

Sea Pines Community Services Associates, Inc.
Sea Pines Road Acceptance Policy

Adopted: February 8, 2022

Effective: February 8, 2022

The Community Services Associates, Inc. Board of Directors (“**CSA Board**”) has established a policy for the acceptance of title to and responsibility for the maintenance and repair of roads located in the Sea Pines planned community (“**Sea Pines**”). Community Services Associates, Inc. (“**CSA**”) has published this policy in order to provide guidelines for acceptance of roads by CSA within Sea Pines (the “**Policy**”).

The term “Road” shall mean and refer to any overland passageway of every character within Sea Pines. The term Road shall include, but not be limited to any passageway for vehicles, persons, and animals such as a highway, route, bicycle path, bridge, street, nature trails or any improved or unimproved path right of way for the passage of persons or vehicles.

The term “Road Right-of-Way” shall be the area measured from property line to property line and containing a Road. The Road Right-of-Way may contain utilities as well as natural or artificial drainage systems curbing pathways and other improvements.

I. PROCEDURE

- A. Submission of Request:** The owner of a Road seeking for CSA to take ownership thereof (“**Owner**”) must submit a formal written request to the CSA Board requesting acceptance of title to the Road in the form of an application (“**Application**”).

The following documentation shall be submitted with the request:

- Complete and signed Application.
- Description of the request and need.
- An as-built topographic survey (dated less than two (2) years of the date of the Application) depicting all improvements, denoting the Road and/or Road Right-of-Way, and any underground utilities prepared by a professional or registered land surveyor.
- Nonrefundable Application fee of \$1,000.00, payable to Community Services Associates, Inc.
- A construction, engineering and maintenance history report, for the Road covering prior fifteen (15) years.
- Letter/email of authorization if Application is signed by agent on behalf of Owner.
- Documentation acceptable in sole discretion of CSA that the conveyance of the Road has been approved and/or authorized as required by any bylaws or other documents governing the Owner or the restrictive land use covenants or master deed which govern title to the Road.

B. Determination of Request

(1) **Receipt of Request:** Upon receipt of an Application, CSA staff will conduct a site visit to determine the current state of repair of the Road and present a report to the CSA Board for its consideration. Written notice of the CSA Board’s decision will be sent to the Owner.

(2) **Approval Status:** Once the CSA Board has granted approval for the acquisition of the Road, the Owner shall submit to CSA all necessary and required (as determined in CSA’s sole discretion) legal documents prepared by Owner’s counsel describing the Owner’s authority and approval of the transfer and the conveyance documents transferring title of the Road to CSA. Once the documents are executed by the parties CSA shall file all documents with the appropriate government entities and all cost associated with the transfer of title shall be at Owner’s expense.

C. Requirements for Road Conveyance

(1) The Road shall be conveyed by warranty deed in a form acceptable to CSA's legal counsel, accompanied by an attorney's certificate of title, providing the opinion that: the deed will convey to CSA, fee simple title to the Road, subject only to specific enumerated items acceptable to CSA's legal counsel; the attorney certifying title shall attach certified copies of any items that will have priority over or encumber CSA's interest in the property that is being conveyed; the certificate of title shall be prepared for the benefit of CSA and shall contain an acknowledgement by the preparing attorney that the certificate of title is for CSA's benefit and that CSA has the right to rely on such certificate of title.

(2) The grantor conveying title to Road to CSA shall agree, in writing, to indemnify and hold harmless CSA from and against any and all claims of any nature arising from any acts or events that took place or arose prior to or arising out of the transfer to CSA. The indemnification shall be in a form acceptable by, and at the sole discretion of CSA's legal counsel.

(3) Existing Road Pavement Evaluation

The Owner will engage, at Owner's sole cost and expense, a licensed engineering firm to conduct a Road pavement evaluation and report.

