

Authorization to be Included in the Wilderness Estates/ BH Development, LLC/PUD/CID

I/We, as owner(s) of Lot(s) 10 and 11, Wilderness Estates, Lawrence County, SD,
under the ownership name of Ross Ortman;

- Understand that the current Wilderness Estates' Subdivision is in the process of being replatted to a Planned Unit Development (PUD), and ultimately will potentially be a Community Improvement District (CID);
- Have received the information from the Developers regarding the CID, I have a basic understanding of the concept of PUD's/CID's. That being said, prior to any approval of a CID, a PUD must first be approved by Lawrence County;
- Understand that should a CID not be approved, the approved PUD will be acknowledged;
- Understand that should the PUD/CID be approved, the current Wilderness Estates' Road District will be dissolved and the roadways will be under the PUD/CID regulations;
- Understand that Lots 7 through 14, and all currently sold lots, will not undergo replatting/subdividing. However, other lots within Wilderness Estates may be replatted/subdivided, at the developer(s) discretion and subject to Lawrence County zoning regulations;
- Understand that the covenants currently governing the existing lots of Wilderness Estates' Subdivision will be incorporated into future covenants governing these same lots, under a PUD/CID;
- Understand there will potentially be future amenities added to this area of the PUD/CID, including, but not limited to, a community building and walking trails. As such, additional assessments/taxes will be imposed to cover the cost of maintaining these facilities. It is estimated that the assessments/taxes for the maintenance, etc., of the facilities, including the roadways, weed control, and snow removal will not exceed \$150/month. This maximum rate, for the current lot owners, will be guaranteed not to exceed this amount for the next 5 years – through calendar year 2016;
- Understand that additional services are projected for the current Wilderness Estates and planned PUD/CID areas. Possibly available to each lot, such services may include central water, central sewer facilities, natural gas, electrical services, cable television, and internet connections. Each user of these services will be charged/metered accordingly.
- Understand that as a resident/owner within the PUD/CID, the residence must be connected to the facilities of a central water system and sewer system. In addition, there will be a connection fee applied to each lot owner for these water and sewer facilities. These connections will not exceed \$5,000 for water and \$5,000 for sewer. After one year from

when such services become available, these connection charges will be based on the prevailing rates at that time, but will not be less than \$5,000 for water and \$5,000 for sewer. If a well and septic system currently exists on a lot, it is understood that these facilities will be allowed to remain, with the understanding that should either fail or require repair exceeding 50% of their replacement cost or no longer meet prevailing environmental standards, connection to the PUD/CID facilities will be mandatory and applicable connection fees applied, as described above;

- **It is understood that time is of the essence!** If BH Development, LLC, does **not** receive this returned correspondence by **Tuesday, May 4th, 2010**, this will imply that this owner(s) is not wishing to be included in the proposed CID property area, but wishes to remain part of Wilderness Estates and will be charged a road maintenance fee only (similar to what currently exists) for Wilderness Estates and in line with the charges within the PUD/CID district. Send to: **Frederickson Law Offices, P.C.**

**68 Sherman Street, Suite 311, P.O. Box 583
Deadwood, SD 57732**

- It is understood that any discussions or perceptions not noted above are not to be viewed as binding on the potential PUD/CID.
- I/we, after reviewing the above, agree to be part of the proposed PUD/CID, by including our lot(s). As such, if elected to be included at the developer(s) discretion, I/we acknowledge that I/we will be under the new PUD/CID rulings and covenants.

Signed,

Ross Ortman

Owner's Printed Name

Owner's Printed Name

Ross Ortman

Authorized Signature

Authorized Signature