warren (SEAL)  
Name: Roger M. Warren  
Title: President

Sara Yougna  
KM

**Turtle Point Golf Company, LLC**, a Virginia  
limited liability company

By: Roger M. Warren (SEAL)  
Name: Roger M. Warren  
Title: President

Sara Younger  
R.M.W.

Osprey Point Golf Company, LLC, a Virginia limited liability company

By: Roger M. Warren (SEAL)  
Name: Roger M. Warren  
Title: President

Sara Younger  
R.M.W.

The Ocean Course Golf Club, LLC, a Virginia limited liability company

By: Roger M. Warren (SEAL)  
Name: Roger M. Warren  
Title: President

Sara Younger  
R.M.W.

RP Ocean Park, LLC, a Virginia limited liability company

By: Roger M. Warren (SEAL)  
Name: ~~James A. Jones~~ ROGER M. WARREN  
Title: ~~Manager~~ PRESIDENT

RW



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(TOWN OF KIAWAH ISLAND)

THE FOREGOING INSTRUMENT was acknowledged before me by the TOWN OF KIAWAH ISLAND, by Craig Weaver, its Mayor, and Petra Reynolds, its Clerk of Council, this 12th day of July, 2017.

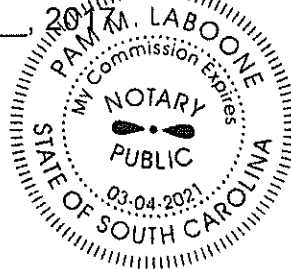
      Petra S. Ford       (SEAL)  
Notary Public for South Carolina  
My Commission Expires: May 19, 2026

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(KIAWAH REAL ESTATE COMPANY, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by KIAWAH REAL ESTATE COMPANY, LLC, a Virginia limited liability company, by Roger M. Warren, its President, this 17th day of July, 2017.

      Pam M. Laboone       (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021

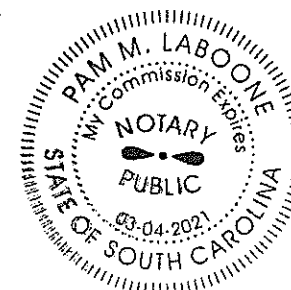


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(KIAWAH ISLAND INN COMPANY, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by KIAWAH ISLAND INN COMPANY, LLC, a Virginia limited liability company, by Roger M. Warren, its President, this 17th day of July, 2017.

      Pam M. Laboone       (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021

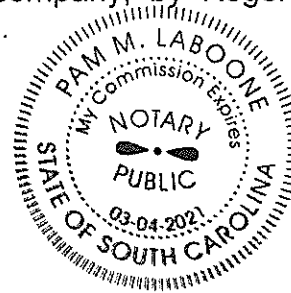


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(KIAWAH TENNIS CLUB, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by KIAWAH TENNIS CLUB, LLC, a Virginia limited liability company, by Roger M. Warren, its President, this 17<sup>th</sup> day of July, 2017.

Pam M. Laboone (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021

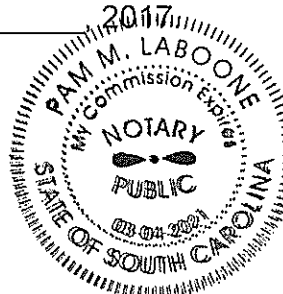


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(COUGAR POINT GOLF COMPANY, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by COUGAR POINT GOLF COMPANY, LLC, a Virginia limited liability company, by Roger M. Warren, its President, this 17<sup>th</sup> day of July, 2017.

Pam M. Laboone (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021

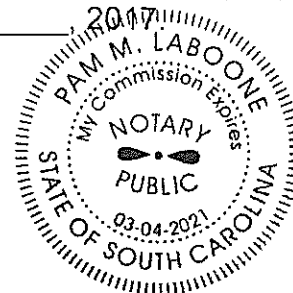


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(TURTLE POINT GOLF COMPANY, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by TURTLE POINT GOLF COMPANY, LLC, a Virginia limited liability company, by Roger M. Warren, its President, this 17<sup>th</sup> day of July, 2017.

Pam M. Laboone (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021

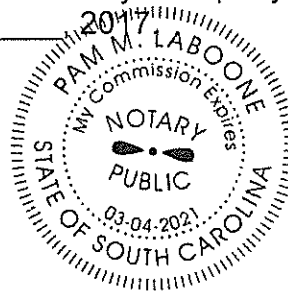


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(OSPREY POINT GOLF COMPANY, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by OSPREY POINT GOLF COMPANY, LLC, a Virginia limited liability company, by Roger M. Warren, its President, this 17<sup>th</sup> day of July, 2017.

Pam M. Laboone (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021

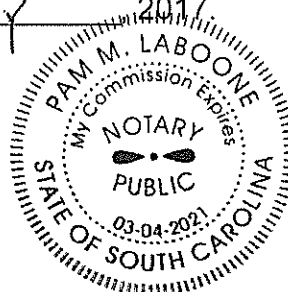


STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(THE OCEAN COURSE GOLF CLUB, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by THE OCEAN COURSE GOLF CLUB, LLC, a Virginia limited liability company, by Roger M. Warren, its President, this 17<sup>th</sup> day of July, 2017.

