



AGREEMENT

BOOK 366 PAGE 508

WHEREAS, R.E. Gilley and JoAnn H. Gilley, (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 "MASTER PLAN OF GATEHOUSE FARMS."

WHEREAS, the Owner has requested rezoning of 70 acres of the Property from the Limited Agricultural District, A-2, to the Limited Residential District, R-1; and 100+ acres of the the Property from A-2 Limited Agriculture to A-1 General Agriculture; 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 and the General Agriculture District A-1 because the Limited Residential District, R-1 and the General Agricultural District A-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 and the General Agricultural District A-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 the General Agricultural District A-1, and pursuant to Section 15.1-491.1 et seq of the Code of Virginia, 1950, as amended and Section 20-15 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 and the General Agricultural District A-1, but subject to the current limitations set forth in the aforesaid Codes, he will meet and comply with all of the following conditions for the development of the Property.

#### CONDITIONS

1. The Owner or Developer, at his expense, shall cause to be prepared a comprehensive drainage study of the Property for review and approval by the James City County Director of Public Works prior to submittal of preliminary subdivision plans.
2. Upon approval of the drainage study, the Owner or Developer shall be obligated to incorporate the recommendations of the study in the subdivision of the Property.
3. The 70 acres to be rezoned to R-1 shall include not more than 100 lots of an area of at least 17,500 square feet on each lot.
4. A minimum of 2 acres shall be set aside exclusively for a recreational area for residents of Gatehouse Farms.
5. No structures shall be erected in the hundred year flood plain area.
6. The 100 acres now in the Agricultural and Forestal District shall stay in the Agricultural and Forestal District for a period of ten years as per agreement with the Virginia State and Federal agencies involved in the re-seeding

project of this property. There shall be no more than 36 single family dwellings developed on the 100 acres to be rezoned A-1 General Agriculture. Uses shall be restricted to single family residential and related uses, and agricultural uses not inconsistent with those permitted in Agricultural and Forestal Districts.

R. E. Gilley (SEAL)  
R. E. GILLEY

JoAnn H. Gilley (SEAL)  
JOANN H. GILLEY

STATE OF VIRGINIA,

COUNTY OF JAMES CITY, to-wit:

The foregoing was acknowledged before me by R.E. Gilley and JoAnn H. Gilley this 30<sup>th</sup> day of June, 1987. My commission expires June 19, 1988.

