



## CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE FOLLOWING ELECTRONIC RECORDS ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS OF JAMES CITY COUNTY GENERAL SERVICES DEPARTMENT- STORMWATER DIVISION; WERE SCANNED IN THE REGULAR COURSE OF BUSINESS PURSUANT TO GUIDELINES ESTABLISHED BY THE LIBRARY OF VIRGINIA AND ARCHIVES; AND HAVE BEEN VERIFIED IN THE CUSTODY OF THE INDIVIDUAL LISTED BELOW.

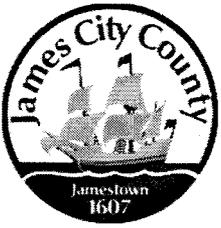
**BMP NUMBER:** WC030

**DATE VERIFIED:** July 18, 2012

**QUALITY ASSURANCE TECHNICIAN:** Leah Hardenbergh

*Leah Hardenbergh*  
\_\_\_\_\_

**LOCATION:** WILLIAMSBURG, VIRGINIA



# Stormwater Division

## MEMORANDUM

**DATE:** March 12, 2010  
**TO:** Michael J. Gillis, Virginia Correctional Enterprises Document Management Services  
**FROM:** Jo Anna Ripley, Stormwater  
**PO:** 270712  
**RE:** Files Approved for Scanning

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**General File ID or BMP ID:** WC030

**PIN:** 1430100037A

**Subdivision, Tract, Business or Owner**

**Name (if known):**

Seven Eleven

**Property Description:**

Convenience Store with Gas

**Site Address:**

8185 Croaker Road

*(For internal use only)*

**Box** 20

**Drawer:** 8

**Agreements:** (in file as of scan date)

Y

**Book or Doc#:**

582

**Page:**

578-579

Comments

## DECLARATION OF COVENANTS

BOOK 582 PAGE 578

## INSPECTION/MAINTENANCE OF RUNOFF CONTROL FACILITY

12448  
 RECEIVED  
 10-9-92

THIS DECLARATION, made this 14<sup>th</sup> day of May, 1992, between The Southland Corporation, and all successors in interest, hereinafter referred to as the "COVENANTOR(S)," owner(s) of the following property: 8185 Croaker Road, Tax Map 14-3 Parcel 37A. Described as: N 76° 26' 41" W, 44.66' then N 33° 39' 20" W, 240.16' then N 56° 20' 40"E, 150.01' then S 33° 39' 20" E, 259.93' then along a curve R=2824.79', Delta=2° 26' 30.8" L=120.39' and James City County, Virginia, hereinafter referred to as the "COUNTY."

## WITNESSETH:

We, the COVENANTOR(S), with full authority to execute deeds, mortgages, other covenants, and all rights, titles and interests in the property described above, do hereby covenant with the COUNTY as follows:

1. The COVENANTOR(S) shall provide maintenance for the runoff control facility, hereinafter referred to as the "FACILITY," located on and serving the above-described property to ensure that the FACILITY is and remains in proper working condition in accordance with approved design standards, and with the law and applicable executive regulations.
2. If necessary, the COVENANTOR(S) shall levy regular or special assessments against all present or subsequent owners of property served by the FACILITY to ensure that the FACILITY is properly maintained.
3. The COVENANTOR(S) shall provide and maintain perpetual access from public rights-of-way to the FACILITY for the COUNTY, its agent and its contractor.
4. The COVENANTOR(S) shall grant the COUNTY, its agent and its contractor a right of entry to the FACILITY for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining or repairing the FACILITY.
5. If, after reasonable notice by the COUNTY, the COVENANTOR(S) shall fail to maintain the FACILITY in accordance with the approved design standards and with the law and applicable executive regulations, the COUNTY may perform all necessary repair or maintenance work, and the COUNTY may assess the COVENANTOR(S) and/or all property served by the FACILITY for the cost of the work and any applicable penalties.
6. The COVENANTOR(S) shall indemnify and save the COUNTY harmless from any and all claims for damages to persons or property arising from the installation, construction, maintenance, repair, operation or use of the FACILITY.

7. The COVENANTOR(s) shall promptly notify the COUNTY when the COVENANTOR(S) legally transfers any of the COVENANTOR(S)' responsibilities for the FACILITY. The COVENANTOR(S)' shall supply the COUNTY with a copy of any document of transfer, executed by both parties.

8. The covenants contained herein shall run with the land and shall bind the COVENANTOR(S) and the COVENANTOR(S)' heirs, executors, administrators, successors and assignees, and shall bind all present and subsequent owners of property served by the FACILITY.

9. This COVENANT shall be recorded in the County Land Records.

IN WITNESS WHEREOF, the COVENANTOR(S) have executed this DECLARATION OF COVENANTS as of this 14th day of May, 1992.

COVENANTOR(S)

THE SOUTHLAND CORPORATION

ATTEST:

By: [Signature]  
Assistant Secretary

By: [Signature]  
Corporate Real Estate Manager  
Attorney-in-Fact  
COVENANTOR(S)

ATTEST:

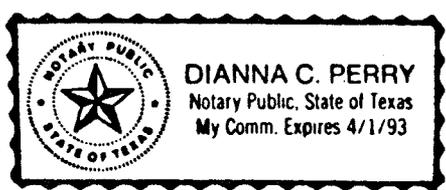
Notary Public for the State of Texas  
In the County of Dallas State of Texas  
City of Wichita County of James City the  
23 day of Sept, 1992 This Deed  
was produced to me and I have examined the same and  
admitted to record at 8:44 o'clock  
Teste: Helene S. Ward Clerk  
by [Signature] Deputy Clerk  
I hereby certify that on this 14th day of May, 1992,  
before the subscribed, a Notary Public of the State of Texas, and for  
the City/County of DALLAS, aforesaid personally  
appeared before me, Penny Hawkins and Gary Fullington,  
Assistant Secretary, respectively, and did acknowledge the foregoing instrument to be their Act.  
(Name of Acknowledging Party)

IN WITNESS WHEREOF, I have hereunto set my hand and official seal  
this 14th day of May, 1992.

Dianna C. Perry  
Notary Public

My Commission expires: April 1, 1993

Approved as to form:  
[Signature]



0261U  
Revised 3/91



**WATERWAY SURVEYS  
& ENGINEERING, LTD.**  
321 Cleveland Place  
VIRGINIA BEACH, VIRGINIA 23462  
(804) 490-1691

JOB Southern Corp  
SHEET NO. 1 OF 6  
CALCULATED BY MW DATE 1/28/92  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_  
SCALE Asvised 3/2/92

Design Analysis  
for  
Day Well Drains  
at  
Store #1003-20966  
in  
James City County

7-11  
CROAKER ROAD  
BMP # WC030

I. Current pollutant load = 4.93 pounds/yr  
(see attached calculations)

II. To comply with the CBPA pollutant loads must be reduced by 10%.

A. Site will incorporate a daywell capture system.

B. Calculations shown on attached sheets show the pollutant loads after day well installation.

Pollutant loading before daywells = 4.93 lb/yr.

Pollutant loading after daywells installed = 4.37 lb/yr

$$\% \text{ Reduction} = \frac{4.93 - 4.37}{4.93} = 11.4\%$$

∴ Day sufficient to meet CBPA.

II. Soils test used for this design is data obtained during test for the existing septic system. This data classifies the soil as sandy with a percolation rate of 15 min/inch. This information was obtain from the James City County Department of Health.

III. Daywell design

A. Calculate peak runoff from roof

$$t_c = 5 \text{ min}$$

$$\bar{u} = 6.9 \text{ in/hr (10 yr storm)}$$

$$\text{Area roof} = 50(53) = 2650 \text{ ft}^2$$

$$Q_p = CIA \quad C \text{ for roof} = 1.0$$

$$= (1.0)(6.9)(2650) / 43560$$

$$Q_p = 0.42 \text{ cfs}$$

B. Determine surface area required to drain peak discharge (0.42 cfs @ 5 min) through insitu unsaturated soil.

Use Darcy Equation =  $q = ki \Delta h$

$$k = 1 / \text{peak rate} = 1/p$$

$$p = \frac{15 \text{ min} \cdot 12 \text{ in} \cdot \text{hr} \cdot \text{day}}{\text{inch} \cdot \text{ft} \cdot 60 \text{ min} \cdot 24 \text{ hr}}$$

$$p = 0.125 \text{ day/ft} \quad \therefore k = \underline{\underline{8 \text{ ft/day}}}$$

$q$  = peak discharge  
 $k$  = ave. permeability  
 $i$  = hydraulic grad.  
(Equal 1 for vertical percolation)

$$A = \frac{q}{nki}$$

$$A = \frac{0.42 \text{ cfs}}{(8 \text{ ft/day}) \left( \frac{\text{day}}{86,400 \text{ s}} \right) (1)}$$

$$A = 4536 \text{ ft}^2$$

existing sand aquifer is this large, therefore enough area to absorb water.

C. Determine surface area required to drain peak discharge through backfilled clean gravel.

$k = 1500 \text{ ft/day}$  for clean gravel.

$$A = \frac{q}{nki} = \frac{24.2}{1500 \left( \frac{1}{86400} \right) (1)} = 24.2 \text{ ft}^2$$

D. Compare storage potential of gravel backfill versus volume of peak discharge

Total volume =  $V_T = \text{Area} \times \text{depth}$

use well depth = 4 ft

$$V_T = 24.2 (4) = 96.8 \text{ ft}^3$$

Volume of voids for storage =  $V_v = V_T n$   
 $n = .4$  (porosity)

$$V_v = 96.8 (.4) = 39 \text{ ft}^3$$

Determine Volume of peak discharge:

$$V_p = \frac{\text{Inch} (50)(53) \text{ ft}^2}{12 \text{ in/ft}} = 220 \text{ ft}^3$$

since  $V_p = V_r$  use  $V_p$  for storage volume

E. Determine required surface area to store peak discharge.

Well depths = 4 ft or 5 ft

$$\text{Volume req'd} = V_r = \frac{V_p}{n} = \frac{220 \text{ ft}^3}{.4} = 550 \text{ ft}^3 = 275 \text{ ft}^3 \text{ per well}$$

$$\therefore \text{Well Area} = \frac{275 \text{ ft}^3}{4 \text{ ft}} = 69 \text{ ft}^2 @ 4 \text{ ft deep}$$

$$\text{Well Area} = \frac{275 \text{ ft}^3}{5 \text{ ft}} = 55 \text{ ft}^2 @ 5 \text{ ft deep}$$

$\therefore$  use 5 ft depth  $\therefore$  Use 2 wells @ 7.5' x 7.5' x 5' deep

# GUIDANCE CALCULATION PROCEDURE

## WORKSHEET B : REDEVELOPMENT

**1** Compile site-specific data.

	PRE-DEVELOPMENT	POST-DEVELOPMENT
A*	= <u>.9118</u> acres	= <u>.9118</u> acres
I <sub>s</sub> : structures	= <u>.06313</u> acres	= <u>0</u> acres
parking lot	= <u>.43893</u> acres	= <u>.43893</u> acres
roadway	= _____ acres	= _____ acres
other	= _____ acres	= _____ acres
	= _____ acres	= _____ acres
	= _____ acres	= _____ acres
total I <sub>s</sub>	= <u>.50006</u> acres	= <u>.43893</u> acres
I = (total I <sub>s</sub> /A) × 100	= <u>55%</u> percent expressed	= <u>48%</u> percent expressed
R <sub>v</sub> = 0.05 + (0.009 × I)	= _____ in whole numbers	= _____ in whole numbers
	= <u>.54557</u> unitless	= <u>.48325</u> unitless
C: I ≥ 20 = 1.08 mg/l		
I < 20 = 0.26 mg/l	= <u>1.08</u> mg/l	= <u>1.08</u> mg/l

\* Although the area subject to regulations may be only the area actually in a CBPA, some localities may require all of the site to comply with criteria.

**2** Set constants.

- |  |   |
|--|---|
| <p>P<sub>i</sub> = unitless rainfall correction factor<br/>= 0.9 for all of Tidewater Virginia</p> | <p>P = annual rainfall depth in inches<br/>= 40 inches for Northern Virginia area<br/>= 43 inches for Richmond Metropolitan area<br/>* = 45 inches for Hampton Roads area</p> |
|--|---|

12 and 2.72 are used in the equation as unit conversion factors.

**3** Calculate the pre-development load (L<sub>pre</sub>).

$$\begin{aligned}
 L_{pre} &= P \times P_i \times R_{v(pre)} \times C_{pre} \times A \times 2.72 / 12 \\
 &= \underline{45} \times 0.9 \times \underline{.54557} \times \underline{1.08} \times \underline{.9118} \times 2.72 / 12 \\
 &= \underline{4.93} \text{ pounds per year}
 \end{aligned}$$

**4** Calculate the post-development load (L<sub>post</sub>).

$$\begin{aligned}
 L_{post} &= P \times P_i \times R_{v(post)} \times C_{post} \times A \times 2.72 / 12 \\
 &= \underline{45} \times 0.9 \times \underline{.48325} \times \underline{1.08} \times \underline{.9118} \times 2.72 / 12 \\
 &= \underline{4.37} \text{ pounds per year}
 \end{aligned}$$

% removed:  $\frac{4.93 - 4.37}{4.93} = 11.4\%$

**5** Calculate the pollutant removal requirement (RR).

$  \begin{aligned}  RR &= L_{post} - (0.9 \times L_{pre}) \\  &= \underline{4.37} - (0.9 \times \underline{4.93}) \\  &= \underline{\hspace{2cm}} \text{ pounds per year}  \end{aligned}  $	$  \begin{aligned}  \%RR &= (RR / L_{pre}) \times 100 \\  &= (\underline{\hspace{1cm}} / \underline{\hspace{1cm}}) \times 100 \\  &= \underline{\hspace{2cm}} \%  \end{aligned}  $
---	--

*Waterway*

**Surveys & Engineering, Ltd.**

321 Cleveland Place, Virginia Beach, Virginia 23462  
Tel: (804) 490-1691 FAX: (804) 490-1348

February 7, 1992

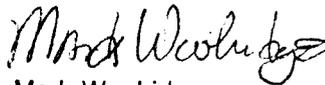
**Mr. Michael Freda, Planner  
Department of Development Management  
James City County Government Center  
101 East Mounts Bay Road  
Williamsburg, VA 23185**

RE: 7-Eleven @ 8185 Croaker Road

Dear Mr. Freda:

Enclosed are 7 copies of the revised plan for approval by the City. The CBPA will be met by the use of drywells and a design analysis is enclosed. Also none of the proposed lighting will result in any permanent removal of existing landscaping. If you have any questions please call.

Sincerely,



Mark Woolridge  
Civil Engineer

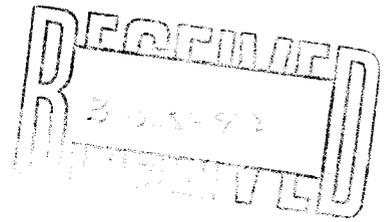
cc: Randy Coles

**CURRITUCK, NORTH CAROLINA**

**KILL DEVIL HILLS, NORTH CAROLINA**

COASTAL & HARBOR ENGINEERING: Dredging & Disposal • Hydrographic Investigations • Environmental Studies & Reports • Large & Small Craft Ports  
CIVIL ENGINEERING & LAND SURVEYING: Subdivisions & Boundaries • Site Development • Topography & Drainage • Utilities & Roads

TRANSMITTAL



DATE: March 24, 1992

TO: CODE COMPLIANCE, Darryl Cook  
REAL ESTATE ASSESSMENTS\*

FIRE  
HEALTH

FROM: Mike Freda, Planner

SUBJECT: SP-8-92. 7-11 Food Stores - Fuel Facility Improvements

ITEMS ATTACHED: Approved site plan for your files.  
\*case file

INSTRUCTIONS: \*Forward case file to Records Management

RETURN REQUIRED BY:

AGENCY'S COMMENTS:

TRANSMITTAL

DATE: March 4, 1992  
TO: CODE COMPLIANCE, Darryl Cook  
FROM: Mike Freda, Planner  
SUBJECT: SP-8-92. 7-11 Fuel Facility Improvements

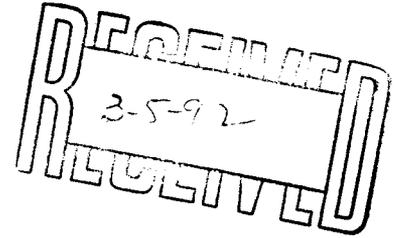
ITEMS ATTACHED: Revised site plan.  
*analysis*

INSTRUCTIONS: Please review and initial if approved.

RETURN REQUIRED BY: March 11, 1992

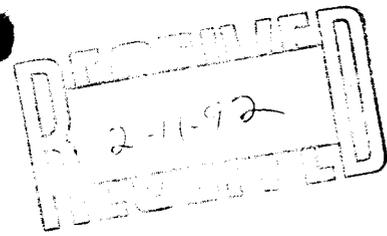
AGENCY'S COMMENTS:

Approved DEC 3/6/92





TRANSMITTAL



DATE: February 10, 1992

TO: REAL ESTATE ASSESSMENTS JCSA  
CODE COMPLIANCE, Darryl Cook \* FIRE  
HEALTH DEPARTMENT-JCC Sanitarians (Monticello Ave.)

FROM: Mike Freda, Planner

SUBJECT: SP-8-92. 7-11 Food Stores - Fuel Facility Improvements

ITEMS ATTACHED: \*Site plan, letter, calculations

INSTRUCTIONS: Please review and comment or initial if approved.

RETURN REQUIRED BY: February 17, 1992

AGENCY'S COMMENTS:

1. A Land Disturbing Permit and Siltation Agreement, with surety, are required for this project.
2. An Inspection/Maintenance Agreement shall be executed with the county for the BMPs (infiltration trenches) prior to final site plan approval.
3. Provide the circled notes from the attached list of Erosion + Sediment Control Notes on the plan.
4. Provide a note regarding the location of soil stockpile on the plan.
5. Volume of infiltration trenches provided appears to be in excess of the requirement for the site. These trenches could be reduced in size as discussed with the engineer.

DEC 2/19/92

Date Record Created:

WS\_BMPNO:

WC030

Print Form

Created By:

WATERSHED WC  
 BMP ID NO 030  
 PLAN NO SP-8-92  
 TAX PARCEL (14-3)(1-37A)  
 PIN NO 14301000037A  
 CONSTRUCTION DATE 6/1/1992  
 PROJECT NAME 7-11 Croaker  
 FACILITY LOCATION 8185 Croaker Road  
 CITY-STATE Williamsburg, VA  
 CURRENT OWNER Southland Corporation  
 OWNER ADDRESS P.O Box 711  
 OWNER ADDRESS 2  
 CITY-STATE-ZIP CODE Dallas, TX 75221-0711  
 OWNER PHONE  
 MAINT AGREEMENT Yes  
 EMERG ACTION PLAN No

**PRINTED ON:  
 Friday, March 12, 2010  
 2:49:55 PM**

MAINTENANCE PLAN No  
 SITE AREA acre 0.9  
 LAND USE COMM  
 old BMP TYP Dry Wells  
 JCC BMP CODE C1 Infiltration Trench .5  
 POINT VALUE 9  
 SVC DRAIN AREA acres 0.1  
 SERVICE AREA DESCRI NONE  
 IMPERV AREA acres  
 RECV STREAM WARE CK TRIB  
 EXT DET-WQ-CTRL No  
 WTR QUAL VOL acre-ft 0  
 CHAN PROT CTRL No  
 CHAN PROT VOL acre-ft 0  
 SW/FLOOD CONTROL No  
 GEOTECH REPORT No