Pam M. Laboone (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021



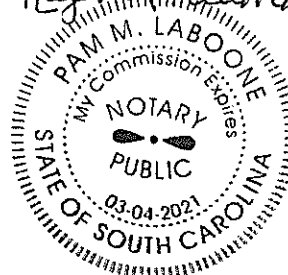
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**  
(RP OCEAN PARK, LLC)

THE FOREGOING INSTRUMENT was acknowledged before me by RP OCEAN PARK, LLC, a Virginia limited liability company, by ~~James A. Jones~~, its ~~Manager~~, this 17<sup>th</sup> day of July, 2017.

Roger M. Warren - President

Pam M. Laboone (SEAL)  
Notary Public for South Carolina  
My Commission Expires: 3/4/2021



# RECORDER'S PAGE



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Charlie Lybrand, Register Charleston County, SC		

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 TOWN OF KIAWAH ISLAND

**RECIPIENT:**  
 KIAWAH ISLD REAL EST ETC

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 023

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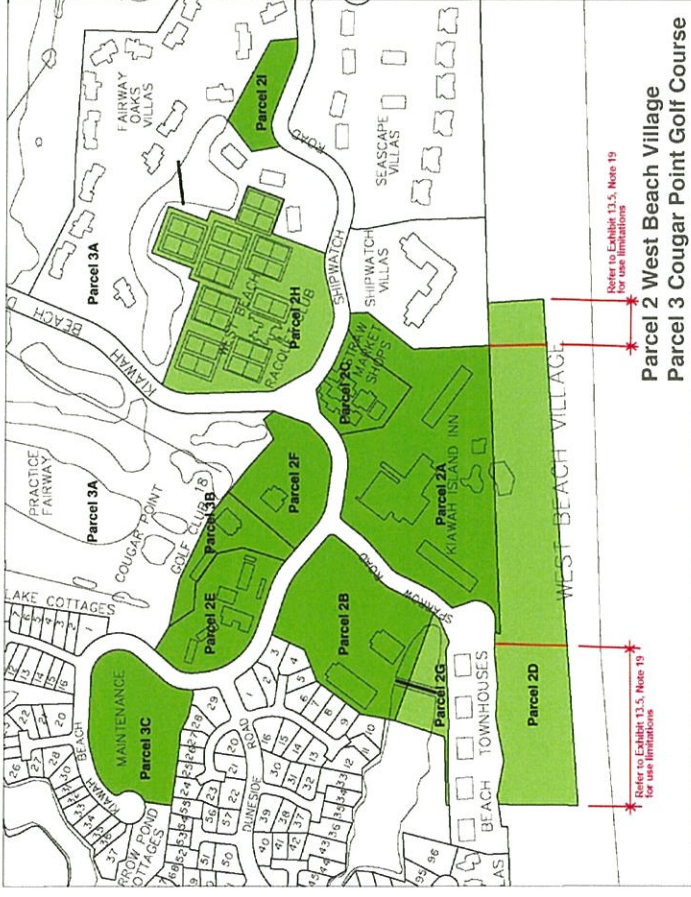
Parcel #	Parcel Description	Zoning District(s) (1)	Approx. Acres (2)	Max. Gross Parcel Density (3)	Total Dwelling Units (4)	Max. Bedrooms/ Guest Rooms Parcels 2 and 6	Max. New Dwelling Units (5)	Max. F.A.R. w/Transfer (6)	Max. Height Stories/Ft. (7) (8)	Parcel Open Space (9)
1	Mingo Point	R-2, C	11.2	4	45	—	45	0.25	2 1/2 / 40	R-2 40-60 30
2	West Beach Village (10) (11) (17) A. Inn/Reception B. Lagoon Rooms (12) C. Strawmarket D. Dune/field (19) E. Support Buildings (12) F. Club Conference (12) G. Sparrow Pond H. Tennis Center I. Tennis Parking	R-2 (DA), RST-2 R-2 (DA), RST-2 R-2 (DA), RST-2 PR, RST-2 R-2 (DA), RST-2, PR R-2 (DA), RST-2, PR PR, RST-2 PR, RST-2 R-2 (DA), RST-2	6.93 3.67 1.19 5.35 1.91 1.7 0.97 5.48 0.71	7 (21 BR) (16) 7 (21 BR) (16) 7 (21 BR) (16) — 7 (21 BR) (16) 7 (21 BR) (16) — — 7 (21 BR) (16)	49 26 8 — 13 12 — — 5	340 — — — — — — — —	49 26 8 — 13 12 — — 5	— — — — — — — — —	R-2 (DA) 3 1/2 / 55 4 / 55 4 / 55 4 / 55 2 / 35 4 / 55 4 / 55 2 / 35 2 / 35 4 / 55	R-2 (DA) 40-60 40-60 40-60 40-60 40-60 40-60 40-60 40-60 40-60
3	Cougar Point Golf A. Golf Course B. Clubhouse (11) C. Maintenance	PR R-2 (DA), RST-2, PR PR	121.39 1.1 1.5	— 7 (21 BR) (16) —	— 8 —	— — —	— 8 —	— — —	2 / 35 4 / 55 4 / 55	— 40-60 30
4	Utility Tract A. Telephone Building B. Laundry/Commissary C. Warehouse	CS CS CS	0.59 3.31 2.09	— — —	— — —	— — —	— — —	0.25 0.25 0.25	2 1/2 / 40 2 1/2 / 40 2 1/2 / 40	— 30 30 30
5	East Beach Ocean (13)	R-3 (DA), RST-1	3.05	12	37	—	37	—	R-3 (DA) RST-1	R-3 (DA) RST-1
6	East Beach Village (13) (17) A. Town Center B. Tennis Center C. Hotel Residual D. Hotel (255 Guest Rooms) E. Welland Mitigation	R-2 (DA), RST-1 PR R-2 (DA), RST-1 RST-1 PR	10.51 8.48 24.49 23.7 1.31	7 (21 BR) (16) — 7 (21 BR) (16) — —	74 — 171 — —	670 — — — —	74 — 171 — —	— — — — —	R-2 (DA) RST-1 3 1/2 / 55 2 / 35 4 / 70 —	R-2 (DA) RST-1 40-60 40-60 40-60 40-60
7	Turtle Point Golf	PR	131.89	—	—	—	—	—	2 / 35	30
8	Turtle Point Maintenance	PR	2.87	—	—	—	—	—	2 / 35	30
9	Osprey Point Golf Ocean Course	PR	132.97	—	—	—	—	—	2 / 35	30
10	A. Golf Course B. Residential C. Ocean Park Residual	PR R-1, PR-OC R-2	311.36 ± 33.00 (14) ± 4.51 (14)	— — —	— 26 (15) 3	— — —	— 26 3	— — —	2 / 35 2 1/2 / 40 2 1/2 / 40	30 50-60 (18) 50-60 (18)
11	Williet Island Ocean Park	R-2 R-2	9.14 7.76	— —	20 22	— —	20 22	— —	2 1/2 / 40 2 1/2 / 40	50-60 (18) 50-60 (18)
12	TOTAL		874.13		520	1010	520			

