

Exhibit 1.1: Definitions

The “Act” means the South Carolina Local Government Development Agreement Act, codified at sections 6-31-10 to -160 of the South Carolina Code.

“Agreement” means this Development Agreement, including the recitals and exhibits attached hereto.

“Bedroom” means a room in a Dwelling Unit designed and intended as a residential bedroom.

“Bldg 3-7” means any building with a minimum of 3 and no greater than 7 Dwelling Units. Dwelling Units within such a building may be separately owned and conveyed.

“Building Height” means elevation from Ground Floor Level as measured in feet and stories. Building Height does not include chimneys, antennae or ventilation pipes. Building Height in stories is the number of habitable floors (stories) exclusive of the area below the first finished floor. One-half story is a habitable floor which has heated square footage that is no greater than one-half the heated square footage of the largest story.

“Building Development Standards” means standards for the area, width, building coverage, building setback, Building Height, and yard requirements for Lots or Development Parcels.

“Comprehensive Plan” means the Town of Kiawah Island Comprehensive Plan, adopted pursuant to sections 6-29-510 to -540 of the South Carolina Code, as well as the official map of the Town of Kiawah Island, adopted pursuant to sections 6-7-1210 to -1280 of the South Carolina Code.

“Density” means the number of Dwelling Units per acre. Parcel Density equals the number of Dwelling Units divided by the gross acreage above mean high water, excluding Fresh Water and Salt Water Wetlands.

“Development” means the planning for or carrying out of a building activity, the making of a material change in the use or appearance of any structure or property, or the dividing of land into three or more parcels, and is intended by the Parties to include all uses of, activities upon or changes to the Real Property as authorized by this Agreement. “Development,” as designated in a land or development permit, includes the planning for and all other activity customarily associated with it unless otherwise specified. When appropriate to the context, “Development” refers to the planning for or the act of developing or to the result of development. Reference to a specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of this term.