

Prepared by:  
Vernon M. Geddy, III, Esquire (VSB #21902)  
Geddy Harris Franck & Hickman, L.L.P.  
1177 Jamestown Road  
Williamsburg, Virginia 23185

Returned to COUNTY ATTORNEY  
101-D MOUNTS BAY  
WILLIAMSBURG, VA 23185

Tax Parcels: 3840100029C and 3840100029D

This AMENDMENT TO PROFFER AGREEMENT is made this 11<sup>th</sup> day of March, 2021 by JOHN GRIER CONSTRUCTION COMPANY, INC., a Virginia corporation (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 the real property and improvements thereon located at 3737 and 3741 Strawberry Plains Road, James City County, Virginia, James City Tax Parcels 3840100029D and 3840100029C, which is more particularly described on Exhibit A attached hereto (the "Property").

B. The Property is zoned LB, Limited Business and is subject to a Proffer Agreement made by Joseph and Essie Terrell recorded on July 22, 1986 in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in Deed Book 346 at page 59 (the "Existing Proffers").

C. Owner desires to amend the Existing Proffers as set forth below to offer to the County certain amended conditions on the development of the Property not generally applicable to land zoned LB. If the requested proffer amendment is not approved by James City County, this Amendment to Proffer Agreement shall be void and the Existing Proffers shall remain unchanged, in full force and effect.

CONDITIONS

The Existing Proffers as they apply to the Property only are hereby amended to read as follows:

1. Permitted Uses. All buildings or structures on the Property shall be used only for one or more of the following uses:

- Banks and other financial institutions
- Office supply stores 10,000 sq. ft. or less
- Business and professional offices
- Governmental offices
- Medical clinics or offices
- Contractor's offices (with materials and equipment storage limited to a fully

enclosed building)  
Accessory uses  
Antique shops  
Barber and beauty shops  
Dry cleaners and laundries  
Gift and souvenir stores  
Janitorial service establishments  
Pet stores and pet supply companies  
Photography, artist and sculptor stores and studios  
Printing, mailing, lithographing, engraving, photocopying, blueprinting and publishing establishments  
Security service offices.

2. Access. There shall only be one entrance/exit to and from the Property and it shall be located in the location of the existing entrance/exit with minor changes thereto approved by the Development Review Committee.

3. Outdoor Storage. There shall be no outdoor storage permitted on the Property.

WITNESS the following signatures and seals:

JOHN GRIER CONSTRUCTION COMPANY, INC.

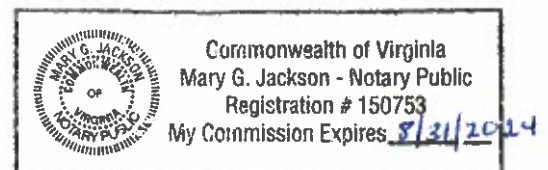
By: *JST*  
Title: \_\_\_\_\_

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

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2021 by Joseph S. Terrall, President of JOHN GRIER CONSTRUCTION COMPANY, INC., a Virginia corporation, on behalf of the corporation.

*Mary G. Jackson*  
NOTARY PUBLIC

My commission expires: 8/31/2024  
Registration No.: 150753



**EXHIBIT A  
PROPERTY DESCRIPTION**

All those certain lots or parcels of land situated in Berkeley (formerly Jamestown) Magisterial District, James City County, Virginia, shown and designated as Lots No. Two (2) and No. Three (3) on a certain plat entitled "Plat Showing Subdivision of Littlefield Farms Belonging to Jessie F. and Helen V. Slauson, Located in James City County, Virginia", dated April, 1958, and made by W. D. Thomas, C.L.S., said plat being recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in James City Deed Book 64, page 555.

INSTRUMENT 210009227  
RECORDED IN THE CLERK'S OFFICE OF  
WMSBG/JAMES CITY CIRCUIT ON  
MAY 5, 2021 AT 02:39 PM  
MONA A. FOLEY, CLERK  
RECORDED BY: SPA