CTRL STRUC DESC PPVC pipe  
 CTRL STRUC SIZE inches 6  
 OTLT BARRL DESC N/A  
 OTLT BARRL SIZE inch 0  
 EMERG SPILLWAY No  
 DESIGN HW ELEV  
 PERM POOL ELEV  
 2-YR OUTFLOW cfs  
 10-YR OUTFLOW cfs  
 REC DRAWING No  
 CONSTR CERTIF No

LAST INSP DATE 12/10/2001 Inspected by:

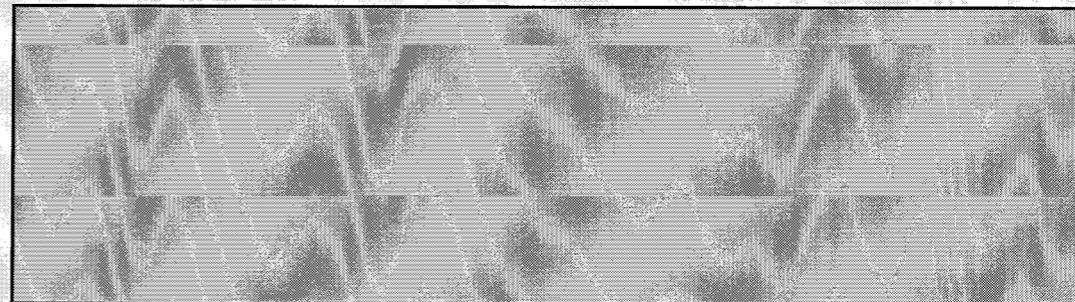
INTERNAL RATING 3

MISC/COMMENTS

Get Last BMP No

Return to Menu

Additional Comments:



BOND COMPUTATIONS

NAME OF SUBDIVISION: 7-11' FUEL FACILITY IMPROVEMENTS

SECTION: \_\_\_\_\_

OWNER/DEVELOPER: SOUTH LAND CORP.

ENGINEER: WATERWAY ENGINEERS

SUBDIVISION BOND AMOUNT: \$ \_\_\_\_\_

ESTIMATES (September 1987)

- 1. Street Construction and Sidewalks \$ \_\_\_\_\_
  - 2. Drainage \_\_\_\_\_
  - 3. Utilities:
    - a. Electrical Service \_\_\_\_\_
    - b. Water \_\_\_\_\_
    - c. Sewer \_\_\_\_\_
  - 4. Streetlights \_\_\_\_\_
  - 5. Street Signs \_\_\_\_\_
- Total Subdivision Bond \$ \_\_\_\_\_

EROSION AND SEDIMENT CONTROL BOND AMOUNT

\$ 4,000

EROSION AND SEDIMENT CONTROL BOND ESTIMATE

<u>No.</u>	<u>Item</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Estimated Quantity</u>	<u>Estimated Cost</u>
1.	a. Construction Entrance	EA	\$ 500.00	_____	\$ _____
	b. Road Stabilization	Inch/SY	.75	_____	_____
2.	Straw Bale Barrier	LF	7.00	<u>100</u>	<u>700.00</u>
3.	Silt Fence	LF	7.00	_____	_____
4.	Storm Drain Inlet Protection				
	a. Straw Bale Filter	Inlet	53.00	<u>2</u>	<u>106.00</u>
	b. Filter Fabric & Mesh Wire	Inlet	37.00	_____	_____
	c. Gravel & Filter Fabric	Inlet	37.00	_____	_____
	d. Block & Gravel	Inlet	31.00	_____	_____
	e. Excavated Drop Inlet	CY	4.70	_____	_____
	f. Gravel Curb Inlet	Inlet	25.00	_____	_____
	g. Block & Gravel Curb Inlet	Inlet	25.00	_____	_____
5.	Temporary Diversion Dike	LF	2.35	_____	_____
6.	Temporary Fill Diversion	LF	.47	_____	_____
7.	Temporary Right-of-Way Diversion				
	a. Stone	LF	2.35	_____	_____
	b. Earthen	LF	2.35	_____	_____
8.	Diversion	LF	11.70	_____	_____
9.	Temporary Sediment Trap				
	a. No Excavation Required	LF	11.70	_____	_____
	b. Excavation Required	CY	7.00	_____	_____
	c. Stone filter	LF	10.00	_____	_____
10.	Temporary Sediment Basin				
	a. Earthwork	CY	7.00	_____	_____
	b. Outlet Structure (18" Barrel/24" Riser)	EA	1,265.00	_____	_____

