

070022758

PROFFERS

THESE PROFFERS are made this 13th day of June 2007 by the WILLIAMSBURG REDEVELOPMENT AND HOUSING AUTHORITY (together with their successors and assigns, the "Owner").

RECITALS

- A. Owner is the owner of thirty (30) tracts or parcels of land located in James City County, Virginia, described on the attached Exhibit A.
- B. Owner has applied to rezone the property on the attached Exhibit B (the "Property") from R-2 to MU Mixed Use District, with proffers.
- C. Owner has submitted to the County of James City, Virginia, (the "County") a master plan entitled, "Master Plan of Revitalization IRONBOUND SQUARE Project Number JCC-Z-09/MP-10-06," prepared by AES Consulting Engineers dated November 29, 2006, last revised February 26, 2007 (the "Master Plan") for the Property in accordance with the County Zoning Ordinance.
- D. Owner desires to offer to County certain conditions on the development of the Property not generally applicable to land zoned MU.

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2297 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with all of the following conditions in developing the Property. If the requested rezoning is not granted by County, these Proffers shall be null and void.

CONDITIONS

1. Density. There shall be no more than fifty-two (52) single-family dwelling detached units ("Single Family Units") located in the portion of the Property with a Master Plan area designation of "Phase 2 Rezoning."
2. Water Conservation. Water conservation standards for the Property shall be submitted to and approved by the James City Service Authority. Owner shall be responsible for enforcing these standards. The standards shall address such conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials, and the use of water conserving fixtures and appliances to promote water conservation and minimize the use of public water resources. The standards shall be approved by the James City Service Authority prior to final subdivision or site plan approval.

Returned to:

James Petyo
Atty. Office
Madison Bay Rd Bldg C

3. Affordable Housing. A minimum of twenty (20) of the single-family detached units developed on the Property shall be sold to households with incomes no greater than 80% of the Area Median Income ("AMI") adjusted for household size, as determined by the US Department of Housing and Urban Development ("HUD").
4. Road Improvements. Owner shall install, in accordance with Virginia Department of Transportation ("VDOT") recommendations, standards, and specifications, the following road improvements: a) curb, gutter, and paving and sidewalks on the eastern side of Watford Lane from 120 Watford Lane to Watford Lane's turn to the west; and on the northern side of Watford Lane from the turn to its intersection with Ironbound Road, and b) curb, gutter, and paving along three (3) new roads, all as shown on the Master Plan.

The preceding road improvements and dedication shall be (i) completed or (ii) the contract for the construction of these improvements shall have been approved by the James City County Board of Supervisors prior to issuance of any certificates of occupancy for dwelling units on rezoned parcels fronting on Watford Lane.

5. Environmental Protections. The project shall contain a Low Impact Development (LID) component for stormwater management purposes. LID measures shall be situated in common areas associated with the project. If a downstream, offsite regional stormwater basin is used to meet stormwater management requirements for the project, then onsite LID measures as shown on the Master Plan drawing shall be provided to further minimize water quality impacts associated with the project. If a downstream, offsite regional stormwater basin cannot be used for the project, then onsite LID measures as shown on the Master Plan drawing shall be used in order to achieve compliance under the County's 10-point system for water quality.
6. Alternate Design for Road 1. If owner executes a agreements to purchase Lots 1,2, and 3 as shown on the Master Plan, more commonly known as 4344, 4346 and 4348 Ironbound Road, prior to submitting the Subdivision Plan to James City County for subdivision review, the cul-de-sac labeled on the Master Plan as Road 1 will be designed as shown on the Master Plan. All 3 lots shall be owned by James City County prior to final subdivision approval. If Owner does not have agreements to purchase Lots 1, 2, and 3 at that time, Owner will submit the Subdivision Plan for subdivision approval using the alternate design for Road 1 shown on the attached Exhibit C

WITNESS the following signature:

EXHIBIT A

Property Owned by the
Williamsburg Redevelopment and Housing Authority
Included in the Phase 2 Rezoning Area of the Ironbound Square Redevelopment Project

Property Address		Property Identification Number
105	CARRIAGE	3910100072
107	CARRIAGE	3910100073
109	CARRIAGE	3910100074
4338	IRONBOUND	3910100097
4340	IRONBOUND	3910100096
4342	IRONBOUND	3910100095
4366	IRONBOUND	3910100079
4368	IRONBOUND	3910100078
4370	IRONBOUND	3910100077
4372	IRONBOUND	3910100076
4374	IRONBOUND	3910100075B
4376	IRONBOUND	3910100075
4378	IRONBOUND	3910100075A
4380	IRONBOUND	3910100070
4382	IRONBOUND	3910100068
4384	IRONBOUND	3910100067
4386	IRONBOUND	3910100066
4388	IRONBOUND	3910100065
99	WATFORD	3910100099
100	WATFORD	3910100103
101	WATFORD	3910100086
104	WATFORD	3910100105
106	WATFORD	3910100102
113	WATFORD	3910100085
117	WATFORD	3910100084
119	WATFORD	3910100083
121	WATFORD	3910100082
123	WATFORD	3910100087
125	WATFORD	3910100069
125 A	WATFORD	3910100071

EXHIBIT B

All Property in the Phase 2 Rezoning Area of the Ironbound Square Redevelopment Project

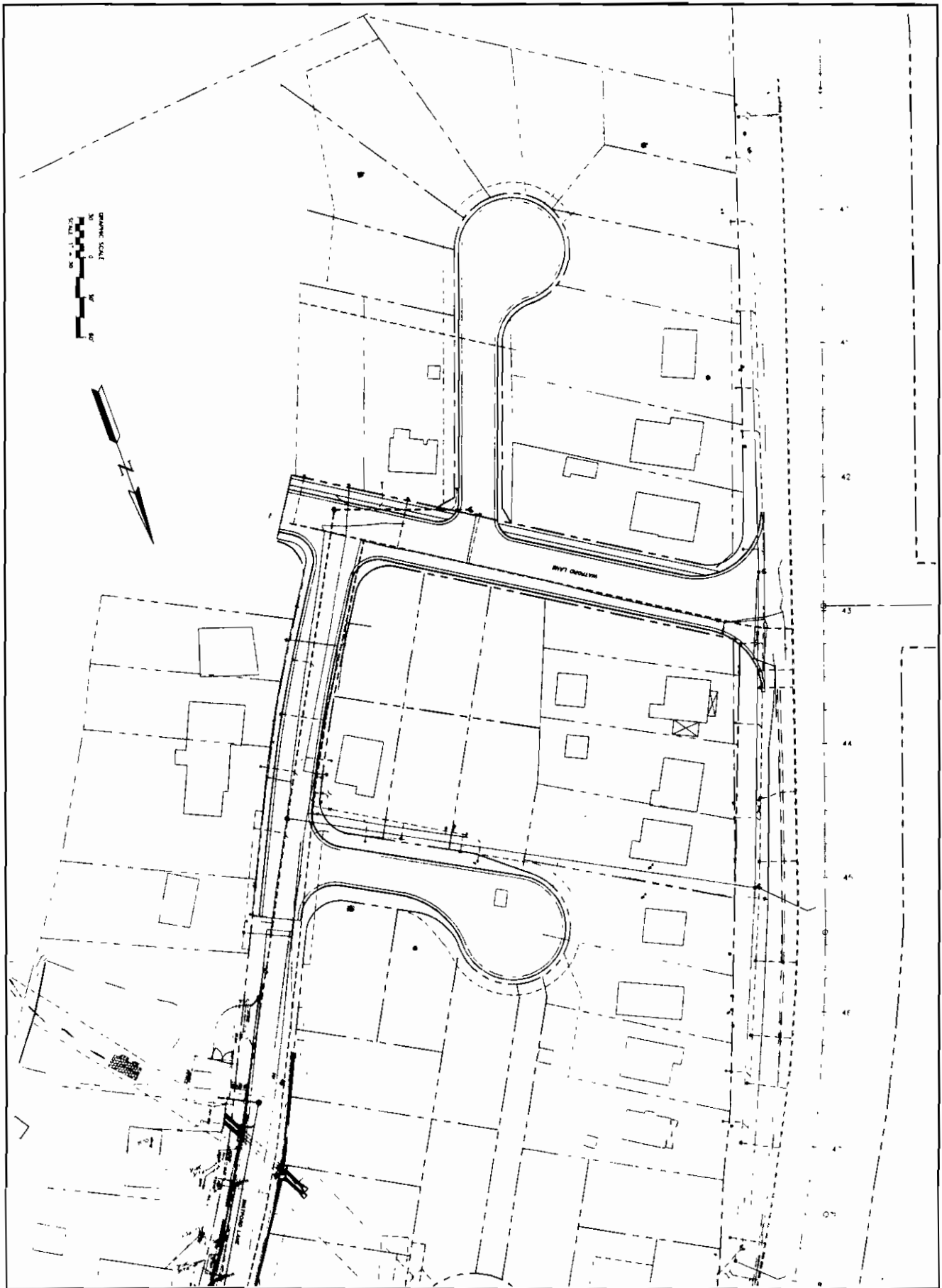
Property Address	Property Identification Number	Owner(s)
105 Carriage Road	3910100072	WRHA*
107 Carriage Road	3910100073	WRHA
109 Carriage Road	3910100074	WRHA
4338 Ironbound Road	3910100097	WRHA
4340 Ironbound Road	3910100096	WRHA
4342 Ironbound Road	3910100095	WRHA
4344 Ironbound Road	3910100094	Beatrice Banks Bailey
4346 Ironbound Road	3910100093	Rhoda Brown a/k/a Roda Brown
4348 Ironbound Road	3910100092	Kenrick Williams & Joan P. Williams
4352 Ironbound Road	3910100090A	James City County
