

Tisbury Marine Terminal LLC and Vineyard Wind 1 LLC
Request for Modification of the November 2, 2021 Decision
of the Martha's Vineyard Commission in DRI 277-M

WHEREAS, Tisbury Marine Terminal LLC ("TMT") owns certain real property located at 190 Beach Road, Tisbury, Massachusetts, more specifically described in deeds recorded with the Dukes County Registry of Deeds at Book 1485, Page 354 and Book 1661, Page 822 (collectively, the "Premises"); and

WHEREAS, the Premises is the subject of a Decision of the Martha's Vineyard Commission dated November 2, 2021 and recorded with said Deeds at Book 1602, Page 103 (the "Decision"); and

WHEREAS, TMT has leased to Vineyard Wind 1 LLC ("VW1"), that portion of Premises described in a certain Notice of Lease recorded with said Deeds at Book 1642, Page 214 (the "Lease Area"); and

WHEREAS, TMT wishes to divide the Premises into two lots, one lot being the Lease Area and the other lot being the remaining area of the Premises (the "TMT Lot"), and convey the Lease Area lot to VW1; and

WHEREAS, the proposed division of the Premises into two lots requires approval of the Martha's Vineyard Commission as a modification of the Decision;

NOW THEREFORE, in order to expedite review of their proposal to modify the Decision, as outlined above, TMT and VW1, hereby jointly and severally acknowledge and agree that, upon division of the Premises and conveyance of the Lease Area to VW1, both the Lease Area and the TMT Lot shall remain subject to all provisions of the Decision, including, without limitation, all offers, conditions and representations made in the plan as presented and approved in the Decision; and that, unless modified by the Martha's Vineyard Commission, all provisions of the Decision shall remain in effect and be implemented should this project move forward.

Tisbury Marine Terminal LLC

BY: *Ralph M. Packer, Jr.*
Ralph M. Packer, Jr., its Manager

Vineyard Wind 1 LLC

BY: _____
_____, its Manager

DRAFT

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Tisbury Marine Terminal LLC

BY: _____
Ralph M. Packer, Jr., its Manager

Vineyard Wind 1 LLC

BY: Jack Arruda LP
Jack Arruda, its Manager

DRAFT