Page Total \$ \_\_\_\_\_

<u>No.</u>	<u>Item</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Estimated Quantity</u>	<u>Estimated Cost</u>
11.	Temporary Slope Drain	LF	\$ 5.25	_____	\$ _____
12.	Paved Flume	LF	20.00	_____	_____
13.	Stormwater Conveyance Channel				
	a. Grass lined - Seeded	SY	5.85	_____	_____
	b. Grass lined - Sodded	SY	11.70	_____	_____
	c. Riprap	SY	41.00	_____	_____
	d. Concrete/Bit. Concrete	SY	35.10	_____	_____
	e. Filter Fabric	SY	10.00	_____	_____
14.	Outlet Protection				
	a. Non-Grouted Riprap	SY	41.00	_____	_____
	b. Grouted Riprap	SY	52.65	_____	_____
	c. Concrete	SY	35.10	_____	_____
15.	Rock Check Dams				
	a. No. 1 Stone	CY	27.00	_____	_____
	b. Riprap	CY	75.00	_____	_____
16.	Structural Protection				
	a. Gabions	CY	70.20	_____	_____
	b. Grid Pavers	SY	52.65	_____	_____
17.	Temporary Stream Crossing				
	a. 12-24" Pipe Diameter	LF	31.60	_____	_____
	b. 29-48" Pipe Diameter	LF	63.20	_____	_____
	c. 48-72" Pipe Diameter	LF	105.30	_____	_____
	d. 72-96" Pipe Diameter	LF	147.40	_____	_____
18.	Surface Stabilization				
	a. Temporary Mulching	Acre	1,000.00	_____	_____
	b. Permanent topsoil, seed, fertilizer, lime and mulch	Acre	5,000.00	_____	_____
	c. Crimping/tacking	Acre	1,200.00	_____	_____
	d. Hydroseeding	Acre	2,000.00	_____	_____

INSTALL 2- Drywells AS PER detail  
 @ 1,500. EACH - \$3,000.--

<u>No.</u>	<u>Item</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Estimated Quantity</u>	<u>Estimated Cost</u>
19.	Infiltration				
a.	Excavation	CY	\$ 7.00	_____	_____
b.	Filter Cloth	SY	10.00	_____	_____
c.	Sand Barrier	Ton	12.00	_____	_____
d.	Washed Aggregate	Ton	8.50	_____	_____
				Total	\$ _____
				<u>Page 6 Total</u>	_____
				Grand Total	\$ _____

RE/bkh  
3360c

MEMORANDUM

RECEIVED  
1-6-93  
REGISTERED

Date: December 15, 1992  
To: Betty S. Pettengill, Treasurer  
From: Darryl E. Cook, Engineer  
Subject: Erosion Control Escrow Fund *DEC*

The purpose of this memorandum is to authorize release of the \$4000 escrow deposited by Southland Corporation to guarantee installation of erosion control measures for the Croaker 7-11 modifications. All measures have been installed in accordance with the approved plan and all disturbed areas have been stabilized. A \$4000 check can be made out to Southland Corporation and returned to this office.

**JAMES CITY COUNTY**  
**SUBDIVISION ESCROW**  
P.O. BOX 360  
WILLIAMSBURG, VA 23185

*Jan 5* 19 *93* **415**

Pay to the Order of Southland Corporation \$ 4000<sup>00</sup>

*Four thousand 00/100* Dollars

**SOVRAN BANK**  
Sovran Bank, N.A., Williamsburg, Virginia

*Betty S. Pettengill*  
TREASURER

*David M...*  
CO. ADMINISTRATOR

Memo release escrow

⑆05140036⑆⑆0415⑆⑆2020⑆⑆1977⑆⑆

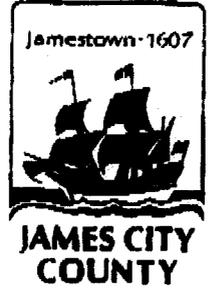
MEMORANDUM

**Date:** December 15, 1992  
**To:** Betty S. Pettengill, Treasurer  
**From:** Darryl E. Cook, Engineer  
**Subject:** Erosion Control Escrow Fund *DEC*

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The purpose of this memorandum is to authorize release of the \$4000 escrow deposited by Southland Corporation to guarantee installation of erosion control measures for the Croaker 7-11 modifications. All measures have been installed in accordance with the approved plan and all disturbed areas have been stabilized. A \$4000 check can be made out to Southland Corporation and returned to this office.

James City County  
Department of Code Compliance  
P.O. Box JC  
Williamsburg, VA 23187



LAND DISTURBING PERMIT

Application

GEO 178

Released  
12-16-92/DEC

LANDOWNER

NAME The Southland Corporation DATE 9/21/92  
ADDRESS (STREET) Reflections III, Suite 400  
P.O. BOX Virginia Beach, Va. 23452 PHONE 498-4711  
PROJECT Underground Tank Relocation  
LOCATION (USE STREET ADDRESS) Route 607 & Route 625 (8185 Croaker Rd)  
TOTAL SIZE OF TRACT OR LOT \_\_\_\_\_  
TOTAL AREA TO BE DISTURBED 4,500 sq. ft.  
DESCRIPTION OF LAND DISTURBING ACTIVITY Underground Tank  
Replacement / Relocation, New Gasoline Canopy,  
Area Site Lighting

RIGHT OF ENTRY

I, Randy Colas, (Signature) hereby grant designated  
Randy Colas, Construction Manager  
officials of James City County, Virginia, the right to enter my property for  
the purpose of inspection or monitoring for compliance with the approved  
erosion and sediment plan on the above-referenced project.

