

parties for New Infrastructure projects to the maximum extent possible;

(v) timely review and inspect, by their forces or through contractors, all road work to assure quality control;

(vi) upon satisfactory completion, assume maintenance of completed improvements/projects; and

(vii) timely fund all New Infrastructure (except to the extent funded by Developer or other property owners pursuant to paragraph 4 below) to the extent permissible under State law.

For all New Infrastructure Projects, regardless of whether or not DelDOT serves as project coordinator, DelDOT shall:

(i) coordinate New Infrastructure Projects in the area of influence of the Village of Bayberry in a fashion that takes into account any other planned projects with overlapping areas of influence so as to achieve the objectives of this Agreement;

(ii) provide the road design standards and incorporate as appropriate applicable New Castle County design standards for all of the projects;

(iii) cooperate with Developer on the road vacation process for Emerson Road and Shallcross Lake Road, and expedite that process to the maximum extent possible;

(iv) cooperate with the Developer on the road realignment process for the realignment of Shallcross Lake Road, and expedite that process to the maximum extent possible; and

(v) work with the Developer in evaluating mass transit options for the Village of Bayberry through the Delaware Transit Corporation, an operating division of DelDOT, and any other governmental agencies as required.

2. Developer Responsibilities.

For those New Infrastructure projects regarding which Developer serves as the project coordinator for the planning and construction of the New Infrastructure, Developer shall:

(i) in consultation with DelDOT, design and implement a public participation process, including all necessary presentation materials;

(ii) consult with DelDOT, and use DelDOT's adopted processes in the selection of the civil engineers and other professional service providers necessary to design the New Infrastructure;

(iii) oversee and coordinate the work of the consultants;