4354 Ironbound Road	3910100090B	Cecil Collier & Delores Collier
4356 Ironbound Road	3910100089	Douglas F. Canaday & Ivy Canaday
4358 Ironbound Road	3910100088	Gloria Merritt
4362 Ironbound Road	3910100081	Robert White & Louise White
4364 Ironbound Road	3910100080	William L. Jones
4366 Ironbound Road	3910100079	WRHA
4368 Ironbound Road	3910100078	WRHA
4370 Ironbound Road	3910100077	WRHA
4372 Ironbound Road	3910100076	WRHA
4374 Ironbound Road	3910100075B	WRHA
4376 Ironbound Road	3910100075	WRHA
4378 Ironbound Road	3910100075A	WRHA
4380 Ironbound Road	3910100070	WRHA
4382 Ironbound Road	3910100068	WRHA
4384 Ironbound Road	3910100067	WRHA
4386 Ironbound Road	3910100066	WRHA
4388 Ironbound Road	3910100065	WRHA
99 Watford Lane	3910100099	WRHA
100 Watford Lane	3910100103	WRHA
101 Watford Lane	3910100086	WRHA
102 Watford Lane	3910100104	Inez White
104 Watford Lane	3910100105	WRHA
106 Watford Lane	3910100102	WRHA
113 Watford Lane	3910100085	WRHA
117 Watford Lane	3910100084	WRHA

VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
 This document was admitted to record on 9 Aug 09
 at 1:00 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
 \$ _____ \$ _____ \$ _____

FLAT ATTACHED

TESTE: BETSY B. WOOLRIDGE, CLERK
 BY: Betsy B. Woolridge Clerk



DATE	BY	CHK'D	APP'D

**IRONBOUND SQUARE
PHASE 2
ALTERNATE PLAN - A2**



6248 Old Town Road, Suite 1
Williamsburg, Virginia 23186
(757) 338-0900
Fax (757) 220-6884

EXHIBIT C

NO.	DATE	REVISION / COMMENT / NOTE	BY	CHK'D