

AGREEMENT

WHEREAS, David M. Murray, (hereinafter called "the Owner") owns certain real property in James City County, Virginia, (hereinafter called "the Property") and more particularly described as follows:

All that certain lot, piece or parcel of land situate in James City County, Virginia, more fully shown and described on a plat entitled "DAVID M. MURRAY 34 Acres ±" said plat being attached hereto and made a part hereof.

WHEREAS, the Owner has applied for rezoning of the Property from the the Limited Agricultural District, A-2, to the Limited Residential District, R-1; and

WHEREAS, the County of James City may be unwilling to rezone the Property from the Limited Agricultural District, A-2, to the Limited Residential District, R-1, because the Limited Residential District, R-1, zoning regulations may be deemed inadequate for the orderly development of the Property, because competing and incompatible uses may conflict; and

WHEREAS, more flexible and adaptable zoning methods are deemed advisable to permit the use of the Property; and

WHEREAS, the Owner is desirous of offering certain conditions for the protection of the community that are not applicable to land similarly zoned in addition to the regulations provided for in the Limited Residential District, R-1.

NOW, THEREFORE, this agreement witnesseth that for and in consideration of the County of James City rezoning the Property from the Limited Agricultural District, A-2, to the Limited Residential District, R-1, and pursuant to Section 15.1-491.1 et seq of the Code of Virginia, 1950, as amended and Section 20-14.2 et seq of Chapter 20 of the Code of James City County, Virginia, the Owner agrees that in addition to the regulations provided for in

the Limited Residential District, R-1, he will meet and comply with all of the following conditions for the development of the Property.

CONDITIONS

1. There shall be no more than one (1) additional street entrance and no more than one (1) additional driveway entrance from the Property to Route 614.

2. A scenic easement shall be reserved across the Property 125 feet deep, adjacent to and parallel with the center line of Route 614. Existing trees, shrubbery and vegetation within said scenic easement shall remain "as is" provided, however, the Owner shall have the right to install and construct over, under, across and thru the scenic easement such new road, driveways, public utilities and entrance signs, as may be necessary, in accordance with the terms of this Agreement and approved by the Subdivision Review Committee of the County's Planning Commission.

3. The Owner shall cause to be prepared for review and approval by the County a Phase I and Phase II, as appropriate, archaeological study for each portion of the Property proposed for subdivision, but only when, as and if subdivision plans are submitted to the Subdivision Review Committee. A Phase I study shall include reconnaissance, systematic surface collection and shovel test pits every 90 - 150 feet. A Phase II study shall include shovel test pits every 25 - 40 feet with site identification and examination as appropriate.

David M. Murray (SEAL)
DAVID M. MURRAY

STATE OF VIRGINIA
CITY/COUNTY OF Newport News, to-wit:

The foregoing instrument was acknowledged before me this 19 day of December, 1986, by David M. Murray

