

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 5TH DAY OF JULY, NINETEEN HUNDRED NINETY-FOUR, AT 7:03 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District
David L. Sisk, Vice Chairman, Roberts District

Jack D. Edwards, Berkeley District
Robert A. Magoon, Jr., Jamestown District (Absent)
Stewart U. Taylor, Stonehouse District
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. PRESENTATION

1. Historical Commission Report

Ms. Nancy Bradshaw, Vice Chairman of the James City County Historical Commission, presented the past year's achievements and noted future plans. She requested representation on the Historical Commission by a member of the Board of Supervisors.

Mr. Magoon arrived at 7:09 p.m.

C. MINUTES - June 20, 1994

Mr. DePue asked if there were corrections or additions to the minutes.

Mr. Sisk made a motion to approve the minutes.

On a roll call, the vote was: AYE: Magoon, Edwards, Sisk, Taylor, DePue (5). NAY: (0).

D. CONSENT CALENDAR

Mr. DePue asked if any Board member wished to remove an item from the Consent Calendar.

Mr. DePue asked that Item Nos. 1 and 3 be removed and made a motion to approve Item Nos. 2, 4, 5, and 6 on the Consent Calendar.

On a roll call, the vote was: AYE: Magoon, Edwards, Sisk, Taylor, DePue (5). NAY: (0).

The unencumbered rights-of-way of 50 feet, along with drainage easements, are guaranteed as evidenced by the following plats of record:

Chickahominy Haven, Section 2A, recorded in Plat Book 18, page 2, dated December 7, 1959;
Chickahominy Haven, Section 3, recorded in Plat Book 18, page 3, dated December 7, 1959;
and Chickahominy Haven, Section 9, recorded in Plat Book 51, page 1, dated June 30, 1989.

BE IT FURTHER RESOLVED that this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

5. Dam Agreement for Powhatan Secondary

RESOLUTION

DAM AGREEMENT FOR POWHATAN SECONDARY SUBDIVISION

WHEREAS, a Deed and Agreement is required to address the legal requirements of the Virginia Department of Transportation to accept the maintenance responsibility for a roadway over a private dam in the Powhatan Secondary Subdivision; and

WHEREAS, the attached four-party Deed and Agreement meets the Virginia Department of Transportation requirements and protects the interest of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the attached Deed and Agreement for the Powhatan Secondary Subdivision is approved and the Chairman is authorized to execute the Agreement on behalf of the County.

6. Virginia Public Assistance Fund - Social Services

RESOLUTION

APPROPRIATION AND EXPENDITURES FOR THE DIVISION OF SOCIAL SERVICES

WHEREAS, the State Department of Social Services has approved Federal Pass Through Funding for Jobs Program; and

WHEREAS, the need to provide continued funding for limited-term positions in this program area exists; and

WHEREAS, surplus funding has been carried over in the Virginia Public Assistance Fund; and

WHEREAS, the Department of Community Services is in need of purchasing items to facilitate relocation of certain Divisions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation and expenditures.

Revenues

Revenues from Federal Pass Through Jobs Program	<u>\$20,000</u>
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Carry Over

Carry over funds in Virginia Public Assistance Fund	<u>\$26,000</u>
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Expenditures

Jobs Program	\$40,000
Move related Expenses	<u>\$ 6,000</u>

1. Resolution for Support for U.S. Senate Bill, S.993

Mr. Sanford B. Wanner, Assistant County Administrator, stated that the Virginia Association of Counties' Unfunded Mandates Task Force had requested localities to approve a resolution requesting Senator Charles S. Robb to cosponsor Senator Dirk Kempthorne's Bill, S. 993, which would require the Federal government to pay for imposed mandates and make Congress members aware of the fiscal impact on State and local governments.

Mr. Edwards noted that amendments had been made when the Bill went through committee, but he supported the idea.

Mr. DePue made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Sisk, Taylor, DePue (5). NAY: (0).

RESOLUTION**REQUESTING SENATOR CHARLES ROBB TO COSPONSOR S. 993****IN THE SENATE OF THE UNITED STATES**

- WHEREAS, S. 993 has been introduced in the Senate of the United States and will require the Federal government to pay for the mandates that they impose on state and local governments and establish a fiscal note process so that when Congress votes on various measures affecting state and local governments, the members of Congress are aware of the fiscal impact; and
- WHEREAS, although Senator Charles Robb has communicated his concern about unfunded mandates and has indicated that he "fully endorses the concept of identifying and restricting unfunded federal mandates," to date he has declined to cosponsor S. 993; and
- WHEREAS, unfunded Federal mandates regularly force local tax increases and/or service cutbacks, restrict the rights of state and local voters and officials to determine their own priorities, and allow the Congress to avoid direct responsibility for increasing taxes; and
- WHEREAS, S. 993 is endorsed by the National Association of Counties, the United States Congress of Mayors, the National League of Cities, the National School Boards Association, the National Governors Association, the Council of State Governments, and the National Conference of State Legislatures; and

WHEREAS, reduction and elimination of unfunded mandates is the number one priority of the Virginia Association of Counties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests Senator Charles Robb to demonstrate his concern about unfunded mandates through cosponsorship of S. 993.

3. FY 1994-95 Secondary Roads Budget

Mr. John T. P. Home, Manager of Development Management, stated that the Virginia Department of Transportation required Board of Supervisors' approval of the FY 1994-95 Secondary Roads budget. He explained that Centerville Road projects were under contract and would be constructed simultaneously in several sections with results in 2 to 3 years.

Mr. DePue made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Sisk, Taylor, DePue (5). NAY: (0).

RESOLUTION

FY 1994-95 SECONDARY ROADS CONSTRUCTION BUDGET

WHEREAS, the Board of Supervisors of James City County, Virginia, has reviewed the FY 1994-95 Secondary Roads Construction Budget proposed by the Virginia Department of Transportation; and

WHEREAS, the Board has found the Budget to be reflective of the approved Secondary Roads Priority List.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the FY 1994-95 Secondary Roads Construction Budget.

E. PUBLIC HEARINGS

1. Case No. SUP-13-94. Mary M. Mullis. Manufactured Home

Mr. Mark Bittner, Planner, stated that Ms. Mary M. Mullis had applied for a special use permit to allow placement of a double wide manufactured home on 6 acres, zoned R-8, Rural Residential, located at 2591 Little Creek Dam Road, further identified as Parcel No. (1-36) on James City County Real Estate Tax Map No. (21-4).

Mr. Bittner further stated that the Comprehensive Plan designated the area as Rural Lands and the placement met all Administrative Guidelines for manufactured homes.

Staff recommended approval of the special use permit with conditions listed in the resolution.

Mr. DePue opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Sisk, Taylor, DePue (5). NAY: (0).

RESOLUTION**CASE NO. SUP-13-94. MARY M. MULLIS - MANUFACTURED HOME**

WHEREAS, it is understood that all conditions for the consideration of an application for a special use permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a special use permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant: Mary M. Mullis

Real Estate Tax Map I.D.: 21-4

Parcel No.: 1-36

Address: 2591 Little Creek Dam Road

District: Stonehouse

Zoning: R-8

- Conditions:
1. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
 2. The manufactured home shall be skirted and meet the requirements of the Development of Housing and Urban Development Manufactured Home Construction and Safety Standard.
 3. The septic drainfield and well shall be installed in accordance with Health Department requirements prior to occupancy.
 4. The manufactured home shall be located on the rear portion of the property a minimum of 400-feet from Little Creek Road.

2. Case Nos. Z-1-94 and MP-1-94. Stonehouse, Inc.

Mr. Bittner stated that Mr. Vernon Geddy had applied on behalf of Stonehouse, Inc., to amend the Stonehouse proffers and Master Plan, consolidating the recreational facility serving Land Bay 11 of the Master Plan with recreation facilities serving Land Bays 15, 16, 17, and 18, and to allow the golf course located in Phase I of the Master Plan to cross the Ware Creek Reservoir buffer and conservation areas in certain places. Mr. Bittner described the Stonehouse Planned Community as 7,000 acres, located at the northern end of James City County, north of Interstate 64 with some acreage south of Interstate 64 and north of Route 30 (Barhamsville Road).

Mr. Bittner reported an amendment to the proffers, page 6, under p. 5, 2. Subsection (b) of Condition 9.4 Use of the Buffer, to replace language following (i) to read, "combinations of turf grass in areas of golf course tees, greens, fairways and adjacent roughs, (ii)...."

