

170007500

Tax Parcels: 4812200020, 4812200025, 4812200026, 4812200027, 4812200028 and 4812200029

Prepared By: Vernon M. Geddy, III, Esquire (VSB No: 21902)  
Geddy, Harris, Franck & Hickman  
1177 Jamestown Road  
Williamsburg, VA 23185

Return to: James City County Attorney's Office  
101-C Mounts Bay Road  
Williamsburg, Virginia 23185

SECOND AMENDMENT TO  
PROFFERS

This Second Amendment to Proffers is made this 13<sup>th</sup> day of April, 2016 by UNIVERSITY SQUARE ASSOCIATES, a Virginia general partnership (together with its successors in title and assigns, the "Owner"), to be indexed as "Grantor." James City County, Virginia shall be indexed as "Grantee."

RECITALS

A. Owner is the owner of certain real property (the "Property") in James City County, Virginia now zoned MU – Mixed Use, and subject to Proffers dated October 15, 2014, which Proffers are recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City as Instrument No. 150010679, as amended by First Amendment to Proffers dated February 12, 2016 (the "Existing Proffers"). The Property is more particularly described in the Existing Proffers.

B. Owner desires to amend Condition 8 of the Existing Proffers as set forth below. All capitalized terms used herein not otherwise defined shall have the definition set forth in the Existing Proffers.

## AMENDMENTS TO CONDITIONS

1. The third sentence of Condition 8 of the Existing Proffers is hereby amended to read as follows:

“The buffers shall contain enhanced landscaping in accordance with the County's Enhanced Landscaping Policy as adopted April 9, 2013 and shall be consistent with the narrative description and conceptual cross-section of the buffer dated April 13, 2016 submitted to and on file with the County Planning Department.”

2. Except as specifically amended herein, the Existing Proffers remain unchanged and in full force and effect.

[remainder of page intentionally left blank – signatures appear on following page]

WITNESS the following signature.

UNIVERSITY SQUARE ASSOCIATES

By: *Gary L. Werner*

Title: MANAGER

STATE OF Virginia  
CITY/COUNTY OF Virginia Beach, to-wit:

The foregoing instrument was acknowledged before me this 13 day of ~~February~~ April,  
2016, by Gary L. Werner as Manager of UNIVERSITY SQUARE  
ASSOCIATES, a Virginia general partnership, on behalf of the partnership.

*Heidi Marie Macemore*

NOTARY PUBLIC

My commission expires: April 30, 2017  
Registration No.: 7562623

HEIDI MARIE MACEMORE  
NOTARY PUBLIC  
REGISTRATION # 7562623  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES  
APRIL 30, 2017

INSTRUMENT 170007500  
RECORDED IN THE CLERK'S OFFICE OF  
WILLIAMSBURG/JAMES CITY COUNTY ON  
April 13, 2017 AT 10:47 AM  
MONA A. FOLEY, CLERK  
RECORDED BY: CAF



OFFICIAL RECEIPT  
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT  
DEED RECEIPT

DATE : 04/13/2017                      TIME : 10:47:38                      CASE # : 830CLR170007500  
RECEIPT # : 17000013329    TRANSACTION # : 17041300040  
CASHIER : CAF                      REGISTER # : WD19                      FILING TYPE : OTHER                      PAYMENT : FULL PAYMENT  
INSTRUMENT : 170007500                      BOOK :                      PAGE :                      RECORDED : 04/13/2017                      AT : 10:47  
GRANTOR : UNIVERSITY SQUARE ASSOCIATES                      EX : N                      LOC : CO  
GRANTEE : UNIVERSITY SQUARE ASSOCIATES                      EX : N                      PCT : 100%  
RECEIVED OF : JAMES CITY COUNTY VIRGINIA  
ADDRESS : N/A  
DATE OF DEED : 04/13/2017  
CASH : \$0.00  
DESCRIPTION 1 : 2ND AMENDMENT TO PROFFERS DATED 4/13/2016                      PAGES : 003                      OP : 0  
NAMES : 0  
CONSIDERATION : \$0.00                      A/VAL : \$0.00                      MAP :                      PIN :

ACCOUNT CODE	DESCRIPTION	PAID
301	DEEDS	\$0.00

TENDERED : \$                      0.00  
AMOUNT PAID : \$                      0.00

CLERK OF COURT : MONA A. FOLEY

PAYOR'S COPY  
RECEIPT COPY 1 OF 2