A Geotechnical Engineer will be required to visit the site and perform a visual condition and structural survey of the Road at prescribed intervals by CSA. The Geotechnical Engineer will need to prepare field boring logs as part of the survey. These field boring logs shall include visual classifications of the materials encountered during drilling and interpretation of the subsurface conditions between samples. Ground water observations must also be recorded. The final boring logs will need to be prepared from the field boring logs.

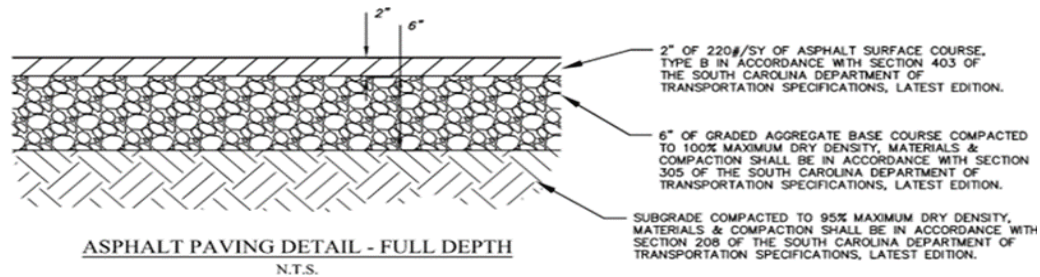
Hand auger borings are to be conducted in general accordance with ASTM D 1452-80, Standard Practice for Soil Investigation and Sampling by Auger Borings. In this test, hand auger borings are drilled by rotating and advancing a bucket auger to the desired depths while periodically removing the auger from the hole to clear and examine the auger cuttings. The soils will need to be classified in accordance with ASTM 02488. Results of field and laboratory programs must be evaluated by a professional engineer. The engineer will develop a geotechnical site characterization, perform the engineering calculations necessary to evaluate the Road pavement.

The geotechnical engineering report will need to provide the following:

- Hand auger boring logs
- Asphalt thickness
- Road pavement evaluation of existing pavement
- Stratification based on visual soil classification
- Groundwater levels observed during and after the completion of hand auger borings
- Site Location and Exploration Plans
- Subsurface exploration procedures
- Description of subsurface conditions
- Subgrade preparation/earthwork recommendations, if necessary
- Recommended pavement repair or replacement options and design parameters

Photographs of the existing pavement taken during the visual survey are to be provided to CSA. Based on the site visit, CSA understands that the pavement may not be in acceptable condition based on the Engineer's report. Also, the soils under the asphalt layer need to be identified as part of the inspection as to any groundwater or drainage present in the sub soils. Roads are to be free of root intrusion, Road pavement settlement or cracking.

Road pavement must meet South Carolina Department of Transportation Specifications Latest Edition:



(4) Existing Drainage Infrastructure Evaluation

The Owner will engage, at Owner's sole cost and expense, a licensed engineering firm to conduct a drainage infrastructure evaluation. The storm drainage pipes will be a minimum of 15 inches in diameter and cast concrete under any Road not associated with CSA master stormwater. Drainage pipes will need to be evaluated for integrity, any illicit discharges into the drainage system such as swimming pools, down spouts, and roof drainage connections. Storm water catch basin grates must be traffic rated, a minimum of 24 inches by 24 inches wide. The drainage system shall be videoed using closed-circuit television (CCTV) technology at the owner's expense and presented to CSA for review.

II. CSA SERVICES ASSOCIATED WITH ROAD ACQUISITION

Road Maintenance: Asphalt pothole repairs, traffic line striping, asphalt resurfacing at the end of Road's useful life.

III. CSA SERVICES NOT ASSOCIATED WITH ROAD ACQUISITION

The following CSA services shall **not** be performed in the acquisition of any Roads within Sea Pines.