In concurrence with staff, the Planning Commission unanimously recommended approval of these cases with proffers.

Mr. DePue opened the public hearing.

1. Vernon Geddy, Esq., stated that he was available for questions.

Mr. DePue closed the public hearing.

Mr. Sisk made a motion to approve the resolution.

Mr. Edwards spoke of concerns regarding the County's inability to monitor pesticide and herbicide usage on the golf course.

Mr. Norman Mason, of Langley and McDonald, responded that the runoff was controlled by installation of highly permeable material installed on greens and tees, and staff would review as golf course was built.

Mr. Edwards made a motion to defer for two weeks to allow time for staff and applicant to consider whether the buffer would be adequately protected for future water supply.

After a brief discussion, Mr. Edwards withdrew his motion to defer.

On a roll call on the original motion by Mr. Sisk, the vote was: AYE: Edwards, Taylor, Sisk, DePue (4). NAY: (0). ABSTAIN: Magoon (1).

RESOLUTION

CASE NOS. Z-1-94 AND MP-1-94. STONEHOUSE INCORPORATED

WHEREAS, in accordance with Section 15.1-431 of the Code of Virginia, and Section 20-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified and a hearing scheduled on Zoning Case No. Z-1-94 for amending the Stonehouse proffers to consolidate the recreational facility serving Land Bay 11 of the Stonehouse Master Plan with the recreation facilities serving Land Bays 15, 16, 17, and 18 and to allow the golf course located in Phase I of the Stonehouse Master Plan to cross the Ware Creek Reservoir Buffer and Conservation Area in certain places; and for amending the Stonehouse Master Plan to remove the park designated in Land Bay 11 and to add the designations of Wholesale and Warehouse Uses, Office Uses, and Light Industrial Uses to Land Bay 80; and

WHEREAS, the Planning Commission of James City County, unanimously recommended approval of Case Nos. Z-1-94 and MP-1-94.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-1-94 and Master Plan Amendment MP-1-94, and accepts the voluntary proffers.

3. Case No. Z-3-94. Meadows Rezoning

Mr. Bittner stated that Mr. John H. Kniest of Van Kniest, Inc., had applied to rezone approximately 20.11 acres from R-8, Rural Residential to R-2, General Residential, located on the south side of Ironbound Road, southwest of Ironbound Road's intersection with News Road, further identified as a portion of Parcel (1-28A) and a portion of Parcel (1-28) on James City County Real Estate Tax Map No. (38-4).

Staff determined the proposal was consistent with surrounding zoning and development and generally consistent with the Comprehensive Plan.

In concurrence with staff, the Planning Commission unanimously recommended approval of the proposed rezoning with proffers.

Mr. DePue opened the public hearing, and as no one wished to speak, he closed the public hearing.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

RESOLUTION

CASE NO. Z-3-94. THE MEADOWS

WHEREAS, in accordance with Section 15.1-431 of the Code of Virginia, and Section 20-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified and a hearing scheduled on Zoning Case No. Z-3-94 for rezoning approximately 20.11 acres from R-8 to R-2, with proffers, identified as a portion of Parcel (1-28) and a portion of Parcel (1-28A) on James City County Real Estate Tax Map No. (38-4); and

WHEREAS, the Planning Commission of James City County, unanimously recommended approval of Case No. Z-3-94.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-3-94, and accepts the voluntary proffers.

4. Mooretown Road Neighborhood Improvement Project Property

Mr. Richard B. Hanson, Community Development Administrator, stated that authorization was requested to acquire property in the Mooretown Neighborhood to provide a 50-foot right-of-way for proposed streets, drainage easements and approximately 4.5 acres for necessary drainage basins.

Staff recommended approval of the resolution.

Board discussion followed regarding if and when property owners had been notified, and whether acquisition would take the majority of any parcel, not leaving enough property to build a home.

Mr. DePue declared the item be continued until later in the meeting to allow discussion between staff and property owners in the audience.

5. Lease from Community Action Agency for Head Start to Use a Portion of James River Community Center

Mr. Leo P. Rogers, Assistant County Attorney, stated that the lease agreement would provide four classrooms at the James River Community Center for the purpose of conducting the Head Start Program.

Mr. DePue opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Sisk made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

RESOLUTION

HEAD START LEASE

WHEREAS, Head Start is a program that benefits all of the citizens of James City County; and

WHEREAS, the attached lease agreement will benefit the County's Head Start Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the attached lease agreement is approved and it hereby authorizes and directs David B. Norman, County Administrator, to execute the lease on behalf of the County.

6. Outdoor Gathering Permit, Jamestown Beach Campsites

Mr. Sanford B. Wanner, Assistant County Administrator, stated that Mr. Bill Wolfe of Jamestown Campground had applied to hold an outdoor gathering, musical entertainment by jazz bands, on Saturday, July 23, 1994, from 1:00 p.m. to 10:00 p.m. at the Jamestown Beach Campsite, 2217 Jamestown Road.

Mr. DePue opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue made a motion to approve the resolution.

A brief discussion by the Board and staff regarding the process time for outdoor gathering permits ensued.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

Mr. Magoon asked for discussion in the future regarding process time for outdoor gathering permits according to attendance level.

RESOLUTION**OUTDOOR GATHERING PERMIT**

WHEREAS, James City County received an application from the Jamestown Campground to hold an outdoor gathering on July 23, 1994, from 1:00 p.m. to 10:00 p.m. at Jamestown Beach Campsites, 2217 Jamestown Road, in James City County, Virginia; and

WHEREAS, the application was reviewed and approved with comments by the James City County Fire Chief, Police Chief, Emergency Medical Services Management Assistant, the Health Department and the Zoning Administrator/Building Official.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to issue a permit to Jamestown Beach Campsites, to hold an outdoor gathering as proposed on the Outdoor Gathering Permit Application and the written comments made thereto.

F. BOARD CONSIDERATIONS**1. Bond Resolution - \$9,500,000 in County Bonds**

Mr. Donald E. Allen, Project Manager, Financial and Management Services, stated that the resolution authorized the County Administrator to approve issuance and sale of general obligation public improvement bonds in the maximum amount of \$9,500,000.

Mr. Sisk made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

2. Landfill Closure Contract Award

Mr. Larry M. Foster, General Manager, James City Service Authority, stated that the landfill closure bid was advertised and low and responsive bidder was Jack Massie Contractors, Inc.

Staff recommended approval of the resolution.

The Board discussed using staff to close the landfill and that the contract includes purchase of landfill equipment.

Mr. DePue made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

RESOLUTION**LANDFILL CLOSURE CONTRACT AWARD**

WHEREAS, the County is required to close approximately 31 acres of the existing landfill in accordance with State and Federal Regulations; and

WHEREAS, proposals were submitted by five contractors for the landfill closure project; and

WHEREAS, Jack L. Massie, Inc., submitted a base bid of \$630,163.70 with equipment lease/purchase credit of \$340,000 for a net low proposal of \$290,163.70.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby award the proposal (94-P-0011) for the Landfill closure to Jack L. Massie, Inc.

G. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman noted the library design meeting scheduled for Thursday, July 7, 1994, from 7:00 - 9:00 p.m. at Norge Hall and recommended the Board go into executive session pursuant to Sections 2.1-344(A)(7) and 2.1-344(A)(1) of the Code of Virginia to consult with legal and staff members on a legal matter and on a personnel matter, the appointment of individuals to County boards and/or commissions.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor asked about the status of a speed limit sign on Leisure Road (Route 674) near Upper County Park, and the status of installation of a street sign on Woodmont Place in Oakland subdivision.

Mr. DePue continued the Mooretown Road Neighborhood Improvement Project Property item, and opened the public hearing.

1. Mr. Wilbert J. Hill, property owner of Parcel (1-50) on James City County Real Estate Tax Map No. (32-2), stated that the acquisition would take over one-half acre of his parcel and was concerned about receiving fair value for his property.

Mr. DePue responded that he would be available for discussion if Mr. Hill was not satisfied with appraisal.

Mr. DePue closed the public hearing.

