

DEVELOPER’S CLAUSE

THIS DEVELOPER’S CLAUSE dated as of January 22, 2026 (the “Effective Date”) is made by NSF Kirkwood Site 1, LLC; NSF Kirkwood Site 2, LLC; NSF Kirkwood Site 3, LLC; and Quilty Hill Road, LLC (collectively, “Norbut Solar Farms” or the “Developer-Applicant”).

On behalf of the Developer-Applicant we hereby certify and agree that the submitted plans meet all the requirements and specifications described in Section 502 (Site Plan Review), and any other applicable sections of the Town of Kirkwood.

Notwithstanding any notes, provisions or specifications in the plans, we agree on behalf of the Developer-Applicant that Town of Kirkwood specifications shall take precedence over any such notes, provisions or specifications which may be inconsistent with and/or not in conformance with the Town of Kirkwood Code specifications.

We further agree that in the event of any inconsistency or ambiguity between the notes, provisions or specifications on the final plans and the Town of Kirkwood Code, that in all cases the Town of Kirkwood Code specifications shall be controlling with respect to the work, materials or other requirements.

IN WITNESS WHEREOF, the undersigned, have duly executed this document as of the date first written above.

DEVELOPER:

NORBUT SOLAR FARMS



Steve Saunders
Developer and Associate Counsel

DEVELOPER’S ENGINEER:



Paul Congdon, P.E.