Notes governing Exhibit 13.5: Parcel-Specific Development Standards

- 1 With respect to Parcels subject to dual zoning (i.e., where two districts apply to the Parcel in the above table), the Property Owner shall have the right to develop these Parcels pursuant to either zoning district. All Development on a dual zoned Parcel shall comply with the allowed Uses, Building Development Standards, and other Development standards for the designated zoning district. If the Property Owner intends to proceed with Development on the dual zoned Parcel under both zoning districts, the Property Owner must first identify the proposed uses, appropriate zoning district and land area required to meet the development guidelines.  
By way of example: assume a 15 Acre parcel permits RST-2 and/or R-2(DA) zoning districts. If the 15 Acre parcel was developed exclusively as a hotel, the maximum capacity is 9 Bedrooms/Acre or a 135-Room hotel. If the parcel was developed exclusively as residential, the maximum capacity is 21 Bedrooms/Acre (and 7 Dwelling Units/Acre) or 315 Bedrooms (and 105 Dwelling Units). Under no circumstance could development exceed 315 Bedrooms.  
If the hypothetical decision is to have a smaller 50-Room hotel, the acreage required is 5.56 Ac (60 Rooms ~ 9 Rooms/Acre). This would leave 9.44 Acres remaining available for residential (15 Acres - 5.56 Acres). This would allow for up to 198 Bedrooms/66 DU (9.44 Acres x 21 Bedrooms/Acre and 7DU/Acre). The total Bedroom count for the hypothetical dual zoning would be 248 Bedrooms or substantially less than the maximum 315 Bedrooms.
- 2 Acreage figures are approximate. Acreage for a Parcel may vary depending on a final determination of acreage at the time new Development proceeds on a given Parcel.
- 3 Gross Density equals the number of potential Dwelling Units (existing and future) divided by the gross residential acreage of the Parcel above mean high water, excluding Fresh Water and Salt Water Wetlands. Gross Density limits are not intended to discourage or limit the development of higher density types or clusters or residences within a Parcel; provided, however, that maximum density limits are used to establish an absolute cap on the total number of Dwelling Units on a Parcel (i.e. Property Owner may construct more than 21 bedrooms on a given acre as long as the overall permissible Parcel Density or cap for that Parcel is not exceeded). As each Parcel is platted or sold, the Property Owner shall clearly establish the maximum number of Dwelling Units which may be permitted on a Parcel. In the event that density is limited by physical constraints, a bridge permit or other regulatory constraint beyond the Town's jurisdiction, said limits are not intended to be superseded by this agreement.
- 4 The total number of single family Lots and non-single family Dwelling units permitted in the Parcel at maximum permitted densities.
- 5 The maximum number of Vested Units which may be approved on any one Parcel, subject to the limit of 520 total Vested Units.
- 6 Maximum floor area ratio (FAR) equals the building floor area divided by the non-residential or mixed use acreage above mean high water, excluding Fresh Water and Salt Water Wetlands. This column shows the maximum floor area ratio which may be developed on an individual Parcel. The maximum FAR stated herein shall apply to the Development of the Real Property notwithstanding any more restrictive standard applicable to the underlying zoning district.
- 7 No development shall exceed the maximum number of stories or the maximum height in feet listed in this column.
- 8 Height allowance of 55' (Parcels 2A, 2B, 2C, 2E, 2F, 2I, 5, 6A, and 6C) and 70' (Parcels 5, 6C, and 6D) from Ground Floor level is to allow for alternative forms and configurations of massing to minimize the impact of habitable floors. This would include but not be limited to increased roof pitches, dormers, and innovation in overall massing. Roof slope of the dominant roof on the 4<sup>th</sup> habitable floor shall not be greater than 8:12 for residential buildings.