Mr. DePue made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

RESOLUTION

TO AUTHORIZE THE ACQUISITION OF CERTAIN REAL PROPERTY IN

JAMES CITY COUNTY, VIRGINIA, FOR PUBLIC PURPOSES AND FOR CONSTRUCTING A

ROADWAY, DRAINAGE EASEMENTS, AND DRAINAGE BASINS IN

JAMES CITY COUNTY, VIRGINIA

WHEREAS, in the opinion of the Board of Supervisors of James City County, Virginia, a public necessity exists for the acquisition of certain real property hereafter more particularly described in James City County, Virginia, for the construction of a roadway, drainage easements, and drainage basins in James City County, Virginia, for public purposes and the preservation of the health,

safety, peace, good order, comfort, convenience, morals, and welfare of James City County, Virginia; and

WHEREAS, a public hearing was held pursuant to Section 15.1-238 E of the Code of Virginia, 1950, as amended, on the proposed acquisition.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Board declares it desirable to acquire the property and hereby declares that a public necessity therefore exists and the Board further finds as follows:

1. The County Attorney and/or the law firm of Phillips, Bartlett, and Bland, P.C., be, and they are hereby authorized and directed to acquire in the manner provided by Section 15.1-236 et. seq. of the 1950 Code of Virginia, as amended, and by Section 33.1-89 et. seq. of the 1950 Code of Virginia, as amended, certain real property in James City County, Virginia, together with all rights and appurtenances thereto, for public purposes and for construction of a roadway, drainage easements, and drainage basins in the County of James City.
2. The County Administrator is authorized and directed to act for, and on behalf of, the County in agreeing or disagreeing with the owners of the properties upon the compensation and damages, if any, to be paid within the limit of the just compensation as set out in Section 4 of the Resolution which has been authorized.
3. The names of the present owners of the properties to be acquired as provided in Section 1 of the Resolution together with limited descriptions of the parcels are identified in the attached "Proposed Right-of-Way Acquisition Plat."
4. That an independent real estate appraiser has determined the fair market value of the parcels identified in the attached plat and the values are currently under review by the County Office of Real Estate Assessments to determine just compensation due the property owners for land damages.
5. The County Attorney and/or the law firm of Phillips, Bartlett, and Bland, P.C., shall notify the property owners of the compensation and damages by the County forthwith on or before August 1, 1994.
6. That in the event of the property described in Section 3 of this Resolution has been conveyed, the County Attorney and/or the law firm of Phillips, Bartlett, and Bland, P.C., are authorized and directed to institute proceedings against successors in title.
7. That this Resolution shall be in effect from the date of its passage.

Mr. DePue made a motion to go into executive session as recommended by the County Administrator, at 8:40 p.m.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

Mr. DePue reconvened the Board into open session and made a motion to approve the executive session resolution, at 9:03 p.m.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

RESOLUTION

MEETING DATE: July 5, 1994

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge; (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and, (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

Mr. DePue made a motion to appoint Jack Edwards, with David Sisk as alternate, as Board representative to the Historical Commission; to appoint Camilla M. Buchanan and Steven O. Wigley to the Regional Bicycle Advisory Committee for a 4-year term, term expiring July 5, 1998.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

Mr. DePue made a motion to recess until Monday, July 18, 1994, at 5:00 p.m. for a work session.

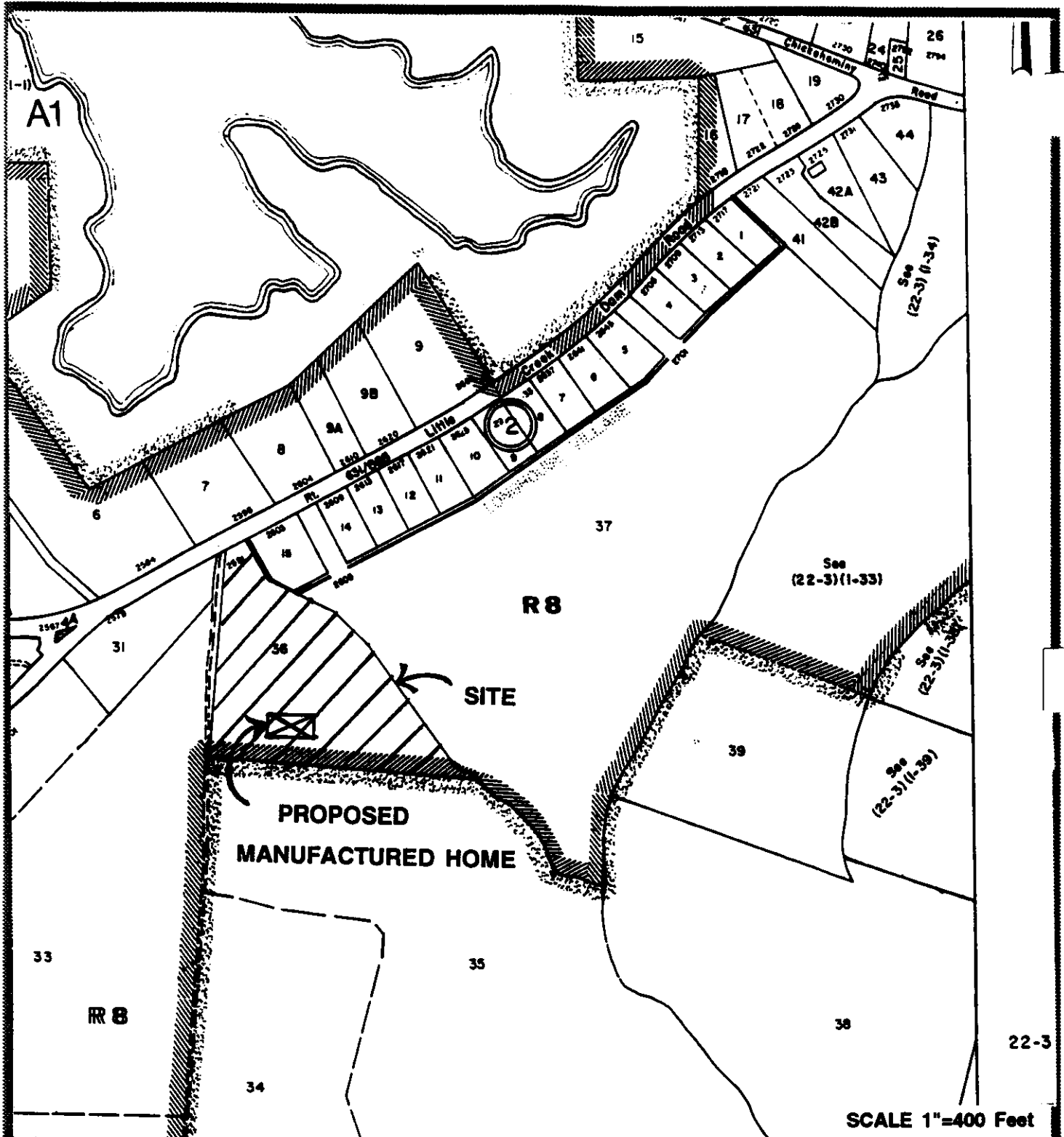
On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

The Board recessed at 9:23 p.m.



David B. Norman
Clerk to the Board

7594bos.min



Case No: SUP-13-94

Name : Mary M. Mullis Manufactured Home



PLANNING DIVISION

011057

SECOND AMENDMENT TO
STONEHOUSE PROFFERS

This Second Amendment to Stonehouse Proffers is made this 5th day of July, 1994 by STONEHOUSE INC., a Virginia corporation (together with its successors and assigns, the "Owner").

RECITALS

A. Owner is the owner of certain real property in James City County, Virginia known as Stonehouse now zoned PUD-R and PUD-C, with proffers. The existing Stonehouse Proffers are dated October 22, 1991 and are recorded in James City County Deed Book 541 at page 144, and have been amended by First Amendment to Stonehouse Proffers dated March 7, 1994 and recorded in James City County Deed Book 675 at page 398 (together, the "Existing Proffers").

B. Owner desires to amend the Existing Proffers as set forth below.

AMENDMENTS TO CONDITIONS

1. Condition 7.1 Facilities and Phasing of the Existing Proffers is hereby amended to read as follows:

7.1 Facilities and Phasing. Owner shall construct the community and recreational facilities described below (subject to obtaining all required permits) generally in the locations shown on the Master Recreation Plan submitted as a part of the Master Plan. Design plans for such facilities shall be submitted to and approved by the County and construction of such facilities shall

have started, or guarantees for such construction shall have been posted with the County, before the County grants final approval to any subdivision plat for dwelling units within the Land Bays set forth below. All land areas shown are net developable acres.

<u>Facility</u>	<u>Land Bay</u>
a. A recreational vehicle and equipment storage area of approximately 3.0 acres.	Any Land Bay within Phase I of the PUD-R portion of the Property
b. A park a minimum of 3.0 acres to include a recreation building/bathhouse with a minimum of 2,000 square feet, a swimming pool with a minimum water surface area of 4,500 square feet, and a playground with a minimum of area of 4,000 square feet with clustered play apparatus suitable for both younger and older children.	15, 16, 17 or 18
c. An eighteen-hole golf course with a clubhouse facility on approximately 138 acres.	Any Land Bay within Phase I of the PUD-R portion of the Property
d. An addition of approximately 2.0 acres to the park described in b. above to include two regulation hard-surface tennis courts, a playground expansion of approximately 2,500 square feet an open lawn for play with a minimum area of 10,000 square feet, and a seating area.	17 or 18
e. A community center of approximately 10.2 acres to include a community building with a minimum area of 3,000 square feet, a swimming pool with a minimum water area of 4,500 square feet, a minimum 20 foot by 20	Any Land Bay within Phase II of the PUD-R portion of the Property except 20, 21, 22, 33, 35 or 81

<u>Facility</u>	<u>Land Bay</u>
foot wading pool, outdoor seating areas, and an open lawn with a minimum area of 30,000 square feet for gathering and play.	
f. A park of approximately 2.0 acres to include two regulation hard-surface tennis courts, a playground with a minimum area of 1,600 square feet with clustered play apparatus suitable for younger and older children, and a seating area.	20, 21, or 22
g. A park of approximately 8.0 acres to include four regulation hard-surface tennis courts, a hard surface playing court with minimum area of 3,750 square feet and three basketball goals, playground areas totalling a minimum of 5,000 square feet with clustered play apparatus suitable for younger and older children, and a portion of the Pathway Greenspace (defined in Condition 7.2 hereof) with adjacent seating areas.	28, 29, 30, 31, or 32
h. A park of approximately 2.8 acres to include a swimming pool with a minimum water area of 3,000 square feet and a bathhouse with a minimum area of 1,500 square feet, and a playground with a minimum area of 2,000 square feet with clustered play apparatus suitable for younger and older children.	41 or 42
i. A tennis center on 6.5 acres with a minimum of eight regulation tennis courts and a club building, a playground with a minimum area of 1,600 square feet with clustered play apparatus suitable for younger and older children, and a seating area.	43, 44, or 45
j. An 18-hole golf course with clubhouse facility on approximately 112 acres.	At the discretion of Owner
k. A park of approximately 3 acres to include a swimming pool with a minimum water area of 5,000 square feet, a recreation building/bathhouse with a minimum area of 2,000 square feet, and a playground with a minimum area of 4,000 square feet with clustered apparatus suitable for younger and older children.	46, 47, 48, 49, 50, 51, 53, 55, 56, 57, 58, or 59

<u>Facility</u>	<u>Land Bay</u>
l. A park of approximately 2.0 acres to include two regulation hard-surface tennis courts, a playground with a minimum area of 1,600 square feet with clustered play apparatus suitable for younger and older children, and a seating area.	62, 63, 64, or 65
m. Public access to the Stonehouse historic site with an area of approximately 2.5 acres, to include an historic marker.	50
n. A temporary recreational vehicle storage area (comparable in size to the permanent area), to be replaced by a permanent storage area of approximately 3.0 acres.	Any Land Bay within Phase III of the PUD-R portion of the Property except 19 or 81
o. A park on approximately 5.0 acres to include a recreation center/bathhouse with a minimum area of 3,000 square feet, a swimming pool with a minimum water area of 5,000 square feet, two regulation hard-surface tennis courts, a playground with a minimum area of 4,000 square feet with clustered play apparatus suitable for younger and older children, open lawn with a minimum area of 10,000 square feet, and a seating area.	Any Land Bay within Phase IV of the PUD-R portion of the Property
p. A park on approximately 3.0 acres to include a swimming pool with a minimum water area of 3,500 square feet and a bathhouse with a minimum area of 1,500 square feet, and a playground with a minimum area of 1,600 square feet with clustered play apparatus suitable for younger and older children.	67
q. A marina on the York River (if permitted by applicable law, ordinances or regulations) and an adjacent park of approximately 3.2 acres to include seating areas and walks.	73, 74, 75, 76, 77, 78, or 79
r. A temporary recreational vehicle storage area (comparable in size to a permanent storage area), to be replaced by a permanent storage area approximately 3.5 acres at the completion of development of Phase IV.	Any Land Bay within Phase IV of the PUD-R portion of the Property except 33 area or 81

The exact facilities to be provided at each site may be varied by Owner, with the consent of the Director of Planning based on, among other things, the demographics and expressed preferences of the residents of the development. All the recreational facilities described above shall be open to all residents of the development at no additional cost to them over and above their Community Association dues and assessments, except the golf course and related facilities, tennis center and marina may be privately owned and/or operated and open only to members.

2. Subsections (a) and (b) of Condition 9.4 Use of Buffer of the Existing Proffers are hereby amended to read as follows:

9.4 Use of the Buffer. (a) The Buffer shall be maintained undisturbed and in its natural state preserving existing indigenous vegetation to the maximum extent possible as provided below.

(b) With the prior approval of the County Engineer or his designee and the General Manager of the Service Authority on a case by case basis, (i) dead, diseased and dying trees or shrubbery and invasive or poisonous plants may be removed from the Buffer; (ii) clearing and pruning of trees and grading shall be permitted in the Buffer to permit crossings, flight paths and landing areas for golf course fairways, tees and greens, (iii) select hand clearing shall be permitted in the Buffer to permit sight lines or vistas to the Reservoir or Ware Creek or its tributaries; and (iv) utilities, roads, pedestrian and golf cart

paths, trails and bridges may cross the Buffer. With the prior approval of the County Engineer or his designee and the General Manager of the Service Authority, if vegetation is removed from the Buffer it shall be replaced by combinations of (i) turf grass in areas of golf course tees, greens, fairways and adjacent roughs, (ii) vegetation that is effective in retarding runoff, preventing erosion and filtering nonpoint source pollution and/or (iii) structural BMPs to mitigate impacts, if any, from the removal of the natural vegetation and/or (iv) vegetation that would increase the wildlife habitat value of the portion of the Buffer the greater of the area within 100 feet of the normal pool level of the Reservoir, or the area within 50 feet of the adjacent 50-foot contour. Utility crossings shall be generally perpendicular through the Buffer and Owner shall endeavor to design utility systems that do not intrude into the Buffer. All pedestrian and golf cart paths and trails shall be constructed and surfaced to effectively control erosion. Approved stormwater management facilities may be constructed in the Buffer with the approval of the General Manager of the Service Authority.

3. Subsection (b) of Condition 9.5 Use of the Conservation Area of the Existing Proffers is hereby amended to read as follows:

(b) Dead, diseased and dying trees or shrubbery and invasive or poisonous plants may be removed. Clearing and pruning of trees and grading shall be permitted in the Conservation Area to provide crossings, flight paths and landing

areas for golf course fairways, tees and greens with the prior approval of the County Engineer or his designee. Select hand clearing and pruning of trees shall be permitted in the Conservation Area to permit sight lines or vistas to Ware Creek or the York River with the prior approval of the County Engineer or his designee. With the prior approval of the County Engineer or his designee, if vegetation is removed from the Conservation Area it shall be replaced by combinations of (i) turf grass in areas of golf course tees, greens, fairways and adjacent roughs, (ii) vegetation that is effective in retarding runoff, preventing erosion and filtering nonpoint source pollution and/or (iii) structural BMPs to mitigate impacts, if any, from the removal of the natural vegetation. Utilities, roads, pedestrian and golf cart paths, trails and bridges may cross the Conservation Area in locations shown on the Master Plan or approved by the Development Review Committee in the subdivision or site plan approval process. Such utility crossings shall be generally perpendicular through the Conservation Area and Owner shall endeavor to design utility systems that do not intrude into the Conservation Area. Any permitted construction in the Conservation Area shall be accomplished with the minimum land disturbance and clearing of vegetation necessary and, unless otherwise approved by the County Engineer or his designee, vegetation cleared during such construction shall be replaced with vegetation equally effective in retarding runoff, preventing erosion and filtering nonpoint source pollution. All pedestrian and golf cart paths and trails

shall be constructed and surfaced so as to effectively control erosion. Approved stormwater management facilities may be constructed in the Conservation Area.