PLAN IMPLEMENTATION

I, Randy Coles (Signature) certify that I fully understand the provisions of the James City County, Virginia, Erosion and Sediment Control Ordinance and agree to carry out the approved erosion and sedimentation control plan on the above-referenced project. I also understand that the approved erosion and sedimentation control plan becomes null and void on 3-21-93 and no further work subject to Chapter 5A of the County Code shall be allowed unless and until an additional or updated erosion and sedimentation control plan has been submitted and approved in accordance with Chapter 5A or unless all requirements of the approved control plan have been completed by 3-21-93 in accord with such plan and verified by the on-site inspection by the Administrator or his designee.

(For office use only)

PERMIT NO. 93-9 BOND AMOUNT \$ 4,000.00  
 REVIEWED BY B. Farmer DATE 9-21-92  
 SPECIFIC REQUIREMENTS \_\_\_\_\_

APPROVED BY Bernard Farmer ADMINISTRATOR - EROSION AND SEDIMENT CONTROL ORDINANCE  
 DATE 9-21-92

Renewal of E&S plan requested by:

Renewal Reviewed By: \_\_\_\_\_

Renewal Date: \_\_\_\_\_

Renewal Approved By: \_\_\_\_\_

Updated Erosion and Sedimentation Control Plan becomes null and void on: \_\_\_\_\_

JAMES CITY COUN  
101 Mounts Bay Road • P.O. Box JC  
Williamsburg, VA 23187-3627

0699.0

DATE Sept 21 19 92

RECEIVED FROM Southland Corporation - Central Fidelity

THE SUM OF Four Thousand & No/100 DOLLARS 4,000.00

FOR Surety - Seven Eleven-Croaker

AMOUNT OF ACCOUNT \$ \_\_\_\_\_

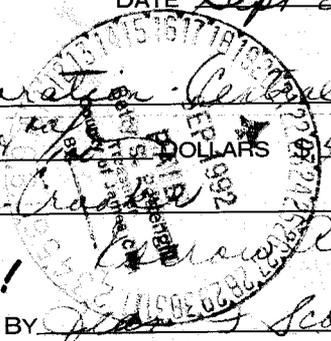
AMOUNT PAID.....\$ \_\_\_\_\_

BALANCE DUE.....\$ \_\_\_\_\_

*Thank You!*

CASH     CHECK     M.O.     CREDIT CARD

BY James Scott



**Central  
Fidelity**

68-25  
510

0773254

**PAID** FOUR THOUSAND DOLLARS AND 00 CENTS

SN - 773254 8-LYNHAVEN 432 1-BETH

\*\*\*\*\* SEP 21 1992 ■ FOUR THOUSAND DOLLARS AND 00 CENTS  
\$4,000.00

PAY TO THE ORDER OF JAMES CITY COUNTY

PURCHASER:  
RANDY COLES

*Randy A. Flinn*  
Authorized Signature

**CASHIER'S CHECK**

VOID OVER \$4,000.00

The Document described hereon will be subject to service charge from the date of issuance if not presented for payment to this bank within one year from such date.

Central Fidelity Bank, Richmond, Virginia

⑈0773254⑈ ⑆051000253⑆ 7910633532⑈

SILTATION AGREEMENT

THIS AGREEMENT, made this 21<sup>st</sup> day of September, 1992, by and between The Southland Corporation, and all successors in interest, a corporation, hereinafter called "Developer", party of the first part, and the Board of Supervisors of James City County, Virginia, hereinafter called "County", party of the second part, and Bernard Farmer, hereinafter called "Agent" (Director of Code Compliance), party of the third part.

WITNESSETH:

WHEREAS, Developer, desires approval of plans by the Director of Code Compliance for the County of James City, for a project known as a Gasoline Remodeling (7-11), located at Rt. 607 and Rt. 625 (8185 Croaker Rd), which plans include provision of siltation and erosion control measures as required by Chapter 5A of the Code of the County of James City, Virginia, and

WHEREAS, County desires to ensure the installation, maintenance and adequate performance of such control measures,

NOW HEREOF, for and in consideration of the foregoing premises and the following terms and conditions, and in further consideration of the approval of the aforesaid plans by the County and the issuance of permits for the work proposed to be done thereunder the parties hereto agree as follows:

1. Developer has either:
  - a. deposited with Agent, and Agent by this execution hereof acknowledges that he holds, the sum of Four Thousand dollars (\$ 4,000) in escrow under and subject to the terms of this agreement, or;
  - b. has furnished the County an irrevocable letter of credit or bond with corporate surety, whose terms and conditions are acceptable in substance and in form to the County Attorney, in the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which letter of credit or bond is under and subject to the terms of this agreement.

The deposit, letter of credit or bond is designed to insure performance of the Developer's obligations and to insure reimbursement to the County in the event that it performs work or causes work to be performed pursuant to paragraphs 2, 3 and 4 of this agreement.

