

Tax Parcel: 2410100005B and 2410100005C

Prepared by:

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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 9<sup>th</sup> day of December, 2021 by **BUCKETS CAR WASH INC.**, a Virginia corporation ("Buckets"), and **HARBIN PROPERTIES LLC**, a Virginia limited liability company ("Harbin"), each to be indexed as Grantor, and **JAMES CITY COUNTY, VIRGINIA**, to be indexed as Grantee.

### RECITALS

A. Buckets is the owner of James City Tax Parcel # 2410100005B located at 6950 Richmond Road, James City County, Virginia, being more particularly described on Exhibit A attached hereto ("Parcel 2410100005B").

B. Harbin is the owner of James City Tax Parcel # 2410100005C located at 6940 Richmond Road, James City County, Virginia, being more particularly described on Exhibit B attached hereto ("Parcel 2410100005C"). Parcel 2410100005B and Parcel 2410100005C are herein sometimes referred to as the "Property."

B. The Property is now subject to proffered zoning conditions set forth in Proffers dated August 31, 2006 made by Hill Pleasant Farm, Inc. and Doug Harbin and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City as Instrument No. 060023805 (the "Existing Proffers").

D. The parties desire to amend Section 5 (d) of the Existing Proffers.

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

1. Section 5 (d) of the Existing Proffers is hereby amended in its entirety to read as follows:

"(d) Prior to final approval of a site plan for development on Parcel 2410100005C, a traffic signal warrant study for the Route 60 cross-over entrance to the Property shall be conducted to determine if the development proposed will generate sufficient traffic to warrant a traffic signal at the entrance. The signal warrant study shall be submitted to the County and VDOT for their review and approval. If the approved study determines such a signal is warranted, the owner

of Parcel 2410100005C shall install the signal prior to the issuance of any certificate of occupancy for development on Parcel 2410100005C or in accordance with a schedule as may be determined by VDOT and approved by the Director of Planning.”

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

WITNESS the following signatures:

**BUCKETS CAR WASH INC.**

By *Patrick McLaughlin*  
Title: *Director*

STATE OF *Virginia*  
COUNTY/CITY OF *James City*, to-wit:

The foregoing instrument was acknowledged before me in my aforesaid jurisdiction this *9th* day of *December*, 2021, by *Patrick McLaughlin*, as *Director* of Buckets Car Wash Inc., on behalf of the corporation.

*Amy Pritchard Cohen* (SEAL)  
NOTARY PUBLIC

My Commission expires: *06/30/2023*  
Notary ID # *7655079*



HARBIN PROPERTIES LLC

By: Wayne D. Harbin Jr.  
Title: Member

STATE OF Virginia  
COUNTY/CITY OF James City, to-wit:

The foregoing instrument was acknowledged before me in my aforesaid jurisdiction this 9th day of December, 2021, by Wayne D. Harbin Jr., as Vice President of Harbin Properties LLC, on behalf of the company.

Amy Pritchard Cohen (SEAL)  
NOTARY PUBLIC

My Commission expires: 06/30/2023  
Notary ID # 7655079



**Exhibit A**

**Description of Parcel 2410100005B**

All that certain lot, piece or parcel of land lying, being and situate in James City county, Virginia containing 3.440 acres, more or less, designated as "New Parcel "1" on that certain plat entitled, "PLAT OF SUBDIVISION PLEASANT HILL STATION" OWNED BY HARBIN PROPERTIES, L.L.C. STONEHOUSE DISTRICT JAMES CITY COUNTY, VIRGINIA," dated July 24, 2008 made by AES Consulting Engineers, which plat is recorded in the Clerk's office of the Circuit Court for the City of Williamsburg and County of James City, Virginia as Instrument Number 080026000, reference to which plat is here made for a more particular description of the property.

Exhibit B

Description of Parcel 2410100005C

All that certain lot, piece or parcel of land lying, being and situate in James City county, Virginia containing 1.885 acres, more or less, designated as "New Parcel "2" on that certain plat entitled, "PLAT OF SUBDIVISION PLEASANT HILL STATION" OWNED BY HARBIN PROPERTIES, L.L.C. STONEHOUSE DISTRICT JAMES CITY COUNTY, VIRGINIA," dated July 24, 2008 made by AES Consulting Engineers, which plat is recorded in the Clerk's office of the Circuit Court for the City of Williamsburg and County of James City, Virginia as Instrument Number 080026000, reference to which plat is here made for a more particular description of the property.

INSTRUMENT 202202412  
RECORDED IN THE CLERK'S OFFICE OF  
WMSBG/JAMES CITY CIRCUIT ON  
FEBRUARY 15, 2022 AT 01:42 PM  
MONA A. FOLEY, CLERK  
RECORDED BY: EXD



OFFICIAL RECEIPT  
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT  
DEED RECEIPT

DATE : 02/15/2022

TIME : 13:45:33

CASE # : 830CLR202202412

RECEIPT # : 22000004464

TRANSACTION # : 22021500116

CASHIER : EXO

REGISTER # : D593

FILING TYPE : OTHER

PAYMENT : FULL PAYMENT

INSTRUMENT : 202202412

BOOK :

PAGE :

RECORDED : 02/15/2022

AT : 13:42

GRANTOR : BUCKETS CAR WASH INC

EX : N

LOC : CO

GRANTEE : JAMES CITY COUNTY VIRGINIA

EX : N

PCT : 100%

RECEIVED OF : JAMES CITY COUNTY

ADDRESS :

CASH : \$0.00

DESCRIPTION 1 : PROFFERS PARC 3.440 AC PLEASANT HILL STATION

PAGES : 005

OP : 0

NAMES : 0

CONSIDERATION : \$0.00

AVAL : \$0.00

PIN OR MAP : 2410100005B

ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	\$0.00
106	TECHNOLOGY TRST FND	\$0.00

ACCOUNT CODE	DESCRIPTION	PAID
145	VSLF	\$0.00
301	CLERK RECORDING/INDEXING FEE	\$0.00

TENDERED : \$ 0.00

AMOUNT PAID : \$ 0.00