



1. Charleston County, S.C. ad valorem taxes for the year 2005, a lien but not yet due and payable, and ad valorem taxes for all subsequent years.
2. All questions of accuracy, location of boundary lines, location of improvements, encroachments, area, and all other matters whatsoever which an accurate survey or inspection of the premises may reveal.
3. Unrecorded easements, if any, for utility lines and facilities existing at the time of the conveyance from Ronald D. Royal, et al. to Coastal Shores, Inc., dated February 15, 1974, and recorded in Book U103, page 265 in the R.M.C. Office, as set forth in paragraph "(c)" on page 7 thereof.
4. Declaration of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to All Property in Kiawah Island executed by Kiawah Island Company, Inc. dated February 19, 1976, and recorded February 19, 1976, in Book T108, page 338 in the R.M.C. Office, as from time to time may be amended by instruments of record.
5. Declaration of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to All Property in Kiawah Island executed by Kiawah Island Company Limited dated December 21, 1977, and recorded December 29, 1977, in Book M114, page 406 in the R.M.C. Office.
6. Declaration of Covenants and Restrictions of The Kiawah Island Community Association, Inc., executed by Kiawah Island Community Association, Inc. and by Kiawah Island Company, Inc. dated February 19, 1976, and recorded February 19, 1976, in Book T108, page 337 in the R.M.C. Office as may from time to time be amended by instruments of record.
7. Declaration of Covenants and Restrictions of The Kiawah Island Community Association, Inc. executed by Kiawah Island Community Association, Inc. and Kiawah Island Company Limited dated December 21, 1977, and recorded December 29, 1977, in Book M114, page 407 in the R.M.C. Office.
8. Addendum to the Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc. dated March 28, 1981, and recorded in Book O125, page 163 in the R.M.C. Office.
9. Second Addendum to Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc. dated July 30, 1984, and recorded August 14, 1984, in Book K139, page 58 in the R.M.C. Office.
10. Third Addendum to Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., dated January 30, 1992, and recorded in Book R210, page 748 in the R.M.C. Office.

11. Fourth Addendum to Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., dated May 20, 1994, and recorded June 3, 1994, in Book W243, page 258, in the R.M.C. Office.

12. Fifth Addendum to Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., dated April 29, 1997, recorded May 13, 1997, in Book A284, page 914, in the R.M.C. Office, and re-recorded in Book S287, page 404 in the R.M.C. Office.

13. Sixth Addendum to Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., dated May 18, 2000, recorded May 26, 2000, in Book H348, page 383, in the R.M.C. Office.

14. Seventh Addendum to Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., dated March 31, 2003, and recorded April 15, 2003, in Book W444, page 552, in the R.M.C. Office.

15. Eighth Addendum to Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., dated April 12, 2004, and recorded April 10, 2004, in Book F491, page 514, in the R.M.C. Office.

16. First Amendment to the By-Laws of the Kiawah Island Community Association, Inc., dated January 30, 1992, and recorded in Book R210, page 759 in the R.M.C. Office.

17. Amendment to By-Laws of the Kiawah Island Community Association, Inc., dated July 9, 2002, and recorded July 25, 2002, in Book G413, page 10, in the R.M.C. Office.

18. Supplementary Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., and Supplementary Declaration of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to All Property in Kiawah Island executed by Kiawah Island Company Limited dated March 23, 1981, and recorded March 26, 1981, in Book Z124, page 305 in the R.M.C. Office.

19. Second Supplementary Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc., executed by the Kiawah Island Community Association, Inc., dated May 20, 1994, and recorded June 3, 1994, in Book W243, page 271, in the R.M.C. Office.

20. Assignment and Assumption of Developer's Rights and Easements executed by Kiawah Island Company Limited in favor of Kiawah Resort Associates, dated June 28, 1988, and recorded June 29, 1988 in Book Z175, page 561 in the R.M.C. Office, assigning certain rights under the aforesaid restrictions, as certain rights have been further assigned by that certain Agreement and Assignment of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to All Property on Kiawah Island, SC", dated March 31, 1989, a Memorandum of which Agreement is recorded in Book F183, page 307 in the R.M.C. Office, as amended by that certain Amendment to Memorandum for Recording recorded in Book J198, page 623, and as further amended by that certain Second Amendment to Memorandum for Recording recorded in Book X204, page 601 in the R.M.C. Office.

21. Assignment and Assumption of Developer's Rights and Easements executed by Kiawah Resort Associates in favor of Kiawah Resort Associates, L.P., dated June 26, 1992, and recorded June 26, 1992, in Book N215, page 11, in the R.M.C. Office, assigning the rights referred to in the preceding subparagraph to Kiawah Resort Associates, L.P.

22. Agreement by and between St. John's Water Company, Inc. and Kiawah Island Utility, Inc., dated April 12, 1978, and recorded in Book O121, page 365, in the R.M.C. Office.

23. Agreement entered into by and between Kiawah Resort Associates and Edgar A. Buck and Margaret B. Buck dated February 10, 1989, and recorded in Book W181, page 643 in the R.M.C. Office.

