

**FOURTH ADDENDUM
TO DEVELOPMENT IMPROVEMENTS AND SERVICES AGREEMENT**

THIS FOURTH ADDENDUM, made this 9th day of October, 2014,
by and between:

COMMISSIONERS OF BRIDGEVILLE, a municipal corporation of the State of Delaware (“Town”), and

PASSWATERS FARM, LLC, a Delaware limited liability company (“Developer”), each sometime referred to as the “Party” or together “Parties”.

RECITALS

- A. The Parties entered into a Development Improvements and Services Agreement, dated November 10, 2003 (the “Agreement”); an Addendum to Development Improvements and Services Agreement, dated June 15, 2005; a Second Addendum to Development Improvements and Services Agreement, dated July 22, 2005; and Addendum to Development Improvements and Services Agreement, a dated July 23rd, 2010; and
- B. The Parties desire to amend the Agreement pursuant to Section 6.d. of the Agreement.

NOW, THEREFORE, the Parties agree as follows:

- 1. Section 2.c.(iii)1, *Sewer Impact Fee*, as it appears in the Addendum to Development Improvements and Services Agreement, dated June 15, 2005, is hereby amended by adding thereto the following:

Commencing with the building permit application for the 915th residential unit, Developer shall pay to Town a Sewer Impact Fee of Six Thousand Dollar (\$6,000.00) for each Residential Unit to be constructed on the Property. The Sewer Impact Fee is subject to change from time to time as determined by the Town in the course of the routine rate making process. The Developer agrees to pay to Town the Sewer Impact Fee as may be promulgated by Town or hereinafter amended and revised by it.

- 2. This Addendum is hereby made a part of the Agreement and represents the agreement and understanding among the Town and the Developer with respect to the specific rights and responsibilities of the Parties as described herein. Except as amended by this Fourth Addendum, the terms and conditions of the Agreement and prior Addenda are hereby ratified and confirmed and remain in full force and effect.

IN WITNESS WHEREOF, each of the Parties has executed this Addendum to the Agreement or has caused this Addendum to be executed on its behalf by its duly authorized officer, as of the Effective Date above written.

COMMISSIONERS OF BRIDGEVILLE

A municipal corporation of the
State of Delaware

By: Patricia M. Correll
President

Attest: Laurance J. [Signature]
Secretary



PASSWATERS FARM, LLC

A Delaware limited liability company

By: _____
Member/Manager
Authorized Signatory

Witness