- 9 Parcel open space is the minimum percentage requirement of Pervious Coverage for a Parcel.
- 10 An 8' pedestrian access easement shall be located within Parcel 2 to provide pedestrian access to the beach. The easement shall be incorporated in future development plans and shall be shown on appropriate site permit drawings. 20 parking spaces, within the overall parking plan for Parcel 2, will be available for the public.
- 11 There shall be no more than 150 Guest Rooms constructed on Parcels 2A, 2B, 2C, 2E, 2F, 2I and 3B. The total combined number of new Guest Rooms and Bedrooms on Parcel 2 shall not exceed 340.
- 12 Parking requirements for Cougar Point Golf will be located within Parcels 2A, 2E and 2F in addition to uses permitted in RST-2 category.
- 13 There shall be no more than an additional 175 Guest Rooms constructed on Parcels 5, 6C, and 6D. The total combined number of new Guest Rooms and Bedrooms on Parcel 6 shall not exceed 670. Guest Room density for expansion of The Sanctuary will be established at 40 Guest Rooms/acre including required parking. The Guest Room density for a free standing hotel shall conform with the RST-1 standard of 8 Guest Rooms/Acre.
- 14 Parcels or subparcels shall have a duly recorded survey or plat establishing boundaries prior to issuance of any development permits. At such time as the subdivision of Parcel 10B is approved and recorded, the exact boundaries of Parcel 10B shall be those on the recorded plat, which shall then replace the graphic rendition that is part of this Exhibit 13.5. It is anticipated that Parcel 10B will be rezoned to PR-OC if the Town adopts this zoning district.
- 15 Up to 26 Dwelling Units may be permitted in the area indicated as Parcel 10B in Exhibit 13.6, of which no more than 6 may be attached, townhouses or multi-family. Dwelling units may be attached to and integrated with non-residential buildings.
- 16 The 21 Bedroom per acre equivalent limit is intended for overall Parcel density calculations and not intended to limit the number of Bedrooms per Dwelling Unit, Bedrooms per Lot, or Bedrooms per a given acre.
- 17 The Property Owner will remove and relocate its villa check-in operations in Parcel 8 East Beach Village to either Parcel 1 Mingo Point, Parcel 2 West Beach Village, or off-island at the time of the redevelopment of East Beach Village. Redevelopment shall be deemed to occur when Property Owner has obtained the necessary permits and approvals for the redevelopment.
- 18 This standard will be met if Open Space is 50% or greater for the entire Parcel.
- 19 As to that portion of Parcel 2D, "Dunesfield," that is immediately seaward of the townhouses now known as Kiawah Beach Townhouses and that portion that is east of the extended eastern boundary of Parcel 2A marked on the attached illustration, structures shall be restricted to pools, changing rooms, rest rooms, decks, and boardwalks

**Exhibit 13.5: Kiawah Island Golf Resort  
Parcel-Specific Development Standards  
(10.05.2010)**

**Location Maps**



**Parcel 4 Utility Tract**







## **Exhibit 4.1: Legal Description**

### **Parcel 1 (Mingo Point)**

All that certain piece, parcel, or tract of land, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, known generally as "Mingo Point," containing 11.253 acres, more or less, and shown and designated as "Tract 1 Lot 1 Mingo Point" on a plat prepared by Coastal Surveying Co., Inc., dated February 22, 1977, last revised on March 8, 1977, and recorded in Plat Book AJ at page 47, in the R.M.C. Office, and more recently shown on a plat prepared by Southeastern Surveying, Inc., entitled "A Boundary Survey of Mingo Point Owned by Kiawah Resort Associates, L.P. Located in the Town of Kiawah Island, Charleston County, South Carolina" dated November 13, 1997, and recorded in Plat Book EC at page 173, in the R.M.C. Office, said parcel having such location, butts and bounds, metes, courses, and distances as will by reference to said plats more fully appear.

Tax Map Parcel No. 207-00-00-009

### **Parcel 2A (West Beach Village Inn/Reception)**

All that certain piece, parcel, or tract of land with the buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, known generally as a part of "The Kiawah Inn" and shown as "Parcel D" containing 6.932 acres on a plat entitled "A Plat Of A 5.353 Acre Tract And A 6.932 Acre Tract Owned By Kiawah Resort Associates Located In The Town of Kiawah Island Charleston, South Carolina" dated June 9, 1988, and having latest revision date of February 6, 1989, and recorded in Plat Book BV at Page 39 in the R.M.C. Office for Charleston County, S.C., said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-232

### **Parcel 2B (West Beach Village Lagoon Rooms)**

All that certain piece, parcel, or tract of land with the buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown and designated as "Parcel G" on a plat by Southeastern Surveying, Inc., entitled "A Plat Of A 3.670 Acre Tract And A 0.967 Acre Tract Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina," dated June 16, 1988, having latest revision date of February 6, 1989, and recorded in Plat Book BV at Page 040, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-401

### **Parcel 2C (West Beach Village Strawmarket)**

All that certain piece, parcel or tract of land, with the buildings and improvements thereon, situate, lying and being on Kiawah Island, Charleston County, South Carolina, shown and designated as Parcel "D-1", on a plat prepared by Williams & Associates entitled "Plat of: Parcel 'D-1', A 1.187 Acre Tract Subdivided From Parcel "D" Within The Original Resort Complex Boundary Located on Kiawah Island Charleston County, South Carolina Owned by Kiawah Island Co. Limited", having latest revision dated September 1, 1981, and recorded in Plat Book AT at Page 169, in the R.M.C. Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-399

**Parcel 2D (West Beach Village Dunefield)**

All that certain piece, parcel, or tract of land with the improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, known generally as a part of "The Kiawah Inn" and shown as "Parcel E" containing 5.353 acres on a plat entitled "A Plat Of A 5.353 Acre Tract And A 6.932 Acre Tract Owned By Kiawah Resort Associates Located In The Town of Kiawah Island Charleston, South Carolina" dated June 9, 1988, and having latest revision date of February 6, 1989, and recorded in Plat Book BV at Page 39 in the R.M.C. Office for Charleston County, S.C., said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-407

**Parcel 2E (West Beach Village Support Buildings)**

All that certain piece, parcel, or tract of land with the buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown and designated as "1.912 Ac." on a plat by Southeastern Surveying, Inc., entitled "A Plat Of A 1.912 Ac. Tract Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina," dated January 12, 1989, having latest revision date of January 23, 1989, and recorded in Plat Book BV at Page 041, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-404

**Parcel 2F (West Beach Village Cub Conference)**

All that certain piece, parcel, or tract of land with the buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown and designated as "Club Conference Facility 1.701 Ac." on a plat by Southeastern Surveying, Inc., entitled "A Plat Of A 1.701 Acre Tract Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina," dated January 11, 1989, having latest revision date of February 9, 1989, and recorded in Plat Book BV at Page 042, in the RMC Office

for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-405

**Parcel 2G (West Beach Village Sparrow Pond)**

All that certain piece, parcel, or tract of land with the buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown and designated as "Parcel F" on a plat by Southeastern Surveying, Inc., entitled "A Plat Of A 3.670 Acre Tract And A 0.967 Acre Tract Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina," dated June 16, 1988, having latest revision date of February 6, 1989, and recorded in Plat Book BV at Page 040, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-406

**Parcel 2H (West Beach Village Tennis Center)**

All that certain piece, parcel, or tract of land with the buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown and designated as "5.483 Ac." on a plat by Southeastern Surveying, Inc., entitled "A Plat Of A 5.483 Ac. Tract Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina," dated January 11, 1989, having latest revision date of February 3, 1989, and recorded in Plat Book BV at Page 043, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-402

**Parcel 2I (West Beach Village Tennis Parking)**

All that certain piece, parcel, or tract of land with the buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown and designated as "0.714 Ac." on a plat by Southeastern Surveying, Inc., entitled "A Plat Of A 0.714 Acre Tract Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina," dated February 21, 1989, having latest revision date of March 20, 1989, and recorded in Plat Book BV at Page 044, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-403

**Parcels 3A and 3B (Cougar Point Golf Course and Clubhouse)**

All those certain pieces, parcels, or tracts of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 123.653 Acres, more or less, and shown on a plat by Southeastern Surveying, Inc., entitled "A Plat Of Marsh Point Golf Course Being a 123.653 Acre Tract of Land Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina," dated January 10, 1989, having latest revision date of February 6, 1989, and recorded in Plat Book BV at Pages 024, 025, 026, 027, 028, 029, 030, and 031, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-00-00-017

**Parcel 3C (Cougar Point Golf Maintenance)**

All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown on a plat by Southeastern Surveying, Inc., entitled, in part, "A Plat Showing Boundary Line Adjustment of A 1.499 Acre Tract," dated January 26, 1990, having latest revision date of October 4, 1990, and recorded in Plat Book CB at Page 014, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-06-00-013

**Parcel 4A (Utility Tract Telephone Building)**

All that certain piece, parcel, or tract of land with the building and improvements located thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, shown and designated as "Telephone Office Building Tract 0.587 Acres" on a plat by Davis & Floyd, Inc., entitled "Plat Showing Telephone Office Building Property of Kiawah Resort Associates Located In Utility Tract Town Of Kiawah Island, Charleston County, S.C." dated February 6, 1989, and recorded in Plat Book BU at Pages 160 and 161, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 209-01-00-121

**Parcel 4B (Utility Tract Laundry/Commissary)**

All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 3.314 acres, more or less, and shown on a plat by Davis & Floyd, Inc., entitled, "Plat Showing Parcel #1 Property of Kiawah Resort Associates About to Be Combined With Laundry & Commissary Tract TMS 209-01-00-122," dated June 29, 1989, having latest revision date of October 4, 1990, and recorded in Plat Book CB at Page 015, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 209-01-00-122

