

**AGREEMENT
BETWEEN
PHIL COGAR
AND
TABLER'S ESTATES HOMEOWNER'S ASSOCIATION:
SEWER SYSTEM**

This Agreement is between the Mr. Phil Cogar (hereafter referred to as "Developer") and the Board of the Tabler's Estates Homeowner's Association (hereafter referred to as the "HOA Board") and concerns the installation of a Sewer System in Sections 2, 3 and 4, governed by the HOA.

This agreement is entered into pursuant to the authority of the Articles of Incorporation that establish and empower the HOA Board, specifically Section IV. (b) (7.).

The Developer agrees to the following terms set forth by the HOA Board for the installation of the Sewer System in Sections 2, 3 and 4:

1. Restore all areas disturbed by the installation of the Sewer to their pre-installation state as much as is possible;
2. Route the sewer so as to require the minimum number of times it crosses the roadways;
3. Bore under the roadways to the extent possible, otherwise use flowable fill to backfill road cuts;
4. Patch the road cuts level with the road surface; and
5. Re-patch the road cuts after 1 year of project completion to the satisfaction of two members of the Board of Directors.

This agreement shall become effective upon date of signature by both parties and shall remain in effect for one year after completion and approval of the Sewer System by the Berkeley County Sewer District.

This agreement or any of its specific provisions may be revised or amended only by the signature approval of the parties signatory to the agreement or by their respective official successors.

Disputes concerning the interpretation of this agreement shall be resolved by a majority vote of a three-person dispute resolution committee. The committee shall consist of one member of the HOA Board, the Developer, and one neutral representative agreed upon by both the HOA Board and the Developer.

Page 2
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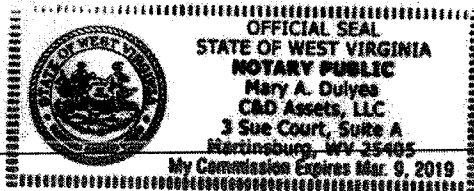
Phil Cogar
Phil Cogar, Developer

7-1-09
Date

Pete Brewster
Pete Brewster, President, HOA

7/6/09
Date

In Witness thereof,



(seal)

STATE OF WEST VIRGINIA,

BERKELEY COUNTY, to-wit:

I, Mary A. Dulyea, a Notary Public in and for said County and State do hereby certify that Phil Cogar and Pete Brewster, whose names are signed to the writing above, has this day acknowledged the same before me in my said County.

Given under my hand this 1st day of July, 2009.

Mary A. Dulyea
Notary Public

My commission expires:

March 9, 2019