24. Declaration of Special Covenants and Restrictions (Non-Competition) executed by Kiawah Resort Associates, dated March 31, 1989, and recorded in Book E183, page 345 in the R.M.C. Office, as amended by instrument dated May 10, 1989, and recorded in Book H184, page 338 in the R.M.C. Office, as further amended by instrument dated September 8, 1989, and recorded in Book M191, page 671 in the R.M.C. Office, and as further amended by instrument dated November 26, 1997, and recorded in Book R293, page 445, in the R.M.C. Office.

25. Non-Exclusive Easement for Access, Ingress and Egress Over 50 Foot Right-of-Way executed by Kiawah Resort Associates and Kiawah Island Utility, Inc. in favor of Landmark Land Company of Carolina, Inc. dated March 31, 1989, and recorded in Book E183, page 15, in the R.M.C. Office, as amended. (As to the Non-Exclusive Easement over 50' Right-of-Way Only)

26. Effluent Line Easement granted by Kiawah Resort Associates in favor of Landmark Land Company of Carolina, Inc., dated March 31, 1989, and recorded in Book F183, page 001, in the R.M.C. Office. (As to the Non-Exclusive Easement over 50' Right-of-Way Only)

27. Fiber Optic Line Easement granted by Kiawah Resort Associates, KRA/Strawmarket, L.P., Kiawah Island Community Association, Inc., and Kiawah Island Utility, Inc., dated July 15, 1991, and recorded in Book X204, page 590, in the R.M.C. Office. (As to the Non-Exclusive Easements over Sora Rail Road and 50' Right-of-Way Only)

28. Easements, construction/improvement setbacks and other building/use criteria as shown on plats of record in the R.M.C. Office.

29. Memorandum of Utility Service Agreement executed by and between Kiawah Resort Associates, L.P. and Kiawah Island Utility, Inc., recorded July 8, 1997, in Book U286, page 740, in the R.M.C. Office, as amended.

30. Development Agreement executed by and between Kiawah Resort Associates, L.P. and the Town of Kiawah Island dated as of September 26, 1994, and recorded September 30, 1994, in Book J248, page 1, in the R.M.C. Office.

31. This conveyance is made subject further to the express covenant, condition, and restriction that the Property shall be used only by Grantee for purposes and activities associated with the maintenance of Kiawah Island "Common Properties" as set forth in the Declaration of Covenants and Restrictions of KICA recorded in Book M114, page 407, in the R.M.C. Office, as amended.

This conveyance is made subject to the further reservation by the Grantor, for itself, its successors and assigns, of a non-exclusive, perpetual, permanent, assignable, transmissible, and commercial easement running over, under, upon and across strips of land ten (10') feet in width, lying adjacent to and parallel with the north, south, east and west property lines, for the installation and maintenance of all utilities.

This is a portion of the property conveyed to the Grantor herein by deed of conveyance of Kiawah Resort Associates, a South Carolina joint venture, dated June 26, 1992, and recorded in Book L215, page 486 in the R.M.C. Office.

Kiawah Island Utility, Inc. has joined in the execution of the within deed of conveyance to perfect the grant of easement over the unnamed 50' Right-of-Way, as to that portion of the said easement that lies within the boundary of the Kiawah Island Utility Tract.

TOGETHER with, all and singular, the rights, members, hereditaments, and appurtenances to the said premises belonging or anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the said Kiawah Island Community Association, Inc., its successors and assigns, forever.

IN WITNESS WHEREOF, Kiawah Resort Associates, L.P., has caused these presents to be executed in its name and its seal to be hereunto affixed, this \_\_\_\_ day of \_\_\_\_\_, 2005.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

\_\_\_\_\_  
  
\_\_\_\_\_

KIAWAH RESORT ASSOCIATES, L.P.  
(SEAL)

By: D&W Investments, Inc.,  
a South Carolina corporation  
(CORP.SEAL)

Its: General Partner

By: \_\_\_\_\_  
Charles P. Darby, III

Its: President

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

By: TWD Investments, LLC  
a South Carolina limited liability company  
(CORP.SEAL)

Its: General Partner

\_\_\_\_\_  
  
\_\_\_\_\_

By: \_\_\_\_\_  
Charles P. Darby, III

Its: Manager

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

AS TO D&W

THE FOREGOING INSTRUMENT was acknowledged before me by Kiawah Resort Associates, L.P., by D&W Investments, Inc., a South Carolina corporation, its General Partner, by Charles P. Darby, III, its President this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_(SEAL)  
Notary Public for South Carolina  
My commission expires:

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

AS TO TWD

THE FOREGOING INSTRUMENT was acknowledged before me by Kiawah Resort Associates, L.P., by TWD Investments, LLC, a South Carolina limited liability company, its General Partner, by Charles P. Darby, III, its Manager this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_(SEAL)  
Notary Public for South Carolina  
My commission expires:

