

COMMON ACCESS EASEMENT FOR LOTS 30-38, 40-41 known as Preservation Lane.

Exhibit "D"

By-Laws of the Refuge at Whitehall Owners Association. Inc.

ARTICLE III - Board of Directors

Section 3.16. Powers and Duties. The Board of Directors shall manage the affairs of the Association and shall have all the powers and duties necessary for the administration of the Property and may do all such acts and things as are not by the Declaration, the Articles of Incorporation, or these By-Laws directed to be done and exercised exclusively by the members. In addition to the duties imposed by these By-Laws or by any resolution of the Association that may hereafter be adopted, the Board of Directors shall have the power to and shall be responsible for the following (subject, however, to the limitation provided for in the Declaration), in way of explanation, but not limitation:

(n) the repair, maintenance and upkeep of the "NEW 20' COMMON ACCESS EASEMENT FOR LOTS 30-38, 40-41" as shown on a Plat by Connor Engineering, Inc. entitled "A FINAL SUBDIVISION PLAT OF THE REFUGE AT WHITEHALL OWNED BY THE REFUGE AT WHITEHALL, LLC. LOCATED IN THE CITY OF NORTH CHARLESTON DORCHESTER COUNTY SOUTH CAROLINA", said Plat dated October 17, 2003, and recorded December 1, 2003 in the RMC Office for Dorchester County in Plat Book K-83, Page 131. However, all costs associated with this Section 3.16(n) shall be divided pro rata among the Class C Members of the Association.

Board of Directors' Plan for 2017 Preservation Lane Maintenance

It is the responsibility of the Board of Directors to manage the repair, maintenance and upkeep of Preservation Lane. The repair, maintenance and upkeep will be performed in a manor to maintain a functional roadway for the related property owners at a reasonable cost. This road is **NOT** owned by the Refuge HOA and there are no details as to how the repair, maintenance and upkeep of Preservation Lane shall be performed. It is the sole judgment of the HOA Board of Directors as to how and with what materials the repair, maintenance and upkeep of Preservation Lane shall be performed.

It is the judgment of the Board of Directors the following maintenance schedule shall be established and there shall be an annual special assessment collected and maintained for this purpose. This Preservation Lane special assessment will be due the same time as the annual HOA assessment is collected. If at the end of the year it is determined the budgeted repair, maintenance and upkeep of Preservation Lane was not sufficient an additional assessment will be collected.

The scheduled repair, maintenance and upkeep of Preservation Lane is outlined as:

| Repair and Maintenance | Estimated cost |
|--|----------------|
| Grading of road with the addition of crushed limestone or other suitable material once a year. (Some time in the Spring of the year) | \$1,600.00 |
| Grading of road twice a year | 350.00 |
| Total Annual Cost Estimate | \$1,950.00 |
| Each property owner portion is | \$ 195.00 |