Ozzad Property Agreement Amendment Terms for Consideration

The following are proposed terms of a potential amendment to the Ozzad Property Agreement.

The proposal concerns approximately 150 acres North of the current location of West Harpeth Road (Map: 119 / Parcel: 7.03; Map: 118 / Parcel: 7.00) ("West Harpeth Property") with the following conditions, self-imposed or otherwise:

- Amendment contingent upon the following occurrences, otherwise the amendment shall lapse:
 - A) West Harpeth Property to be incorporated into the Town's Urban Growth Boundary; and
 - B) A minimum of 50% of the dedicated land (discussed in more detail below) must be deemed suitable for effluent disposal.
- Town to annex West Harpeth Property with a D-2 zoning designation;
- Ozzad to realign and improve, to Town standards, West Harpeth Road, as conceptually detailed in Exhibit "A";
- Residential lot count of 150 for the area North of West Harpeth Road;
- Ozzad to dedicate and convey a minimum of 55 acres (+/- 10%) of West Harpeth Property to the Town ("Dedicated Property");
- Town may conduct mapping of the Dedicated Property; if less than 50% of Dedicated Property is deemed suitable for effluent disposal, the amendment shall lapse and Ozzad shall reimburse Town up to \$100,000.00 of the cost;
- Ozzad to maintain 70-foot buffer along West Harpeth Road, and 25-foot buffer along Eastern, Western, and Northern property lines which may be provided in open space or easements;
- Single family detached homes only;
- Monumental entryway (similar to other subdivisions in the Town);
- 1000-foot cul-de-sac requirement waived;
- A centrally located amenity of at least seven (7) acres.
- Eastern open space of the Thomas Down Subdivision to be dedicated and conveyed to the Town (~2 acres);
- Off-site sewer connection to be reviewed and approved with construction documents, and all required connections to paid for by Ozzad;
- Ozzad to apply for a reservation for additional 29,000 gpd of capacity (8,500 gpd of capacity are already vested to the Map: 119 / Parcel: 007.03 and shall be confirmed); and
- Original Ozzad Property to be quitclaimed to the Town free and clear of any restrictions or reservations.

EXHIBIT A