**Parcel 4C (Utility Tract Warehouse)**

All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 2.088 acres, more or less, and shown on a plat by Davis & Floyd, Inc., entitled, "Plat Showing Parcel #1 & Parcel #2 Property of Kiawah Resort Associates About to Be Combined With Warehouse Tract TMS 209-01-00-098," dated June 29, 1989, having latest revision date of October 4, 1990, and recorded in Plat Book CB at Page 016, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 209-05-00-098

**Parcel 5 (East Beach Ocean)**

All that certain piece, parcel or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, State aforesaid, containing 3.054 acres, more or less, and shown and designated as "Tract F" on a plat prepared by Southeastern Surveying, Inc., entitled "A BOUNDARY PLAT OF TRACT F BEING 3.054 ACRES OWNED BY KIAWAH RESORT ASSOCIATES, L.P. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA" dated March 11, 1997, and recorded in Plat Book EB, at page 679, in the R.M.C. Office for Charleston County, S.C., said property having such location, butts and bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 209-07-00-126

**Parcel 6A (East Beach Village Town Center)**

All that certain piece, parcel or tract of land, together with any buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, and shown and designated as "Tract A", "Tract B", "Tract C", "Tract D", and "1.041 Ac.", on a plat by Southeastern Surveying, Inc., entitled "A Combination Plat of Parcel 'A', 'B', 'C', 'D', And A 1.041 Acre Tract of Town Center and Conference Facilities Into a 10.507 Acre Tract of Land" dated February 2, 1989, having latest revision dated October 4, 1990, and recorded in Plat Book CB, at page 013, in the R.M.C. Office for Charleston County, S.C., said property having such location, butts and bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 209-07-00-105

**Parcel 6B (East Beach Village Tennis Center)**

All that certain piece, parcel or tract of land, together with any buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, and shown and designated as "East Beach Tennis Center 8.479 Ac.", on a plat by Southeastern Surveying, Inc., entitled "A Plat Of An 8.479 Acre Tract Owned By Kiawah Resort Associates

Located In The Town Of Kiawah Island, Charleston County, South Carolina” dated January 11, 1989, having latest revision dated February 9, 1989, and recorded in Plat Book BV, at page 050, in the R.M.C. Office for Charleston County, S.C., said property having such location, butts and bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 264-05-00-002

**Parcels 6C and 6D (East Beach Village Hotel Residual and Hotel)**

All that certain piece, parcel or tract of land, together with any buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, and shown and designated as “LANDMARK LAND COMPANY OF CAROLINA, INC. 50.325 AC.”, on a plat by Southeastern Surveying, Inc., entitled “A PLAT SHOWING BOUNDARY LINE ADJUSTMENT OF A 50.325 ACRE TRACT OWNED BY LANDMARK LAND COMPANY OF CAROLINA, INC. AND A 1.900 ACRE LAGOON OWNED BY KIAWAH RESORT ASSOCIATES AND LANDMARK LAND COMPANY OF CAROLINA, INC. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA,” dated January 6, 1989, having latest revision dated September 17, 1990, and recorded in Plat Book CB, at page 017, in the R.M.C. Office for Charleston County, S.C., said property having such location, butts and bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 209-07-00-124

**Parcel 7 (Turtle Point Golf)**

All those certain pieces, parcels or tracts of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, commonly known as the “Turtle Point Golf Course” containing 133.165 acres, more or less, and shown on a plat by Southeastern Surveying, Inc., entitled “A Plat of Turtle Point Golf Course Being a 133.165 Acre Tract of Land Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina” dated January 1, 1989, having latest revision dated February 6, 1989, and recorded in Plat Book BV, at pages 054, 055, 056, 057, 058, 059, 060, 061, and 062, in the R.M.C. Office for Charleston County, S.C., said property having such location, butts and bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-00-00-018

**Parcel 8 (Turtle Point Maintenance)**

All that certain piece, parcel or tract of land, together with any buildings and improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, and shown and designated as “Existing Parcel”, and also described as “Maintenance Tract 2.872 Ac.” on a plat by Southeastern Surveying, Inc., entitled “A Plat of Turtle Point Golf Course Being a 133.165 Acre Tract Owned By Kiawah Resort Associates Located In The Town Of Kiawah Island, Charleston County, South Carolina” dated January 7, 1989, having latest revision dated February 6, 1989, and recorded in Plat Book BV, at page 056, in the R.M.C. Office for Charleston

County, S.C., said property having such location, butts and bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 264-01-00-054

**Parcel 9 (Osprey Point Golf)**

All those certain pieces, parcels, or tracts of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, commonly known as the "Osprey Point Golf Course" containing 134.046 Acres, more or less, and shown on a plat by Davis & Floyd, Inc., entitled "Plat showing Osprey Point Golf Course, Property of Kiawah Resort Associates, Located Kiawah Island, Charleston County, S.C.," dated December 25, 1988, and recorded in Plat Book BV at Pages 032, 033, 034, and 035, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-00-00-019

