

020024840

AMENDED AND RESTATED FORD'S
COLONY PROFFERS

These AMENDED and RESTATED FORD'S COLONY PROFFERS are made this 20th day of September, 2002 by REALTEC INCORPORATED, a North Carolina corporation ("Owner").

RECITALS

A. Realtec is the owner and developer of the Ford's Colony at Williamsburg development which is zoned R-4, Residential Planned Community, with proffers, and subject to a Master Plan heretofore approved by James City County.

B. In connection with a prior Master Plan amendment, Realtec has entered into and James City County has accepted Amended and Restated Ford's Colony Proffers dated as of January 24, 1999 and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City as Instrument No. 990002925 (together, the "Existing Proffers"). The Existing Proffers restate, among others, Amended and Restated Ford's Colony Proffers dated September 29, 1995 recorded in the aforesaid Clerk's Office in Deed Book 757 at page 526 containing Condition 4 reading as follows:

"Owner shall not provide access from Ford's Colony onto Lexington or Country Club Drive."

C. Realtec desires to amend and restate the Existing Proffers as set forth below. If the requested proffer amendment is not approved by James City County, these Amended and Restated

Ford's Colony Proffers shall be void and the Existing Proffers shall remain unchanged, in full force and effect.

RESTATEMENT AND AMENDMENTS


1. Amendment. Condition 4 of the Existing Proffers set forth above is hereby amended to read as follows:

"Owner shall not provide access from Ford's Colony onto Lexington or Country Club Drive, except as shown on the plans entitled "Proposed Intersection of Ford's Colony Section XII and Country Club Drive, Ford's Colony at Williamsburg, Section XII, made by AES Consulting Engineers and dated August 26, 2002 (the "Plans"). The final design of the intersection and related improvements, including the column locations and curbing locations and design, shall be generally as shown on the Plans as determined and approved by the Development Review Committee and constructed concurrently. All curbing shall be of a consistent material. The columns shall not exceed seven feet in height. Landscaping shall be installed as shown on a landscape plan to be submitted to and approved by the Director of Planning. Realtec and/or a homeowner's association in which lot owners in Section XII of Fords' Colony are members shall be responsible for maintenance of the intersection and related improvements, including the column, curbs and landscaping, shown on the Plans and the landscape plan."

2. Restatement. Except as specifically amended in Section 1, the Existing Proffers are hereby restated and incorporated herein by reference and remain in full force and effect.

WITNESS the following signatures.

REALTEC INCORPORATED

By: 
Title: *Vice President*

STATE OF VIRGINIA

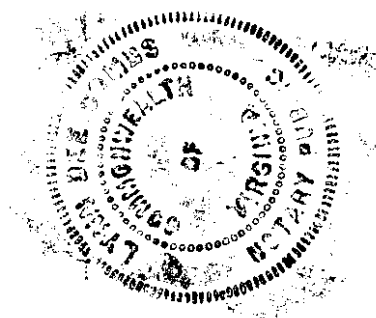
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CITY/COUNTY OF James City

The foregoing instrument was acknowledged before me this 27th day of September, 2002, by Drew Mulhara Vice President of Realtec Incorporated.

Lynn M. Conbo
NOTARY PUBLIC

My commission expires: November 30, 2003



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VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 24 Oct. 02
at 3:46 ~~PM~~ PM. The taxes imposed by Virginia Code
Section 58.1-801, 58.1-802 & 58.1-814 have been paid.

STATE TAX LOCAL TAX ADDITIONAL TAX

\$ _____ \$ _____ \$ _____
TESTE: BETSY B. WOOLRIDGE, CLERK

BY: Betsy B. Woolridge Clerk

Prepared by:
Vernon M. Geddy, III, Esquire
Geddy, Harris, Franck & Hickman, LLP
1177 Jamestown Road
Williamsburg, VA 23185
(757) 220-6500

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT
DEED RECEIPT

DATE: 10/24/08 TIME: 15:47:01 ACCOUNT: 990CLR020024840 RECEIPT: 08000037188
CASHIER: CHE REG: W104 TYPE: OTHER PAYMENT: FULL PAYMENT
INSTRUMENT : 020024840 BOOK: PAGE: RECORDED: 10/24/08 AT 15:46
GRANTOR: REALTEC INCORPORATED EX: N LOC: 00
GRANTEE: REALTEC INCORPORATED EX: N PCT: 100%
AND ADDRESS :
RECEIVED OF : 1000 DATE OF DEED: 09/30/08

CHECK : \$11.00
DESCRIPTION 1: AMENDED PROFFERS FORDS COLONY CONDITION 4 PAGES: 3
S: NAMES: 0
CONSIDERATION: .00 ASSUME/VAL: .00 MAP:
CODE DESCRIPTION PAID CODE DESCRIPTION PAID
001 DEEDS 14.50 145 SELF 1.50

TENDERED : 15.00
AMOUNT PAID: 15.00
CHANGE AMT : .00

CLERK OF COURT: BETSY WEBBRIDGE