4. Condition 9.6 of the Existing Proffers is hereby amended to read as follows:

9.6 Maintenance of the Buffer and the Conservation Area. As each section of the Property is developed, Owner shall convey the Buffer and the Conservation Area (excluding any portion of the Buffer or Conservation Area in platted lots or contained within the boundaries of a golf course) in that section to the Community Association whereupon the Community Association shall be responsible for maintenance of those portions of the Buffer and the Conservation Area. Owner shall be responsible for maintenance of the Buffer and the Conservation Area until conveyed to the Community Association. Portions of the Buffer or Conservation Area contained within the boundaries of a golf course shall be maintained by the owner of the golf course.

5. Subsections (a) and (b) of Condition 9.10 Agricultural Chemicals of the Existing Proffers are hereby amended to read as follows:

9.10 Agricultural Chemicals. (a) Except as specifically permitted herein or with the prior written approval of the General Manager of the Service Authority or the County Engineer, no pesticides, herbicides, fertilizers or other agricultural chemicals shall be used within the Buffer or Conservation Area, respectively.

(b) Agricultural chemicals (including pesticides, herbicides and fertilizers) may be used within the Buffer or Conservation Areas on golf course areas approved by the General Manager of the Service Authority or the County Engineer or his designee pursuant to Condition 9.4 (b) or Condition 9.5 (b) but only in accordance with an integrated pest management system approved by the Director of Code Compliance as set forth below. All golf courses, recreation areas, permanent greenspace areas, and any other areas of the Property under the ownership or direct management of the Community Association shall be maintained utilizing an integrated pest management system. Integrated pest management systems shall minimize the use of pesticides, herbicides, fertilizers or other agricultural chemicals and shall be subject to the approval of the Director of Code Compliance at the time of final site plan or subdivision plat approval and annually thereafter.

6. Except as hereby amended the Existing Proffers remain unchanged and in full force and effect.

Witness the following signature.

STONEHOUSE INC.

By: James J. Franklin

Title: VICE PRESIDENT

STATE OF VIRGINIA *at Large*
CITY/COUNTY OF Williamsburg, to-wit:

The foregoing instrument was acknowledged before me
 this 5th day of July, 1994 by James W. Franklin,
Vice President of STONEHOUSE INC., a Virginia corporation,
 on behalf of the corporation.

Cynthia L. Gilliam

NOTARY PUBLIC

My commission expires:

February 29, 1996.

VIRGINIA: City of Williamsburg and County of
 James City, to Wit:
 I, the Clerk's office of the Circuit Court of the
 City of Williamsburg and County of James City the
7 day of July, 1994. This Second
~~Amendment~~ was presented with certificate annexed and
 admitted to record at 2:21 o'clock
 Teste: Helene S. Ward, Clerk
 by [Signature]
 Deputy Clerk

000699

These PROFFERS are dated the 7th day of June, 1994 by Van Kniest Inc, Purchaser (a Virginia Corporation).

RECITALS

- A. Purchaser is purchasing 20 acres (plus/minus) of certain real property in James City County, Virginia and being more particularly described as all that certain lot, piece or parcel of land situate in the County of James City, Virginia, 3808 Ironbound Road. Further, (the "Property") being more particularly described on Exhibit A entitled: Map of Tobler Property for Acquisition by Van Kniest, Inc. 20 Ac. +/- prepared by AES Consulting Engineers, Williamsburg, Virginia and further described in James City County Tax Map No.: (38-4) (1-28) and (38-4) (1-28A).
- B. The Property is now zoned R-8, Rural Residential.
- C. Purchaser requests that James City County rezone the property to R-2, General Residential.

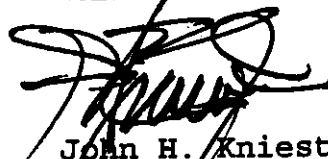
NOW, THEREFORE, in consideration of the County of James City rezoning the Property from the existing zoning to the proposed zoning and pursuant to Section 15.1-491.1 of the Code of Virginia, 1950, as amended, and Section 20-18 of the Zoning Ordinance of James City County, the Purchaser agrees that in addition to the regulations provided in the Proposed Zoning, it will meet and comply with all of the following conditions in the development of the Property.

- 1. ARCHAEOLOGICAL SITES A Phase I Archaeological Study of the Property meeting the guidelines set forth in the Virginia Department of Historic Resource's Guidelines for Preparing Archaeological Resource Management Reports and conducted under the supervision of a qualified archaeologist shall be prepared and submitted to the Director of Planning for approval in accordance with the procedures and guidelines established by the James City County Archaeological Condition Policy (12-21-92), a copy of which is hereby attached and becomes a part of this proffer.
- 2. IRONBOUND ROAD GREENBELT The Purchaser shall designate a minimum 100 foot greenbelt buffer along the Property's Ironbound Road frontage measured from the existing Ironbound Road right-of-way. The greenbelt buffer shall be exclusive of any lots and shall be undisturbed, except for approved utilities, drainage improvements, community entrance roads, pedestrian/bicycle trails and signs as approved by the Development Review Committee.

3. ENTRANCE There shall be two entrances to the proposed development as shown on AES Consulting Engineers - The Meadows Section IV April 1994 P. N. 7820, and they shall be provided as part of any subdivision plans for the property referenced in this agreement.

This agreement shall bind and inure to the benefit of COUNTY and APPLICANT and their respective successors and assigns.

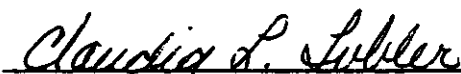
VAN KNIEST INC



John H. Kniest Jr.
President



David W. Tobler



Claudia L. Tobler

STATE OF VIRGINIA

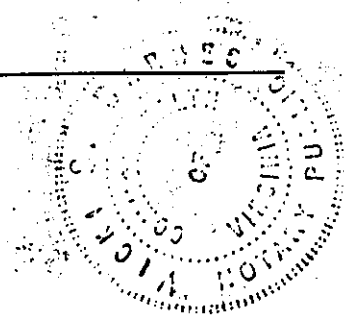
CITY/COUNTY OF York, to-wit:

The foregoing instrument was acknowledged before me this 8th day of May, 1994 by John H. Kniest Jr., President of Van Kniest Inc. June



NOTARY PUBLIC

My commission expires: September 30, 1997



It is the goal of the Development Management Department to identify and protect significant archaeological sites in the County. To achieve this goal a condition has been developed and staff will recommend it be added to all special use permit cases and rezonings where it appears significant archaeological potential exists.

A Phase I Archaeological Study for the entire site shall be submitted to the Director of Planning for his review and approval prior to land disturbance. A treatment plan shall be submitted to and approved by the Director of Planning for all sites in the Phase I study, that are recommended for a Phase II evaluation and/or identified as being eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to and approved by the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If, in the Phase II study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study area. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resource's Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standard and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the site, and the clearing, grading or construction activities thereon.

The purpose of this policy is to explain how the condition is to be interpreted. The following procedures and guidelines will be followed:

1. *A Phase I Archaeological Study for the entire site shall be submitted to the Director of Planning for his review and approval prior to land disturbance. Since the County lacks the expertise to review such documents, the County will send the studies to the Virginia Division of Historic Resources (VDHR) for review. VDHR's responsibility is to determine if the study meets the Virginia Department of Historic Resource's Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and has been conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. This is the preferred option for review of these studies.*

The developer may request staff to hire an independent archaeologist to review the study. The Director of Planning shall select the independent archaeologist. The developer will pay the full costs of this review. It would be the independent archaeologist's responsibility to determine if the study meets the Virginia Department of Historic Resource's Guidelines for Preparing Archaeological Resource Management

Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and has been conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. The developer will take full risk in this matter. If at some point in the future the developer needs to go before the VDHR, and comments are made regarding previous studies, it will be the County's position that all VDHR issues need to be resolved. The County's archaeologist will not participate in this process.

