

**Prepared by:**  
William H. Shewmake, Esq.  
LeClairRyan, A Professional Corporation  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219

120 024564

**Return to:**  
Adam R. Kinsman, Esq.  
Deputy County Attorney  
Post Office Box 8784  
101-C Mounts Bay Road  
Williamsburg, Virginia 23187-8784

**PROFFERS**

THIS PROFFER is made this 23rd day of October, 2012, by **Greensprings Mobile Home Park, LLC**, a Virginia limited liability company (together with its successors and assigns, "Owner") to be indexed as "Grantor," for the benefit of **The County of James City**, a political subdivision of the Commonwealth of Virginia (the "County") to be indexed as "Grantee."

**Recitals**

1. WHEREAS, Owner is the owner of certain real property in James City County, Virginia, being Tax Parcel 3640100001 and more particularly described on **Exhibit A** attached hereto and made a part hereof (the "Property").

2. WHEREAS, currently on the Property are eighty-six (86) manufactured and/or mobile homes as defined by James City County Code § 24-2 (the "Park").

3. WHEREAS, septic systems at the Park have begun to fail, and Owner seeks to correct the problem by connecting any manufactured or mobile homes in the Park to public sewer without expanding the number of manufactured or mobile homes that can access public sewer at any one time and also ensuring that once public sewer services the Property, the public sewer will not be used for any purpose other than servicing manufactured or mobile homes in the Park.

4. WHEREAS, Owner has, therefore, submitted a request for a Special Use Permit Case Number SUP-0002-2011 and a rezoning with proffers, Case Number Z-0007-2012, to permit the Property to utilize public sewer, provided that the public sewer connections be limited

to manufactured or mobile homes and that no more than 86 manufactured or mobile homes be connected to public sewer on the Property at any one time.

NOW, THEREFORE, in consideration of the approval of the requested rezoning Case Number Z-0007-2012 and requested Special Use Permit Case Number SUP-0002-2011 and pursuant to Section 15.2-2303 of the Code of Virginia, as amended, and the County Zoning Ordinance, Owner agrees that it shall meet and comply with the following conditions provided, however, if the Board of Supervisors denies the request to rezone the Property, Case Number Z-0007-2012, or denies the Owner's application for a Special Use Permit Case No. SUP-0002-2011, then the proffered conditions shall be void and of no effect.

**Proffered Conditions**

1. Connections to public sewer authorized and permitted by Owner's Special Use Permit SUP-0002-2011 shall be limited to manufactured or mobile homes as defined by James City County Code § 24-2 and there shall be a maximum of 86 manufactured or mobile home public sewer connections on the Property at any one time.

2. Other than a maximum of 86 manufactured or mobile homes on the Property at any one time, there shall be no other dwelling on the Property.


3. Owner will bear the capital costs of connecting each of the 86 manufactured or mobile homes to the JSCA Sewer System, and such capital costs shall not be borne by the residents of the manufactured or mobile homes being connected.

*[The remainder of this page is left blank intentionally. Signatures appear on the next page.]*

WITNESS the following signature:

GREENSPRINGS MOBILE HOME PARK,  
LLC, a Virginia limited liability company  
By: Franklin Investment, LLC, a Virginia  
limited liability company, Managing  
Member

By:

  
John A. Franklin  
Manager

COMMONWEALTH OF VIRGINIA     )  
  ) to-wit:  
CITY OF NEWPORT NEWS         )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of October, 2012, 2012, by John A. Franklin, Manager of Franklin Investment, LLC, a Virginia limited liability company, as Managing Member of Greensprings Mobile Home Park, LLC, a Virginia limited liability company, on behalf of the said Virginia limited liability company.

My commission expires: December 31, 2012.

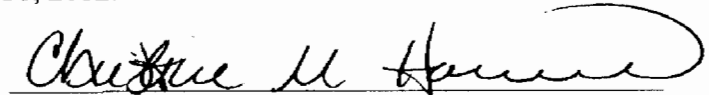
  
Notary Public

Exhibit "A"

All that certain tract, piece or parcel of land containing 48.224 acres, more or less, situated in Powhatan District, James City County, Virginia, as shown and set forth on a certain plat of survey entitled, "Plat Of Property Standing In The Name Of Dudley S. Waltrip Situated In James City County, Virginia", dated September 21, 1969, made by Douglas E. White, C.L.S., a copy of which is of record in James City County in Plat Book 26, page 65, and is expressly incorporated herein by reference.

LESS and EXCEPT all that certain tract, piece or parcel of land, containing 1.84 acres, more or less, designated as Parcel A, as shown on a plat of subdivision entitled, "Plat Of Subdivision, Standing In the Name of Dudley Waltrip, Green Springs Mobile Home Estates," dated May, 1986, and made by Paul C. Small, Architects & Engineers, a copy of which is recorded in the Clerk's Office of the Circuit Court of James City County in Plat Book 42, page 71.

VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY  
This document was submitted to record on 11-27-2012  
at 1:34 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