



Whereas, Henry S. and Lavelle M. Branscome are the owners of all that certain lot, piece or parcel of land, situate, lying and being in Berkeley Magisterial District, James City County, Virginia, containing 6.29 Acres, shown and set forth on plat of survey entitled "SURVEY OF 6.29 ACRES, PROPERTY OF C.C., R.T. AND C.L. CASEY TO BE CONVEYED HENRY S. & LAVELLE M. BRANSCOME", dated August 7, 1985, revised May 23, 1986, made by AES, a professional corporation, a copy of which is attached hereto.

Being the same property as that conveyed unto the Grantor herein by deed dated December 16, 1982, from Olive D. Casey, widow, which deed is of record in James City County Deed Book 228, page 298, located in the County of James City, Virginia, and have made application for a change in zoning of the subject property from A-2 to B-1; and

Whereas, as a part of their application, Henry S. and Lavelle M. Branscome, voluntarily proffer conditions which shall be in addition to the limitations provided for in the zoning district; and

Whereas, these conditions are proffered as a part of the requested rezoning and it is agreed that the limitations; (1) are required or arise because of the nature of the property and the rezoning sought, and (2) have a reasonable relation to the rezoning requested.

Therefore, the following conditions are proffered in consideration for the rezoning of the above referenced property:

A sixty (60) foot wide green space corridor free of parking lot or other structures will be established along the entire John Tyler highway frontage. The green space corridors will be regraded as necessary to provide a gentle slope between the roadway neighboring parcel to the west, and developable area of the parcel.

A blend of plant materials consisting of native type shade, evergreen and flowering trees (such as Red and White Oak, Red Maple, White Pine, Hemlock, American Holly, Flowering Dogwood and Redbud), interspersed with plantings of medium height growing shrub masses (such as Southern Wax Myrtle, Burning Bush, etc.) will be installed within the green space corridor.

Shade type trees will be at least eight (8) to ten (10) feet high, flowering trees at least five (5) to six (6) feet high and shrubs one and one-half (1 1/2) to two (2) feet in spread or height. All plant material will be transplanted by tree space method, balled and burlapped, or container grown and will meet the standards of the American Association of Nurserymen.

Shade trees planted forty (40) to fifty (50) feet on center will be arranged individually or in groups and enhanced with underplantings of shrub masses containing at least five plants per groups. Flowering trees will be planted individually or in groups of three or more and placed to

accent the length of the green space corridor. Where evergreen trees are planted, they will be twelve (12) to fifteen (15) feet on center and arranged individually or in groups of three or more.

Approximately fifty (50) to sixty (60) percent of the length of the green space corridor will be planted with a balanced arrangement of these shade trees, flowering trees, and shrubs. The balance of the area will be planted in grass which will be kept mowed by the property owner.

The portion of green area east of the driveway proposed to cross the green area will be planted in an arrangement to identify with the existing natural wooded areas immediately to the east. Areas west of the driveway will be arranged in a manner to be compatible with existing and proposed plantings in the adjoining office and retail business areas.

These proposed plantings will be install by November 1, 1987.

Henry S. Branscome
Henry S. Branscome

Lavelle M. Branscome
Lavelle M. Branscome

STATE OF VIRGINIA
COUNTY OF JAMES CITY, to-wit:

The foregoing instrument was acknowledge before me the 8th day of June, 1987, by Henry S. and Lavelle M. Branscome, Husband and Wife.

John H. [Signature]
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES 10/14/89

VIRGINIA: City of Williamsburg and County of James City, to wit:

In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City the
6 day of July, 1987. This Proffer
was presented with certificate annexed and admitted to record at 2:25 o'clock
Teste: Helene S. Ward, Clerk
by [Signature]
Deputy Clerk

8887

00 105 1 0126 2095164

FULL PAYMENT
CASE NUMBER
01/LR878887
PAYOR NAME
06/JCCCO
GRANTOR
22/HENRY S BRANSCOME ETAL
GRANTEE
23/JCCO
DESC OF PROPERTY
24/PARCEL CO
DATE OF INSTRUMENT
25/6/8/87
PURPOSE
33/PROFFER PARCEL 46

301 DEEDS	1	10.00
	AMOUNT TENDERED	10.00
	CHANGE	.00
	TOTAL	10.00

WMSBURG/JAMES CITY CIRCUIT CT

07/06/87 15:25

VIRGINIA City of Williamsburg and County of
James City, Clerk
In the Clerk
City of Williamsburg and County of
James City
I, _____
Deputy Clerk