**Parcels 10 and 11 (Ocean Course and Willet Island)**

**Sub Parcel I**

All those certain pieces, parcels, or tracts of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 219.92 acres, more or less, and shown on a plat by Davis & Floyd, Inc., entitled "Plat Showing Links Course Tract, Property of Kiawah Resort Associates, Located Kiawah Island, Charleston County, S.C." dated February 6, 1989, having latest revision date of March 27, 1989, and recorded in Plat Book BV at Pages 036 through 038, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

**LESS AND EXCEPT**

(1) All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 25.18 acres, more or less, designated as the "Access Property" and shown on a plat by Davis & Floyd, Inc., entitled "Plat Showing Links Course Tract, Property of Kiawah Resort Associates, Located Kiawah Island, Charleston County, S.C." dated February 6, 1989, having latest revision date of March 27, 1989, and recorded in Plat Book BV at Pages 036 through 038, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear;

(2) All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 4.770 acres, more or less, and shown on a plat entitled "A PLAT OF A 4.770 ACRE TRACT OWNED BY LANDMARK LAND COMPANY OF CAROLINA, INC. ABOUT TO BE CONVEYED TO KIAWAH RESORT ASSOCIATES LOCATED ON COUGAR ISLAND, TOWN OF

KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA” dated October 4, 1990, having latest revision date of April 3, 1991, and recorded in Plat Book CC at Page 184, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

(3) All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 0.063 acres, more or less, and shown on a plat by Southeastern Surveying, Inc., entitled “A BOUNDARY SURVEY OF THE WELL PUMP TRACT OWNED BY LANDMARK LAND COMPANY OF CAROLINA, INC. TO BE CONVEYED TO KIAWAH ISLAND UTILITY COMPANY, INC. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA” dated April 19, 1991, having latest revision date of September 5, 1991, and recorded in Plat Book CE at Page 096 in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

(4) All those two certain pieces, parcels, or tracts of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing .052 acres and .001 acres, more or less, and shown on a plat by Southeastern Surveying, Inc., entitled “A PLAT SHOWING A BOUNDARY LINE ADJUSTMENT OF A 0.115 ACRE TRACT A 0.052 ACRE TRACT AND A 0.001 ACRE TRACT OWNED LANDMARK LAND COMPANY OF CAROLINA, INC. ABOUT TO BE CONVEYED TO KIAWAH RESORT ASSOCIATES A 0.005 ACRE TRACT OWNED BY KIAWAH RESORT ASSOCIATES ABOUT TO BE CONVEYED TO LANDMARK LAND COMPANY OF CAROLINA, INC. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA,” dated May 7, 1991, having latest revision date of May 20, 1991, and recorded in Plat Book CE at Page 097, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

(5) All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 3.072 acres, more or less, and shown and designated as “NATURAL AREA 3.072 AC.” on a plat by Southeastern Surveying, Inc., entitled “A PLAT OF A 3.072 ACRE NATURAL AREA OWNED BY LANDMARK LAND COMPANY OF CAROLINA, INC. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA” dated February 4, 1991, having latest revision date of April 29, 1991, a copy of which said plat is attached to that certain Quit Claim Deed by Landmark Land Company of Carolina, Inc., a Delaware corporation, in favor of Kiawah Resort Associates, L.P., a Delaware limited partnership, dated May 12, 1995, and recorded in Book M255 at Page 243 in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

## **Sub Parcel II**



All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 1.923 acres, more or less, and shown on a plat entitled "A PLAT OF A 1.293 ACRE TRACT OWNED BY KIAWAH RESORT ASSOCIATES ABOUT TO BE CONVEYED TO LANDMARK LAND COMPANY OF CAROLINA, INC. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA," dated February 22, 1990, having latest revision date of November 19, 1990, and recorded in Plat Book CB at Page 169, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

**Sub Parcel III**

All those certain pieces, parcels, or tracts of land, together with any improvements thereon, situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, and being further shown and delineated on a plat entitled "A COMBINATION PLAT OF A 22.075 ACRE TRACT AND A 1.784 ACRE TRACT OWNED BY KIAWAH RESORT ASSOCIATES ABOUT TO BE CONVEYED TO LANDMARK LAND COMPANY OF CAROLINA, INC. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA" dated August 20, 1991, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

**AND**

**Sub Parcel IV**

All that certain piece, parcel, or tract of land situate, lying and being in the Town of Kiawah Island, Charleston County, South Carolina, containing 0.005 acres, more or less, and shown on a plat entitled "A PLAT SHOWING A BOUNDARY LINE ADJUSTMENT OF A 0.115 ACRE TRACT A 0.052 ACRE TRACT AND A 0.001 ACRE TRACT OWNED LANDMARK LAND COMPANY OF CAROLINA, INC. ABOUT TO BE CONVEYED TO KIAWAH RESORT ASSOCIATES A 0.005 ACRE TRACT OWNED BY KIAWAH RESORT ASSOCIATES ABOUT TO BE CONVEYED TO LANDMARK LAND COMPANY OF CAROLINA, INC. LOCATED IN THE TOWN OF KIAWAH ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA," dated May 7, 1991, having latest revision date of May 20, 1991, and recorded in Plat Book CE at Page 097, in the RMC Office for Charleston County, South Carolina, said property having such location, butts, bounds, metes, courses and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 207-00-00-020