- A. **Road Maintenance:** Sealcoating of Road asphalt, repair of asphalt aesthetic issues, speed bumps, traffic control devices, automatic vehicular gates.
- B. **Facility Maintenance:** Maintenance of any facilities, common areas, parks, pools, walkways, pathways, patios, courtyards, gazebos, bridges, decks, bulkheads, sea walls, tennis courts, golf facilities, boardwalks, beach access paths, gates, breezeways, family dwelling units, utility easements, parking areas, parking lots, curb stops, parking lots elements, overhead street, or landscape lighting.
- C. **Grounds Maintenance:** Grounds maintenance services such as horticulture, tree and turf care, lawn mowing, tree removal, storm/weather related response and cleanup of debris, litter and debris removal, road and pathway blowing, weed control, brush cutting, irrigation system operation and maintenance, back flow testing, debris removal and recycling, horticultural displays, mulching and pine straw installation, landscape enhancement projects, tree planting, holiday displays, snow removal or ice mitigation and common open space maintenance.
- D. **Storm Damage:** Removal of debris, limbs, and clearing Roads of downed trees. The pruning or removal of overstory trees.
- E. **Bridges:** Structural repairs and maintenance.
- F. **Fences:** Any vertical fence, property boundary fences, roadside fence, and gates.
- G. **Signs:** The installation of new or the repair of existing Road and pathway signs.
- H. **Lagoons:** Maintenance or applications to lagoons, aquatic vegetation control, lagoon bank stabilization or repairs.
- I. **Special Events:** Logistics or cleanup
- J. **Mosquito control:** Airborne or control in catch basins

The CSA Board reserves the right to further adopt, amend or change any policies, regulations, or rules at or upon its sole discretion.

Sea Pines Community Services Associates, Inc.

Sea Pines Road Acceptance Application

Effective: February 8, 2022

Legal Address of Property: _____

Street Address of Property: _____

Name of Owner: _____

Address of Owner: _____

Date of Last Improvements: _____ Phone Number: _____

The undersigned Owner of the property described above, hereby applies to Community Services Associates, Inc., (“CSA”), for CSA’s consideration of acceptance of title to and responsibility for the maintenance and repair of that certain road and/or Road Right-of-Way (collectively the “Road”), depicted on the attached as-built topographic survey (“Survey”), located in the Sea Pines planned community (“Sea Pines”). The parties acknowledge and agree that CSA has the right to rely upon the Survey as well as any applicable evaluations submitted with this application. CSA’s right to rely on the Survey and any applicable evaluations is absolute. Owner acknowledges and agrees that if CSA accepts title to the Road, the Road would no longer be private, and Sea Pines owners and guests will have right of access and use of the Road. This application is being filed pursuant to the Sea Pines Road Acceptance Policy, (the “Policy”) adopted by the Board of Directors on February 8, 2022. The Owner has read the Policy and agrees to be bound by the terms and conditions contained within the Policy.

Owner acknowledges that any agreement between the parties concerning the Road shall contain limitations on the rights of the Owner to remedies, in the event of mistakes or error by CSA. If this application is executed by an Agent of the Owner, then no letter of status shall be issued, or if issued, shall be valid until and unless, a written letter of authorization, or appointment of such Agent, is received by CSA from the Owner(s).

Witness

Owner

Witness

Owner

Witness

Agent on behalf of Owner

Date

Date

Please submit the following:

1. Complete and signed Application.
2. Description of the request and need.
3. As-built topographic survey (less than two (2) years old) depicting all improvements, denoting the Road and/or road right-of-way, and underground utilities prepared by a professional or registered land surveyor.
4. Nonrefundable Application fee of \$1,000.00, payable to Community Services Associates, Inc.
5. A construction, engineering and maintenance history report for the Road covering prior fifteen (15) years.
6. Letter/email of Authorization if application is signed by Agent on behalf of Owner.
7. Documentation acceptable in sole discretion of CSA that the conveyance of the Road has been approved and/or authorized as required by any bylaws or other documents governing the Owner or the restrictive land covenants or master deed which govern title to the Road.

CSA reserves the right to hold processing of any application until all assessments and any outstanding fees have been paid in full by owner(s).