2. In the event measures for the control of siltation and/or erosion as provided for on the plans referred to herein, or on any approved revision thereof, are not constructed at or prior to the occurrence of any rainstorm or other phenomena actually causing any siltation or erosion, County or its authorized agent shall have the right to enter upon Developer's property and construct such measures or do such other work as may be necessary to prevent further erosion or siltation, provided that County shall first give notice in writing to Developer or his superintendent of its intent so to do.

3. In the event measures for the control of siltation and/or erosion have been constructed, but fail, through overinad and/or inadequate maintenance, to perform the function for which they were intended, County or its authorized agent, may in like manner to 2 above, enter to perform such reconstruction or maintenance as may be necessary to restore performance in accord with the plans, or approved revisions thereof, upon giving notice in writing to Developer or his superintendent of its intent so to do.

4. In the event there occurs siltation and/or erosion from the property covered by the plans referred to herein in sufficient quantity adversely to affect downstream drainage, or travel on any street, road, highway or other public way, then County may take such steps as may be necessary to restore functions to the affected drainage or travel way.

5. In the event County determines work shall be performed or causes to be performed work of any nature, including labor, use of equipment, and materials, under the provisions of 2, 3 and 4 above, either by County forces or contract, Agent shall draw and disburse to County on its order such sum or sums as may be requested, provided, however, that Agent's liability so to disburse shall be limited to the undistributed balance in its hands of:

- a. the escrow amount, or
- b. the letter of credit, or
- c. the bond

Such surety may be drawn in total, if at the time the surety is to expire, all improvements are not complete and surety has not been adequately extended or replaced to ensure completion of the improvements. A notice that such draw has been made shall be delivered or mailed by County to Developer.

6. In the event Agent makes disbursement pursuant hereto, Developer agrees to deposit within ten (10) days of such disbursement, an amount sufficient either:

- a. to restore escrow amount to its original balance as shown in paragraph 1; or
- b. to furnish an additional letter of credit in the amount of the draft; or
- c. to secure such additional bonds as to restore same to its original balance as shown in paragraph 1.

7. It is expressly agreed by all parties hereto that it is the purpose and intent of this agreement to ensure the installation, maintenance, and performance of measures provided for on approved plans or revisions thereof, for the control of siltation and erosion, and for the restoration of function of facilities for drainage or vehicular travel if such facilities are adversely affected in their function by siltation or erosion from the property the subject of such plans. This agreement shall not be deemed to create or affect any liability of any party hereto for any damage alleged to result from or be caused by erosion or siltation.

8. It is expressly agreed by the parties hereto that either:

- a. the escrow amount shall be held by Agent unless distributed in accordance with 9 above, or paid to County as part of the cost to complete improvements required by ordinance and/or agreement, or released in writing by County, through its agent, the Director of Code Compliance; or
- b. the letter of credit or bond shall be held by Agent unless distributed in accordance with 9 above, or paid to County as part of the cost to complete improvements required by ordinance and/or agreement, or released in writing by County, through its Agent, the Director of Code Compliance.

(SEAL)

The Southland Corporation  
Developer

ATTEST:

BY: Randy Cole

\_\_\_\_\_  
Agent: (SEAL)

BY: Bernard Farmer

Approved as to form:  
Lee P. Rogers  
County Attorney

0359C

Rev. 11-89

09/18/92

13:57

804 253 6663

J. C. C. PUB.

001

ACTIVITY REPORT

TRANSMISSION OK

TRANSACTION #	6348
CONNECTION TEL	9 14364908
CONNECTION ID	G3
START TIME	09/18 13:51
USAGE TIME	05' 53
PAGES	9

*Bob Burgess*

*547-7191*

*typed - L.D. permit Ap.  
Sullatan Agree  
Bond - KVS  
Dec of Cr.*

+++++

# JAMES CITY COUNTY FACSIMILE TRANSMITTAL

+++++

TO: NAME: Johnny Salomon  
FIRM OR COMPANY: \_\_\_\_\_  
LOCATION: \_\_\_\_\_  
OFFICE PHONE NO.: \_\_\_\_\_  
FACSIMILE NUMBER: 436-4908  
TOTAL NUMBER OF PAGES INCLUDING THIS TRANSMITTAL: 9

FROM: NAME: Jan Kott  
JAMES CITY COUNTY  
101 MOUNTS BAY ROAD  
P.O. BOX JC  
WILLIAMSBURG, VA 23185  
OFFICE PHONE NUMBER: 253-6670  
FAX NUMBER: (804) 253-6663

Rush - Yes \_\_\_\_\_ No X

MESSAGE \_\_\_\_\_ REPLY \_\_\_\_\_

Surety Amount is \$4,000<sup>00</sup>  
Ex S fee is \$40.00  
7-11 Croaker site

IF YOU DON'T RECEIVE ALL THE PAGES, CALL 253-6741 OR 253-6661 AS SOON AS POSSIBLE.

DATE: 9-18 TIME: 1:43