**Parcel 12 (Ocean Park Parcel)**

All that certain piece, parcel, or tract of land situate, lying and being at the east end of Kiawah Island, in the Town of Kiawah Island, Charleston County, South Carolina, containing 7.757 acres, more or less, and shown and designated as "Residual A" on a plat prepared by Seamon Whiteside & Associates Surveying, LLC, entitled "A BOUNDARY LINE ADJUSTMENT PLAT OF TMS

# 265-16-00-017 CREATING RESIDUAL A AND RESIDUAL B OWNED BY KIAWAH DEVELOPMENT PARTNERS, LLC LOCATED IN THE TOWN OF KIAWAH ISLAND CHARLESTON COUNTY, SOUTH CAROLINA," dated September 16, 2014, last revised on October 27, 2014, and recorded in Plat Book L14, at page 0507 in the office of the Register of Mesne Conveyances for Charleston County, S.C., said tract having such size, location, butts and bounds, metes, courses, and distances as will by reference to said plat more fully appear.

Tax Map Parcel No. 265-16-00-017



**Exhibit 13.2: Description of Real Property  
Owned by Property Owner**

<b>Tax Map Number</b>	<b>Parcel #</b>	<b>Parcel Description</b>	<b>Acreage</b>
207.00.00.009	1	Mingo Point	11.20
	2	West Beach Village	27.91
207.06.00.232		A. Inn/Reception 6.93	
207.06.00.401		B. Lagoon Rooms 3.67	
207.06.00.399		C. Strawmarket 1.19	
207.06.00.407		D. Dunefield 5.35	
207.06.00.404		E. Support Buildings 1.91	
207.06.00.405		F. Club Conference 1.7	
207.06.00.406		G. Sparrow Pond 0.97	
207.06.00.402		H. Tennis Center 5.48	
207.06.00.403		I. Tennis Parking 0.71	
	3	Cougar Point Golf	123.99
207.00.00.017		A. Golf Course 121.39	
207.00.00.017		B. Clubhouse 1.1	
207.06.00.013		C. Maintenance 1.5	
	4	Utility Tract	5.99
209.01.00.121		A. Telephone Building 0.59	
209.01.00.122		B. Laundry/Commissary 3.31	
209.05.00.098		C. Warehouse 2.09	
209.07.00.126	5	East Beach Ocean	3.05
	6	East Beach Village	68.49
209.07.00.105		A. Town Center 10.51	
264.05.00.002		B. Tennis Center 8.48	
209.07.00.124		C. Hotel Residual 24.49	
209.07.00.124		D. Hotel (255 Rooms) 23.70	
209.07.00.124		E. Wetland Mitigation 1.31	
207.00.00.018	7	Turtle Point Golf	131.89
264.01.00.054	8	Turtle Point Maintenance	2.87
207.00.00.019	9	Osprey Point Golf	132.97
	10	Ocean Course	348.87
207.00.00.020		A. Golf Course 311.36	
207.00.00.020		B. Residential *37.51	
207.00.00.020		C. Cougar Island Residual	
207.00.00.020	11	Willet Island	9.14
265.16.00.017	12	Ocean Park	7.76
		<b>TOTAL</b>	<b>874.13</b>

\* Acreage includes parcels 10B and 10C combined.

Exhibit 13.6

PR-OC, Parks and Recreation – Ocean Course District.

- (a) *Purpose and intent.* The purpose of the PR, Parks and Recreation District is to provide community parks and recreation facilities, including parks, open spaces, golf courses, tennis courts and limited residential associated with the golf course operation. This district provides for both active and passive use of land. Accessory structures which support or compliment the parks/recreation use may be permitted as conditional or special exception uses.
- (b) *District regulations.* The following apply to the PR zoning district:
- (1) Lot standards (setbacks, lot coverage, etc.) for accessory structures in this district are listed in table 2L in this subsection (b);
  - (2) Authorized uses for this district are listed in table 3A in section 12-102(c);
  - (3) Parking standards are given in section 12-128.
  - (4) Maximum Dwelling units for this district shall be no greater than twenty six (26) Dwelling units total, of which no more than six (6) may be single family attached, duplexes or multi-family.
  - (5) Maximum residential density shall be no more than 1 Dwelling unit per 1.27 acres.
  - (6) Up to six Dwelling units may be attached to and integrated with non-residential buildings, but there shall be no more than four (4) Dwelling units in any building within this district.

Table 2L. Lot Standards for Accessory Structures in the PR, Parks and Recreation Zoning District, and PR-OC District	
Minimum area (square feet) <sup>(1)</sup>	20,000
Minimum lot depth (feet)	120
Minimum width (feet)	150
Maximum floor area ratio	0.2
Maximum lot coverage	70 percent
Maximum height	
Stories	2
Feet	35
Minimum setbacks (feet) <sup>(2)</sup>	

	Front	25
	Side	25
	Rear	25

<sup>(1)</sup> Smaller lots for accessory structures may be permitted by the Town Council as part of a planned development.

<sup>(2)</sup> Canopies connected to the main building shall be set back a minimum of 20 feet from any property line.