

Tax Parcel: 2320100071F

Prepared by:

Vernon M. Geddy, III, Esquire (VSB#21902)

Geddy, Harris, Franck & Hickman, LLP

1177 Jamestown Road

Williamsburg, VA 23185

Return to:

County Attorney

101-D Mounts Bay Road

Williamsburg, Virginia 23185

FIRST AMENDMENT TO PROFFER AGREEMENT

This FIRST AMENDMENT TO PROFFER AGREEMENT is made this 20th day of March, 2020 by **NORGE PLAZA, INC.**, a South Carolina corporation (the "Owner"), and **CHESAPEAKE BANK**, a Virginia banking corporation (the "Bank"), each to be indexed as Grantor, and **JAMES CITY COUNTY, VIRGINIA**, to be indexed as Grantee .

RECITALS

A. Owner is the owner of James City Tax Parcel # 2320100071F located at 115 Norge Lane, James City County, Virginia, being more particularly described on Schedule A attached hereto (the "Property").

B. The Bank is the contract purchaser of the Property and proposes to put the Property to an office use.

C. The Property is now subject to proffered zoning conditions set forth in an Agreement dated June 2, 1988 made by Norge Center, Inc. and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in Deed Book 393 at page 826 (the "Existing Proffers"). The Existing Proffers limit the use of the property subject thereto, including the Property, to a "shopping center not to exceed 362,000 square feet of gross floor area."

D. The parties desire to amend the Existing Proffers to permit office uses on the Property.

NOW, THEREFORE, the Existing Proffers are hereby amended as follows:

1. Condition 1 of the Existing Proffers is amended by the addition of the following sentence:

"The foregoing limitation notwithstanding, the Property may be used for office uses. Any such office use shall be included within the 362,000 square feet of gross floor area limitation set forth in the preceding sentence."

2. Except as specifically modified by this Amendment, the Existing Proffers remain in full force and effect.

[signatures appear on following pages]

WITNESS the following signatures:

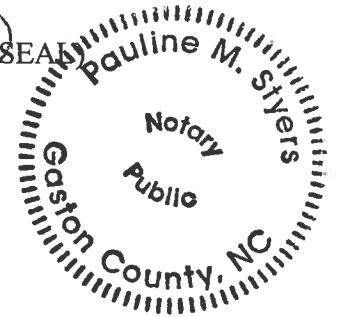
NORGE PLAZA, INC.

By: Joseph Pearson
Title: President

STATE OF North Carolina
COUNTY/CITY OF Gaston, to-wit:

The foregoing instrument was acknowledged before me in my aforesaid jurisdiction this 23rd day of March, 2020, by Joseph Pearson, as President of Norge Plaza, Inc. on behalf of the corporation.

Pauline M. Styers (SEAL)
NOTARY PUBLIC



My Commission expires: 5-30-23
Notary ID # 1425

CHESAPEAKE BANK

By: _____
Title: _____

STATE OF _____
COUNTY/CITY OF _____, to-wit:

The foregoing instrument was acknowledged before me in my aforesaid jurisdiction this _____ day of _____, 2020, by _____, as _____ of Chesapeake Bank, on behalf of the corporation.

NOTARY PUBLIC (SEAL)

My Commission expires: _____
Notary ID # _____

WITNESS the following signatures:

NORGE PLAZA, INC.

By: _____
Title: _____

STATE OF _____
COUNTY/CITY OF _____, to-wit:

The foregoing instrument was acknowledged before me in my aforesaid jurisdiction this _____ day of _____, 2020, by _____, as _____ of Norge Plaza, Inc. on behalf of the corporation.

(SEAL)
NOTARY PUBLIC

My Commission expires: _____
Notary ID # _____

CHESAPEAKE BANK

By: Leigh
Title: Leigh H. Houghland
Senior V.P.

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

The foregoing instrument was acknowledged before me in my aforesaid jurisdiction this 20th day of March, 2020, by Leigh H. Houghland, as Senior Vice President of Chesapeake Bank, on behalf of the corporation.

Donna Volkman-Mitchell
(SEAL)
NOTARY PUBLIC

My Commission expires: April 30, 2021
Notary ID # 303390



SCHEDULE A

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, TOGETHER WITH ALL IMPROVEMENTS THEREON, LYING AND BEING IN THE COUNTY OF JAMES CITY, VIRGINIA, AND BEING DESIGNATED AS "PARCEL 7, 05.7978 AC.," ON THAT CERTAIN PLAT DATED OCTOBER 6, 1994, MADE BY AES CONSULTING ENGINEERS, ENTITLED "ALTA/ACSM LAND TITLE SURVEY, PARCEL 7, NORGE PLAZA, INC.", A COPY OF WHICH PLAT IS RECORDED IN PLAT BOOK 60, PAGE 38.

BEING THE SAME REAL ESTATE CONVEYED TO NORGE PLAZA, INC., A SOUTH CAROLINA CORPORATION BY DEED FROM NORGE CENTER, INC., A VIRGINIA CORPORATION, DATED AUGUST 10, 1993 AND RECORDED AUGUST 10, 1993 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF JAMES CITY COUNTY, VIRGINIA IN DEED BOOK 634, PAGE 480.

INSTRUMENT 200017242
RECORDED IN THE CLERK'S OFFICE OF
WMSBG/JAMES CITY CIRCUIT ON
OCTOBER 9, 2020 AT 11:43 AM
MONA A. FOLEY, CLERK
RECORDED BY: EEO



**OFFICIAL RECEIPT
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT
DEED RECEIPT**

DATE : 10/09/2020 **TIME :** 11:44:08 **CASE # :** 830CLR200017242
RECEIPT # : 20000032175 **TRANSACTION # :** 20100900052
CASHIER : EEO **REGISTER # :** D593 **FILING TYPE :** AMEND **PAYMENT :** FULL PAYMENT
INSTRUMENT : 200017242 **BOOK :** **PAGE :** **RECORDED :** 10/09/2020 **AT :** 11:43
GRANTOR : NORGE PLAZA INC **EX :** N **LOC :** CO
GRANTEE : CHESAPEAKE BANK **EX :** N **PCT :** 100%
RECEIVED OF : JAMES CITY COUNTY
ADDRESS :
CASH : \$0.00
DESCRIPTION 1 : FIRST AMEND DB 393 PG 826 **PAGES :** 004 **OP :** 0
NAMES : 0
CONSIDERATION : \$0.00 **AVAL :** \$0.00 **PIN OR MAP :** 2320100071F

ACCOUNT CODE	DESCRIPTION	PAID	ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	\$0.00	145	VSLF	\$0.00
106	TECHNOLOGY TRST FND	\$0.00	301	CLERK RECORDING/INDEXING FEE	\$0.00

TENDERED : \$ 0.00
AMOUNT PAID : \$ 0.00