2. A treatment plan shall be submitted to and approved by the Director of Planning for all sites in the Phase I study, that are recommended for a Phase II evaluation and/or identified as being eligible for inclusion on the National Register of Historic Places. The treatment plan shall list treatment measures for each of the sites meeting the criteria listed in the condition and shall include, at a minimum, the extent of impact to the area, a description of the probable boundaries and recommendations for treatment of the area. These plans shall be reviewed by staff who may, if necessary, consult with VDHR. The developer may request review by an independent archaeologist subject to the provisions of Guideline #1. Once identified concerns have been addressed, staff (not VDHR) will approve the study. At this time acceptable treatment measures can include the preparation of a Phase II study or preservation of the site in situ. Site in situ can include leaving the site completely undisturbed and/or preserving the site in a manner acceptable to the Director of Planning.
3. If a Phase II study is undertaken such a study shall be approved by the Planning Director and a treatment plan for said sites shall be submitted to and approved by the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. The study will be reviewed as outlined in Guideline #1.
The treatment plan shall list treatment measures for each of the sites meeting the criteria listed in the condition. If there is a question as to whether or not sites are impacted by development, staff will examine these sites and determine if a treatment plan is necessary. These plans shall be reviewed by staff who may, if necessary, consult with VDHR. The developer may request review by an independent archaeologist subject to the provisions of Guideline #1. Once identified concerns have been addressed, staff (not VDHR) will approve the study. At this time acceptable treatment measures can include the preparation of a Phase III study or preservation of the site in situ. Site in situ can include leaving the site completely undisturbed and/or preservation of the site in a manner acceptable to the Director of Planning.
4. If, in the Phase II study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. The developer shall pursue the nomination of eligible sites. However, submission of the application to initiate this process will fully satisfy the condition.
5. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study area. The study will be reviewed as outlined in Guideline #1.
6. All approved treatment plans shall be incorporated into the plan of development for the site, and the clearing, grading or construction activities thereon.

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

In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City the

18th day of Jan, 1995. This Deputy was presented with certificate annexed and admitted to record at 10:55 o'clock

Teste: Helene S. Ward, Clerk

by [Signature]
Deputy Clerk

SUBLEASE

THIS SUBLEASE is made as of this 16th day of January, 1994, by and between the COUNTY OF JAMES CITY, VIRGINIA ("County"), as Landlord, and the WILLIAMSBURG-JAMES CITY COUNTY COMMUNITY ACTION AGENCY ("CAA"), as Tenant.

WHEREAS, the James River Community Center ("Center") is located at 8701 Pocahontas Trail, James City County, Virginia. The Center lies on a portion of the property conveyed by special warranty deed from the County to the Williamsburg-James City County School Board ("School Board"), dated May 18, 1994 and recorded in the James City County Circuit Court Clerk's Office in Deed Book 566 at Page 619;

WHEREAS, the County is entitled to use the Center facilities and to permit others to use the facilities under the "Agreement - Use of James River Elementary School Property" with the School Board, dated June 21, 1993 ("Lease"), attached and incorporated by reference; and

WHEREAS, the County wishes to sublet part of the Center for use as Head Start classrooms and meeting space ("Premises").

WITNESSETH

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and the mutual covenants contained herein the parties agree as follows:

TERM OF SUBLEASE

The CAA agrees to sublease and the County agrees to sublet four (4) community rooms of the Center from January 14, 1994 through August 31, 1994. The Sublease shall renew automatically for a one year period on September 1st of each year thereafter unless terminated as provided herein.

Either party may terminate this Sublease by giving not less than 14 days written notice prior to the end of any lease term. Either party shall have a reasonable period of time, not to exceed 10 days following the termination of the Sublease, to remove personal property and equipment.

UTILITY FEE

For the first term of this Sublease, the CAA agrees to pay a utility fee to the County in the amount of \$1,200.00 per month for use of the Premises by the Head Start program. The utility payment shall be paid on the first day of each month. The fee is to be reviewed on an annual basis with a maximum annual increase of five (5) percent, unless otherwise agreed to in writing by the County and the CAA.

USE OF PREMISES

The Premises shall be used by the CAA as Head Start classrooms and meeting space. The CAA shall have access to the Premises from 8:00 a.m. to 3:00 p.m. for each Head Start day or when the Premises are otherwise used by Head Start with the agreement of the County. The County shall be able to use the Premises at all other times.

The CAA may not allow the Premises to be used for purposes other than Head Start without the prior written approval of the County. The CAA agrees to abide by all terms of the Lease between the County and the School Board.

DISPUTE RESOLUTION

Resolution of all conflicts shall be performed by Rob Carter, Center Administrator and Jacquelyn Gardner, Director of Williamsburg/James City County Head Start. If they are unsuccessful, then resolution shall be performed by Ned Cheely, County Director of Parks and Recreation, and John McCrimmon, Executive Director of CAA.

OBLIGATIONS

A. For the term of this Sublease, the County shall be responsible for the following:

- 1) Providing security and front desk coverage from 8:00 a.m. until 1:00 p.m. for the benefit of Head Start;

- 2) Providing all equipment, including tables, chairs, teacher desks, telephones, refrigerators, food warmers, and paper supplies, required by the program for 54 children, three (3) teachers, and three (3) teacher aides, as an in-kind donation; and
- 3) Fulfilling all obligations under the Lease with the School Board.

B. For the term of this Sublease, the CAA shall be responsible for the following:

- 1) Pay \$15,000 to the County on or before July 31, 1994, to reimburse the County for: a) purchasing all equipment necessary for one Head Start classroom; and b) the cost of tiling the floors of the Premises; and
- 2) Abiding by all terms of the Lease between the County and the School Board.

INSURANCE

For the term of this Sublease, the CAA shall cover the Premises under a general liability insurance plan which shall insure Head Start teachers, employees, students and guest. Both the County and CAA shall provide property insurance for the Premises.

ASSIGNMENT

The CAA shall not sell, assign, sublet, or convey its rights under this Sublease without the prior written approval of the County.

BREACH OF SUBLEASE

In the event either party breaches any provision of this Sublease, the other party may terminate the Sublease by providing written notice to the breaching party and allowing ten (10) calendar days to correct such breach. In the event of a proper termination, the parties shall have no action at law or equity against the other party under this Sublease, except for a prorated refund, if any, of any rent paid.

COVENANTS

CAA certifies that it is familiar with the rules and regulation for use of County and Williamsburg/James City County Schools facilities and with statutory requirements with respect to public assembly and use of buildings. CAA agrees to enforce rules, regulations and restrictions.

NOTICE

All notices or other communications shall be deemed to have been given if the same shall be in writing and delivered personally or sent by registered or certified mail, postage prepaid, and addressed as set forth below:

To County: Anthony Conyers
 Community Services Manager
 5249 Olde Towne Road
 Williamsburg, Virginia 23188
 Facsimile # (804) 565-6903

To CAA: John McCrimmon
 Executive Director
 P.O. Box 3614
 Williamsburg, Virginia 23187-3614
 Facsimile # (804) 229-9336

AMENDMENTS

This Sublease may be amended only by a writing signed by the parties.

IN WITNESS WHEREOF, the undersigned, being first duly authorized, have executed this Sublease as of the day first above written.

Approved as to Form:

COUNTY OF JAMES CITY, VIRGINIA

Les P. Rogers
County Attorney

By: [Signature]
County Administrator

W-JCC COMMUNITY ACTION AGENCY, INC.

By: [Signature]
John McCrimmon

Attachment

The undersigned Clerk of the Board of Supervisors of James City County, Virginia, certifies that:

1. A regular meeting of the Board of Supervisors of James City County, Virginia, was held on July 5, 1994, at the time and place established by the Board for such meetings, at which the following members were present and absent:

PRESENT: Perry M. DePue
 Jack D. Edwards
 Robert A. Magoon, Jr.
 David L. Sisk
 Stewart U. Taylor

ABSENT: NONE


2. A resolution entitled "Resolution Authorizing the Issuance and Sale of General Obligation Public Improvement Bonds, Series of 1994, in the Maximum Amount of \$9,500,000 of James City County, Virginia, and Providing for the Form, Details and Payment Thereof" was adopted by a majority of all members of the Board by a roll call vote, the ayes and nays being recorded in the minutes of the meeting as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Perry M. DePue	AYE
Jack D. Edwards	AYE
Robert A. Magoon, Jr.	AYE
David L. Sisk	AYE
Stewart U. Taylor	AYE

3. Attached hereto is a true and correct copy of the foregoing resolution as recorded in full in the minutes of the meeting on July 5, 1994.

4. This resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my signature and the seal of the Board of Supervisors of James City County, Virginia, this 7th day of July, 1994.


