

000658

PROFFERS

THESE PROFFERS are made this 29th day of AUGUST, 1994 by the Catholic Diocese of Richmond (the "Owner").

RECITALS

A. Owner is the owner of a certain tracts or parcels of land (the "Property") containing approximately 9.406 acres located in James City county, Virginia and shown and set out on the Tax Map Number 23-2 [Parcels No. 1-13 (.50 acre), 1-14 (.448 acre), and 1-16 (8.458 acres)].

B. Owner has applied for a rezoning of parcels 1-13 and 1-14 from A-1 General Agricultural District to R-8, Rural Residential District, with proffers, and a rezoning of Parcel 1-16 from B-1 General Business District to R-8, Rural Residential District.

C. Owner desires to offer to James City county (the "County") certain conditions on the development of the Property not generally applicable to land zoned R-8, Rural Residential District.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by the County, these Proffers shall be null and void.

CONDITIONS

1. Use. The following uses normally permitted in the R-8 Zoning District shall be prohibited:

- Agriculture, dairying, forestry, general farming and specialized farming.
- Communication towers up to a height of 35 feet.
- Horse and pony farms.
- Petroleum storage on a farm as an accessory use.
- Riding stables.
- Slaughter of animals for personal use.
- Storage and repair of heavy equipment as accessory use to a farm.

2. Entrances. There shall be no entrances to the site from

Richmond Road. The Norge Lane entrance to the site shall line up with the entrance currently under construction to the Norge Shopping Center, which is near parcels 1-13 and 1-14.

3. Positioning of Structure. The structure shall be located between Richmond Road and the main parking area.

WITNESS the following signatures.

CATHOLIC DIOCESE OF RICHMOND

BY: Walter F. Sullivan
Bishop Walter F. Sullivan

STATE OF VIRGINIA

~~CITY/COUNTY~~ OF JAMES CITY, to-wit:

The foregoing instrument was acknowledged before me this 29th day of August, 1994, by Bishop Walter F. Sullivan.

John W. Raymond
NOTARY PUBLIC

My commission expires:

December 31, 1994.



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

17th day of Jan, 1995. This Progen

was presented with certificate annexed and

admitted to record at 9:44 o'clock

Teste: Helene S. Ward, Clerk
by Helene S. Ward
Deputy Clerk

COMMONWEALTH OF VIRGINIA



PLEASE RETURN TO:
COUNTY ATTORNEY
JCC - BLDG. C

OFFICIAL RECEIPT
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT
DEED RECEIPT

DATE: 01/17/95 TIME: 09:44:27 ACCOUNT: 095CLR95000658 RECEIPT: 95000601111
CASHIER: CHB RES: W804 TYPE: OTHER PAYMENT: FULL PAYMENT
INSTRUMENT : 95000658 BOOK: 0 PAGE: 0 RECORDED: 01/17/95 AT 09:44
GRANTOR NAME : CATHOLIC DIOCESE OF RICHMOND EX: N LOCALITY: CD
GRANTEE NAME : JAMES CITY COUNTY EX: N PERCENT: 100%
AND ADDRESS :
RECEIVED OF : JCCO DATE OF DEED: 01/29/94
CHECK # : \$13.00

DESCRIPTION 1: 9.40% AC PROFFERS

CONSIDERATION:
CODE DESCRIPTION:
301 DEEDS

ASSUME/VAL: .00
PAID CODE DESCRIPTION: .00 MAP:
12.00 145 VSLF

TENDERED : 13.00
AMOUNT PAID: 13.00
CHANGE (PMT) : .00

CLERK OF COURT: HELENE S. WARD