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

James D. [Signature]
Notary Public

18 day of March, 1987. This Agreement was presented with certificate annexed and

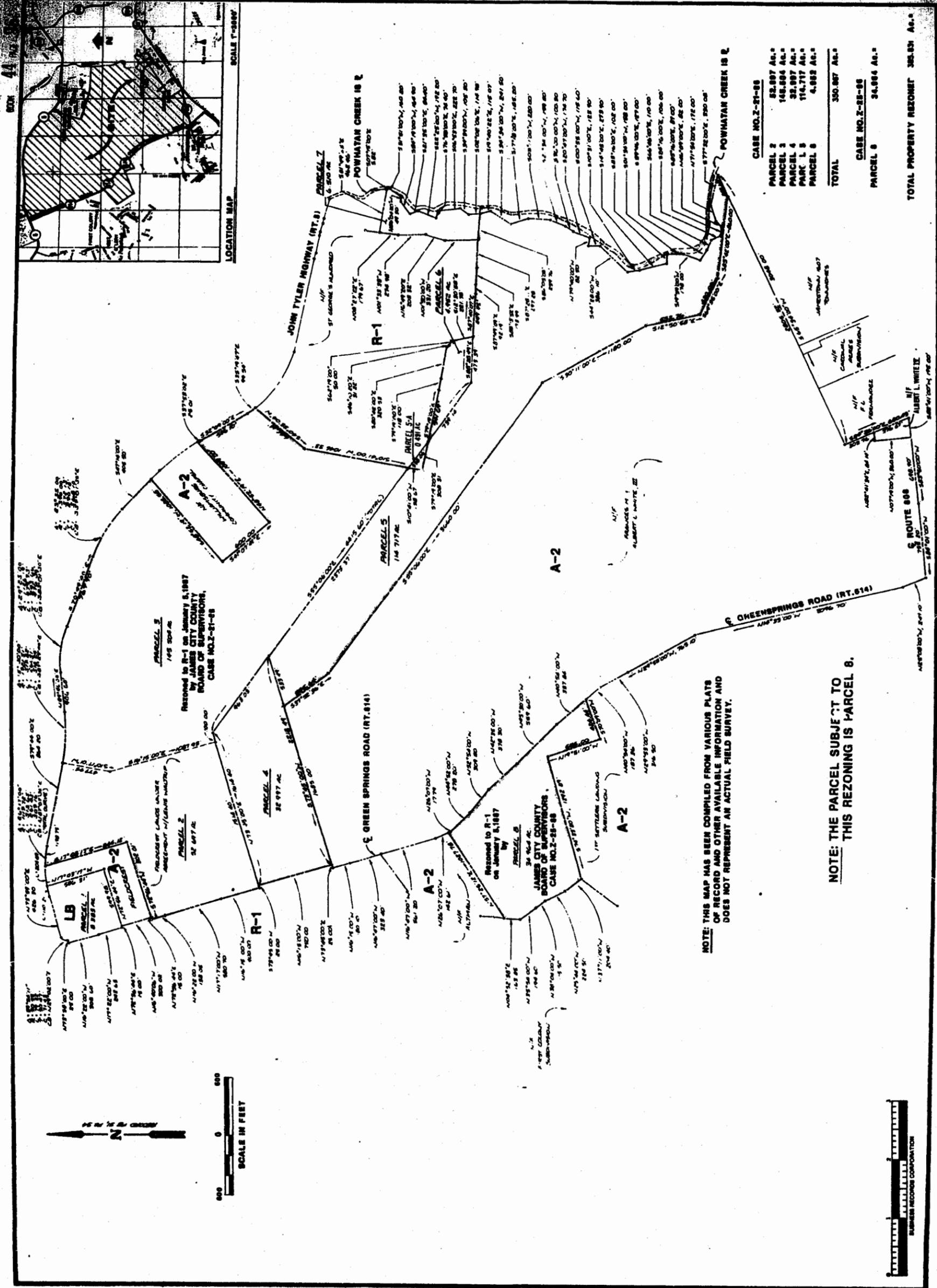
My commission expires: 11-29-88

ANDERSON, EMMETT & FRANCK, P.C. ATTORNEYS AT LAW POST OFFICE DRAWER Q WILLIAMSBURG, VA. 23187

Tested by Helena S. Ward, Clerk Deputy Clerk

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PLAT RECORDED IN P.B. NO. 44 PAGE 96



CASE NO. Z-51-88	
PARCEL 2	52,897 AC.
PARCEL 3	148,894 AC.
PARCEL 4	32,897 AC.
PARCEL 5	114,717 AC.
PARCEL 6	4,882 AC.
TOTAL	350,087 AC.

CASE NO. Z-52-88	
PARCEL 8	34,884 AC.

TOTAL PROPERTY REZONED 384,971 AC.

NOTE: THIS MAP HAS BEEN COMPILED FROM VARIOUS PLATS OF RECORD AND OTHER AVAILABLE INFORMATION AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.

NOTE: THE PARCEL SUBJECT TO THIS REZONING IS PARCEL 8.

DESIGNED BY	DAVID M. MURRAY
DRAWN BY	DAVID M. MURRAY
DATE	3/1/1987
PROJECT NO.	6709

APPROVED BY	DAVID M. MURRAY
DATE	3/1/1987
PROJECT NO.	6709



COMPOSITE PLAT OF REZONING
OF THE LANDS OF
DAVID M. MURRAY, 34 ACRES ±

AES, a professional corporation
1761 Jamestown Road, Williamsburg, Va. 23185