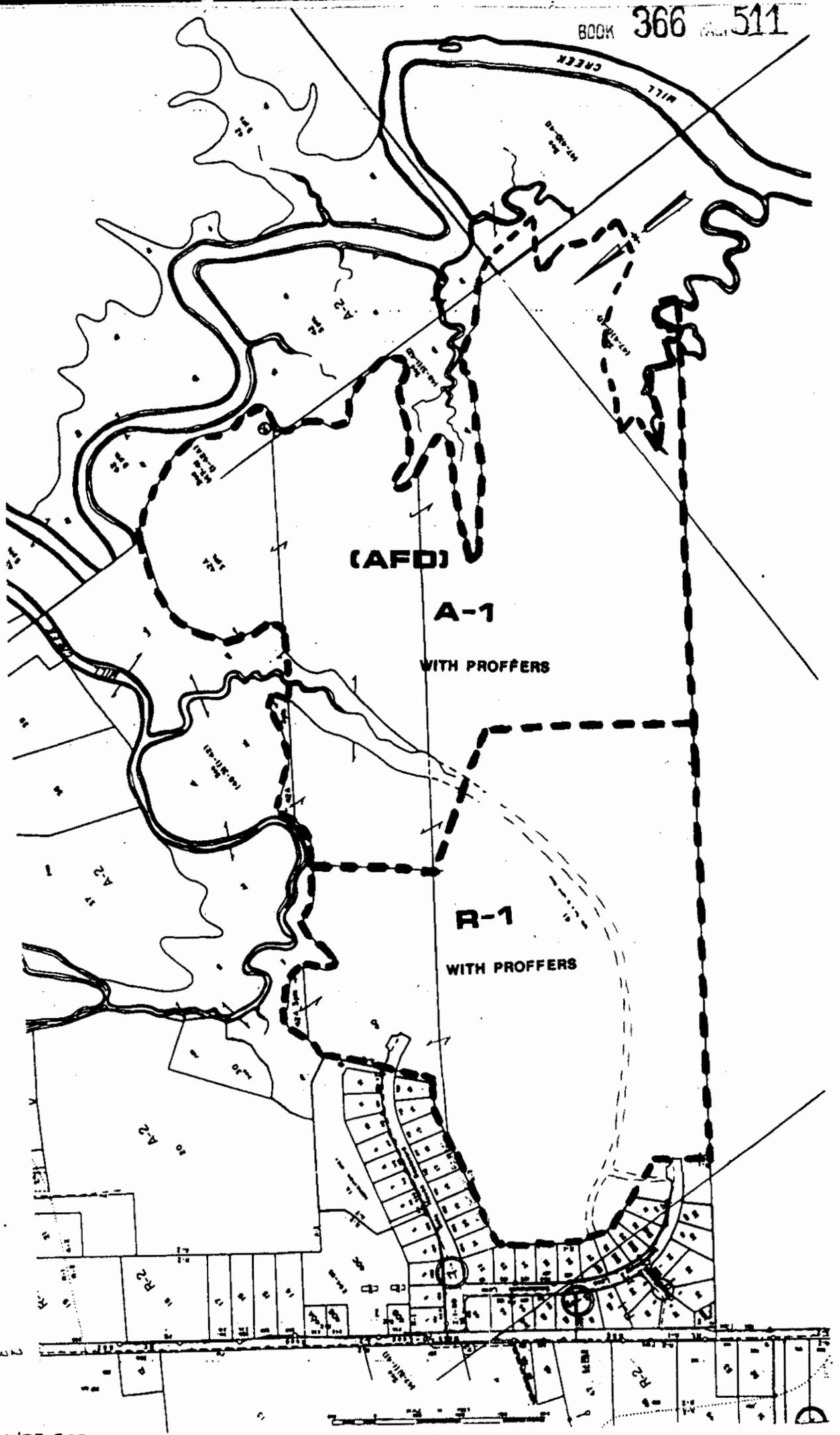
Emmi L. Massery  
Notary Public

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 19 day of Oct, 1987 this Agreement was presented with certificate annexed and admitted to record at 1:22 o'clock

Teste Melene S. Ward, Clerk  
W. Albrecht  
Deputy Clerk

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REV. 10/15/87, PCS

**AES**, a professional corporation      engineers, surveyors, planners      Williamsburg, Virginia

# MASTER PLAN OF GATEHOUSE FARMS

SHOWING PROPOSED 1987 REZONING

JAMESTOWN DISTRICT

JAMES CITY COUNTY, VIRGINIA

Scale: 1"=600'	Ref.: PB 35/111 ; JCC TAX MAPS	Date: SEPT, 1987	Job No. 3871
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14450

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FULL PAYMENT  
CASE NUMBER  
01/LR8714450  
PAYOR NAME  
06/JCCO  
GRANTOR  
22/R E GILLEY ETAL  
GRANTEE  
23/JAMES CITY CO  
DESC OF PROPERTY  
24/MASTER PLAN GATEHOUSE  
DATE OF INSTRUMENT  
25/6/30/87  
PURPOSE  
33/AGREE  
301 DEEDS 1 11.00  
AMOUNT TENDERED 11.00  
CHANGE .00  
TOTAL 11.00

WMSBURG/JAMES CITY CIRCUIT CT

10/19/87 13:22

*10/19/87 13:22*  
*WMSBURG/JAMES CITY CIRCUIT CT*