 Clerk, Board of Supervisors
 of James City County, Virginia

(SEAL)

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES
OF 1994, IN THE MAXIMUM AMOUNT OF \$9,500,000 OF
JAMES CITY COUNTY, VIRGINIA, AND PROVIDING FOR THE
FORM, DETAILS AND PAYMENT THEREOF**

WHEREAS, the issuance of bonds by James City County, Virginia (the "County"), in the maximum amount of \$38,600,000 was approved by the qualified voters of the County at an election held on March 1, 1994, to finance in whole or in part the costs of a school construction program, including the acquisition of land and equipment and the design and construction of new school facilities and renovation and expansion of existing facilities (the "School Improvements"), none of which bonds have been issued and sold;

WHEREAS, the issuance of bonds by the County in the maximum amount of \$5,500,000 was approved by the qualified voters of the County at an election held on March 1, 1994, to finance in whole or in part the costs of construction of library facilities, including the acquisition of land and equipment and the design and construction of a new library building (the "Library Improvements"), none of which bonds have been issued and sold;

WHEREAS, the issuance of bonds by the County in the maximum amount of \$8,000,000 was approved by the qualified voters of the County at an election held on March 1, 1994, to finance in whole or in part the costs of parks and recreation facilities, including the acquisition and development of land and equipment and the design and construction of new park and recreation facilities and renovation and expansion of existing recreation facilities (the "Parks and Recreation Improvements"), none of which bonds have been issued and sold; and

WHEREAS, the County Board of Supervisors (the "Board") determines that it is in the best interests of the County to issue and sell up to \$7,500,000 of the bonds for School Improvements, up to \$500,000 of the bonds for Library Improvements, and up to \$1,500,000 of the bonds for Parks and Recreation Improvements (collectively, the "Project"), and to sell such bonds as a single issue;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA:

1. **Authorization, Issuance and Sale.** There is hereby authorized to be issued and sold, pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, general obligation public improvement bonds of the County in the maximum principal amount of \$9,500,000 to pay costs of financing the Project and to pay costs incurred in connection with issuing such bonds.

2. **Bond Details.** The bonds shall be designated "General Obligation Public Improvement Bonds, Series of 1994" (the "Bonds"), shall be dated July 15, 1994, shall be in registered form, in denominations of \$5,000 and multiples thereof, and shall be numbered R-1 upward. Subject to paragraph 8, the Bonds shall mature in installments or have sinking fund installments on each December 15 beginning no later than the year 1995 and ending no later than the year 2014. Interest on the Bonds shall be payable from their date beginning December 15, 1994, and semiannually on each June 15 and December 15 thereafter. The Board authorizes the issuance and sale of the Bonds on terms as shall be satisfactory to the County Administrator; provided, however, that the Bonds (a) shall have a "true" or "Canadian" interest cost not to exceed 6.95% taking into account any original issue discount or premium, and (b) shall be sold at a price not less than 99.5% of the original aggregate principal amount thereof. Principal and premium, if any, shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar, as defined below. Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on the first day of the month of each interest payment date. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

Initially, one Bond certificate for each maturity of the Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC"), or its nominee. The County shall enter into a Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. "Securities Depository" shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

In the event that (a) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar and the County discharges its responsibilities hereunder, or (b) the County in its sole discretion determines (i) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (ii) to select a new Securities Depository, then its chief financial officer shall, at the direction of the County, attempt to locate another qualified securities depository to serve as Securities Depository or authenticate and deliver certificated Bonds to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for on Exhibit A; provided, however, that such form shall provide for interest on the Bonds to be payable (A) from the date of the Bonds if they are authenticated prior to the first interest payment date, or (B)

otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the chief financial officer shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 7.

So long as there is a Securities Depository for the Bonds (1) it or its nominee shall be the registered owner of the Bonds, (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository, (3) the Registrar and the County shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants, (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds, and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the above-referenced Letter of Representations, such provisions of the Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

3. Redemption Provisions. The Bonds may be subject to redemption prior to maturity at the option of the County on or after dates, if any, determined by the County Administrator, in whole or in part at any time, at a redemption price equal to the principal amount of the Bonds, together with any accrued interest to the redemption date, plus a redemption premium not to exceed 102½ of the principal amount of the Bonds, such redemption premium to be determined by the County Administrator.

Any term bonds may be subject to mandatory sinking fund redemption as determined by the County Administrator.

If less than all of the Bonds are called for redemption, the Bonds to be redeemed shall be selected by the chief financial officer of the County in such manner as he may determine to be in the best interest of the County. If less than all the Bonds of any maturity are called for redemption, the Bonds to be redeemed shall be selected by DTC or any successor securities depository pursuant

to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. The County shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to DTC or its nominee as the registered owner of the Bonds. The County shall not be responsible for mailing notice of redemption to anyone other than DTC or another qualified securities depository or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender hereof.

4. **Execution and Authentication.** The Bonds shall be signed by the manual or facsimile signature of the Chairman of the Board, the Board's seal shall be affixed thereto or a facsimile thereof printed thereon and attested to by the manual or facsimile signature of the Clerk or Deputy Clerk of the Board; provided, however, that if both of such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of an authorized officer or employee of the Registrar and the date of authentication noted thereon.

5. **Bond Form.** The Bonds shall be in substantially the form set forth on Exhibit A attached hereto.

6. **Pledge of Full Faith and Credit.** The full faith and credit of the County are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the County shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the County sufficient to pay the principal of and premium, if any, and interest on the Bonds, as the same become due.

7. **Registration, Transfer and Owners of Bonds.** Crestar Bank, Richmond, Virginia, is appointed paying agent and registrar

for the Bonds (the "Registrar"). The Registrar shall maintain registration books for the registration of Bonds. Upon surrender of any Bonds at the office of the Registrar, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute and the Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner or his duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the first day of the month of each interest payment date.

8. **Sale of Bonds.** The Board approves the following terms of the sale of the Bonds. The Bonds will be sold by competitive bid, and the County Administrator, in collaboration with the County's financial advisor (the "Financial Advisor"), shall receive bids for the Bonds and award the Bonds to the bidder providing the lowest "true" or "Canadian" interest cost, all subject to the limitations set forth in paragraph 2. The Board further authorizes the County Administrator, in collaboration with the Financial Advisor to (a) determine the principal amount of the Bonds, subject to the limitations set forth in paragraph 1, (b) determine the maturity schedule of the Bonds, subject to the limitations set forth in paragraph 2, and (c) establish the redemption provisions, if any, for the Bonds, subject to the limitations set forth in paragraph 3. Prior to the sale of the Bonds, the County Administrator, in collaboration with the Financial Advisor, may change the dated date of the Bonds to a date not later than August 15, 1994, to facilitate the sale and delivery of the Bonds. Following the sale of the Bonds, the County Administrator shall file a certificate with the Clerk of the Board setting forth the final terms and purchase price of the Bonds. The actions of the County Administrator in selling the Bonds shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the Board.

9. **Notice of Sale.** A draft dated June 27, 1994, of the Notice of Bond Sale of the County (the "Notice of Sale") to

advertise the Bonds for sale, copies of which have been provided to the members of the Board, is approved as the form of the Notice of Sale, with such completions, omissions, insertions and changes not inconsistent with this Resolution as the County Administrator, in collaboration with the Financial Advisor, may consider appropriate.

10. **Official Statement.** A draft dated June 27, 1994, of the Preliminary Official Statement of the County (the "Preliminary Official Statement") describing the Bonds, copies of which have been provided to the members of the Board, is approved as the form of the Preliminary Official Statement by which the Bonds will be offered for sale, with such completions, omissions, insertions and changes not inconsistent with this Resolution as the County Administrator may consider appropriate. The County Administrator shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as are necessary or desirable to complete it as a final Official Statement (the "Official Statement"). The County shall arrange for the delivery to the underwriter of a reasonable number of copies of the final Official Statement, within seven business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the underwriter initially sells Bonds.

11. **Official Statement Deemed Final.** The County Administrator is authorized, on behalf of the County, to deem the Preliminary Official Statement and the final Official Statement to be final as of their dates within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission from the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to such Rule. The distribution of the Preliminary Official Statement shall be conclusive evidence that it has been deemed final. The County Administrator is authorized and directed to execute the Official Statement, which such execution shall be conclusive evidence that the Official Statement has been deemed final.

12. **Continuing Disclosure.** In connection with this Bond issue, the Board commits to prepare and periodically disseminate annual audited financial statements of the County, which may include a comprehensive annual financial report and other information that the Board deems pertinent. The Board will deliver copies of all periodic reports and other pertinent published information to a nationally recognized municipal securities repository. The Board will provide relevant published information to the public upon request. The Board also will provide appropriate credit information to the nationally-recognized rating agencies that rate the Bonds to enable these organizations to review the outstanding ratings.

