

ADDENDUM TO PROFFER AGREEMENT

This Addendum is made by REGJAG, LLC, a Virginia limited liability company, successor to R. E. Gilley and JoAnn H. Gilley (to be indexed as Grantors) (both referred to herein as “Owner”) and provides as follows:

RECITALS

R-1. In connection with development of the Gatehouse Farms subdivision located in James City County, Virginia, R. E. Gilley and JoAnn H. Gilley created certain proffers set forth in an agreement executed June 30, 1987 and recorded in the Office of the Clerk of the Circuit Court for the City of Williamsburg and County of James City in Deed Book 366, page 508 (the “Proffers”), subsequent to creation of the Proffers, the Owners entered into a conservation easement agreement with James City County as a part of the County’s purchase of development rights program.

R-2. Subsequent to creation of the Proffers, the Owners entered into a conservation easement agreement with James City County as a part of the County’s purchase of development rights program. The deed creating said conservation easement dated April 18, 2014 is of record in the aforesaid Clerk’s Office as Instrument Number 140006461 (the “Conservation Easement”).

R-3. The Conservation Easement eliminates the potential for development of the property which was the subject of the Proffers, and the Owners have requested that James City County approve an amendment of the Proffers pursuant to Section 15.2-2302 of the Code of Virginia in order to eliminate conditions number 1, 2 and 4 relating to a drainage study, and establishment of a recreation area.

Prepared by:

✓ Gregory R. Davis, Esq.
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4801 Courthouse Street, Suite 300
Williamsburg, VA 23188

R-4. The County has approved an amendment of the Proffers, and therefore, this Addendum evidences the aforesaid Proffer changes.

NOW THEREFORE, this Addendum witnesseth that, in consideration for the terms of the Conservation Easement and the approval by James City County of the amendment of the Proffers as recited above, the Proffers are amended as follows:

PROVISIONS

1. Conditions numbered 1, 2 and 4 set forth in the Proffers are hereby eliminated and of no further force of effect.

2. Except as modified by this Addendum, by the Conservation Easement, or by subsequent approval of James City County, the Proffers are ratified, confirmed and unaffected.

WITNESS the following signatures and seals this 14th day of July, 2014.

REGJAG, LLC, a Virginia limited liability company

By: R. Edwin Gilley
R. Edwin Gilley

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF James City, to wit:

The foregoing instrument was acknowledged before me in Williamsburg, Virginia, this 14th day of July, 2014, by R. Edwin Gilley. He/She is personally known to me or has produced Drivers license as identification.

Heather Gilbert
Notary Public

My Commission expires: 12-31-2015
Notary Registration No.: 7113607
[Affix Notarial Stamp]



VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 7-28-2014
at 12:08 /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