

EXHIBIT “C”

DEFINITIONS

“Board of Directors” means the board of directors of the Corporation, as defined in the By-Laws.

“By-Laws” or “Bylaws” means the By-Laws of The Village of Bayberry North Maintenance Corporation, recorded in the Recorder’s Office, as amended from time to time.

“Certificate of Incorporation” means the Certificate of Incorporation of The Village of Bayberry North Maintenance Corporation filed with the Delaware Secretary of State, as amended from time to time.

“Common Facilities” means those portions of the Land designated on the Plan as private open space, as well as any common areas or common amenities that may be depicted on the Plan including, but not limited to, streets, unless accepted for dedication by DelDOT, curbs, sidewalks, storm water management facilities including recharge systems, parks, recreational facilities, fire hydrants, landscaping, parking areas, rights-of-way, easements, monuments and markers, and all improvements now and hereafter located thereon.

“Community” means the Lots and the appurtenant streets, drainage facilities and open spaces of The Village of Bayberry North, as outlined on the Plan.

“Corporation” means The Village of Bayberry North Maintenance Corporation, a Delaware non-profit, non-stock corporation.

“County” means New Castle County, a political subdivision of the State.

“DelDOT” means the Delaware Department of Transportation.

“End Townhouse Lot” means a Lot intended for the construction of townhouse at the end of a building, which has only one party wall with another townhouse.

“Family Home Day Care” means a facility in a private dwelling house that is operated by an Owner thereof for the purpose of providing child day care for no more than six (6) children at any one time who are not relatives of the day care provider.

“First Mortgage” means the first mortgage recorded against a Lot, and having priority over all other mortgages against such Lot.

“Interior Townhouse Lot” means a Lot intended for the construction of townhouse in the interior of a building, which has two party walls that each adjoin another townhouse.

“Maintenance Declaration” means the Maintenance Declaration of The Village of Bayberry North Maintenance Corporation, recorded in the Recorder’s Office in Instrument No. 20060824-0081687.

“Member” means the Owner of a Lot. The rights of Members in the Corporation are set forth in the Declaration, the Maintenance Declaration and the By-Laws.

“Mortgagee” means the holder of a mortgage on a Lot.

“Owner” means the record title holder(s) of fee simple title to a Lot.

“Residential Lot” means any Lot designated on the Plan for residential use.

“State” means the State of Delaware.

"Structure" means a building, structure, or any other improvement that may affect the appearance of the Lot, as well as any change or alteration of any previously approved Structure, including any change of exterior appearance, color or texture, and including the removal of existing trees. "Structure" also means anything that affects or alters the natural flow of surface waters or any waters in any natural or artificial stream, wash or drainage channel, from, upon or across the Land or any Lot; and (ii) any change in the grade of the Land or any Lot of more than six (6) inches from that existing at the time of conveyance of any Lot by the Declarant to another Owner. By way of example, and not limitation, “Structure” includes any man-made object, tennis courts, basketball courts, children's recreation equipment or other recreational or sporting facilities, decks, patios, porches, pool houses, below ground swimming pools, ponds, gardens, driveways, satellite dishes, radio antennas, communications equipment or facilities, fences, walls, mailboxes and outdoor lighting, together with all forms or types of landscaping, or any repair or replacement of same.

“Townhouse Lots” means those Lots designated on the Plan for the construction of a townhouse.

“Twin House Lots” means those Lots designated on the Plan for the construction of a twin house.

“Zoning Code” means the Unified Development Code contained in Chapter 40 of the New Castle County Code, as the same may be amended from time to time.