13. **Preparation and Delivery of Bonds.** After the Bonds have been awarded, the Chairman or Vice Chairman and the Clerk or Deputy Clerk of the Board are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the underwriter thereof upon payment therefor.

14. **Arbitrage Covenants.** (a) The County represents that there have not been issued, and covenants that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Bonds within the meaning of the Internal Revenue Code of 1986, as amended including regulations issued pursuant thereto (the "Code").

(b) The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, or otherwise cause interest on the Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law which may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The County shall pay any such required rebate from its legally available funds.

15. **Non-Arbitrage Certificate and Elections.** Such officers of the County as may be requested are authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code, and any elections such officers deem desirable regarding rebate of earnings to the United States, for purposes of complying with Section 148 of the Code. Such certificate and elections shall be in such form as may be requested by bond counsel for the County.

16. **SNAP Investment Authorization.** The Board has received and reviewed the Information Statement (the "Information Statement"), describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool I (the "Contract"), and the Board has determined to authorize the County Treasurer to have the option to utilize SNAP in connection with the investment of the proceeds of

the Bonds. The Board acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the Contract.

17. Limitation on Private Use. The County covenants that it shall not permit the proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

18. Qualified Tax-Exempt Obligations. The County designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. The County represents and covenants as follows:

(a) The County will in no event designate more than \$10,000,000 of obligations as qualified tax-exempt obligations in 1994, including the Bonds, for the purpose of such Section 265(b)(3);

(b) The County, all its "subordinate entities," within the meaning of such Section 265(b)(3), and all entities which issue tax-exempt obligations on behalf of the County and its subordinate entities have not issued, in the aggregate, more than \$10,000,000 of tax-exempt obligations in 1994 (not including "private activity bonds," within the meaning of Code Section 141, other than "qualified 501(c)(3) bonds," within the meaning of Section 145 of the Code), including the Bonds;

(c) Barring circumstances unforeseen as of the date of delivery of the Bonds, the County will not issue tax-exempt obligations itself or approve the issuance of tax-exempt obligations of any of such other entities if the issuance of such tax-exempt obligations would, when aggregated with all other tax-exempt obligations theretofore issued by the County and such other entities in 1994, result in the County and such other entities

having issued a total of more than \$10,000,000 of tax-exempt obligations in 1994 (not including private activity bonds other than qualified 501(c)(3) bonds), including the Bonds; and

(d) The County has no reason to believe that the County and such other entities will issue tax-exempt obligations in 1994, issued in an aggregate amount that will exceed such \$10,000,000 limit;

provided, however, that if the County receives an opinion of nationally recognized bond counsel that compliance with any covenant set forth in (a) or (c) above is not required for the Bonds, the County need not comply with such covenant.

19. **Other Actions.** All other actions of officers of the County in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds are approved and confirmed. The officers of the County are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

20. **Repeal of Conflicting Resolutions.** All resolutions or parts of resolutions in conflict herewith are repealed.

21. **Effective Date.** This Resolution shall take effect immediately.

EXHIBIT A

REGISTERED

REGISTERED

No. R-_____

\$9,500,000

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

JAMES CITY COUNTY

General Obligation Public Improvement Bond, Series of 1994

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____%	December 15, _____	July 15, 1994	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

James City County, Virginia (the "County"), for value received, promises to pay, upon surrender hereof, to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay interest hereon semiannually from its date on each June 15 and December 15, beginning December 15, 1994, at the annual rate stated above. Principal, premium, if any, and interest are payable in lawful money of the United States of America by Crestar Bank, Richmond, Virginia, who has been appointed Registrar (the "Registrar"). Notwithstanding any other provision hereof, this bond is subject to a book-entry system maintained by The Depository Trust Company ("DTC"), and the payment of principal, premium, if any, and interest, the providing of notices and other matters shall be made as described in the County's Letter of Representations to DTC.

This bond is one of an issue of \$9,500,000 General Obligation Public Improvement Bonds, Series of 1994, of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991. The Bonds were approved by the qualified voters of the County at an election on March 1, 1994, and authorized by a resolution adopted by the Board of Supervisors of the County (the "Board") on July 5, 1994.

Bonds maturing on or before December 15, 2004, are not subject to redemption prior to maturity. Bonds maturing on or after

December 15, 2005, are subject to redemption prior to maturity at the option of the County on or after December 15, 2004, in whole or in part at any time upon payment of the following redemption prices (expressed as a percentage of principal amount of bonds to be redeemed) plus interest accrued and unpaid to the redemption date:

<u>Period During Which Redeemed</u> <u>Both Dates Inclusive</u>	<u>Redemption</u> <u>Price</u>
December 15, 2004, to December 14, 2005	102½
December 15, 2005, to December 14, 2006	101
December 15, 2006, and thereafter	100

If less than all of the bonds are called for redemption, the bonds to be redeemed shall be selected by the chief financial officer of the County in such manner as he may determine to be in the best interest of the County. If less than all the bonds of a particular maturity are called for redemption, the bonds to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting bonds for redemption, each bond shall be considered as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000. The County shall cause notice of the call for redemption identifying the bonds or portions thereof to be redeemed to be sent by facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to DTC or its nominee as the registered owner of the bonds.

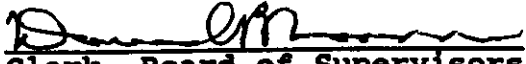
The full faith and credit of the County are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond.

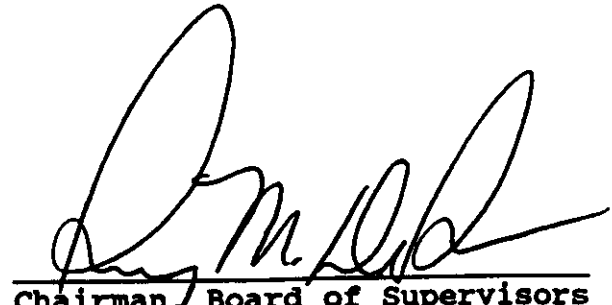
All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of James City County, Virginia, has caused this Bond to be issued in the name of James City County, Virginia, to be signed by its Chairman, its seal to be affixed hereto and attested by the signature of its Clerk and this bond to be dated July 15, 1994.

(SEAL)

ATTEST:


Clerk, Board of Supervisors
of James City County,
Virginia


Chairman, Board of Supervisors
of James City County,
Virginia

ASSIGNMENT

FOR VALUE RECEIVED the undersigned sell(s), assign(s) and transfer(s) unto _____ (Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFeree:

:
:
:
:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____

_____, Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

(Signature of Registered Owner)

NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular, without alteration or enlargement or any change whatsoever.

2. Budget Amendment - State Arts Grant**RESOLUTION****BUDGET AMENDMENT - STATE ARTS GRANT**

WHEREAS, the Board of Supervisors of James City County has been awarded a challenge grant in the amount of \$2,910 from the State Commission for the Arts based on an application submitted on the County's behalf by the Williamsburg Regional Arts Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the acceptance of this grant and approves the following budget adjustment in the County's General Fund:

Revenue

From the Commonwealth - Arts Grant	<u>\$2,910</u>
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Expenditures

Contributions - Williamsburg Regional Arts Commission	<u>\$2,910</u>
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4. Dedication of Streets Chickahominy Haven, Sections 2A, 3 and 9**RESOLUTION****DEDICATION OF STREETS IN CHICKAHOMINY HAVEN, SECTIONS 2A, 3, AND 9**

WHEREAS, the following roads in Chickahominy Haven, Sections 2A, 3, and 9, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County and have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of Highways; and

WHEREAS, the Board of Supervisors desires certain roads in Chickahominy Haven, Sections 2A, 3, and 9, to be included in the State Secondary Highway System; and

WHEREAS, the Virginia Department of Transportation's Resident Engineer for James City County has inspected these roads and found them acceptable for maintenance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Virginia Department of Transportation be, and is hereby respectfully requested, contingent on the above, to include the following roads in Chickahominy Haven, Sections 2A, 3, and 9, Stonehouse Election District, James City County, in the State Secondary Highway System:

1. The Point Drive, 50-foot right-of-way

From:	Route 715 (North Riverside Drive)
To:	Route 716 (Hampton Drive)
Distance:	1,683 feet (0.32 mile)