

Tax Parcel No. 54-30

PROFFERS

THESE PROFFERS are made this February 26 2006, by Patrick W. Casale, together with his successors and assigns, the "Owner".

RECITALS

- A. Owner legally possesses the tract or parcel of land located in Dinwiddie County, Virginia, with an address of Scotts Road, Dewitt, Virginia and being Tax Parcel No. 54-30, containing approximately 54.5 acres, (the "Property"),
- B. The Property is within the Rural Conservation Area on the County's Comprehensive Plan and is now zoned Agricultural, General A-2. Owner has applied to rezone the Property from Agricultural, General A-2 to Residential, Rural RR-1, with proffers as follows.
- C. Owner desires to offer to Dinwiddie County (the "County") certain conditions on the development of the Property not generally applicable to land zoned Residential, Rural RR-1.

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NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, Pursuant to §15.2-2298 of the Code of Virginia, 1950, as amended, and the County Zoning Ordinance, Owner agrees that he shall meet and comply with all of the following conditions in developing the Property. If the rezoning is not granted by the County these proffers shall be null and void.

CONDITIONS

1. A Dry Hydrant shall be installed into any existing pond with adequate access for fire vehicles, if requested by the County.
2. The radius of pavement in the cul-de-sac of the main road shall be a minimum of 45' radius for school bus and emergency vehicle turn around.
3. No structure shall be erected on any parcel of land in the subdivision other than dwellings for single-family occupancy and necessary appurtenant outbuildings, which said outbuildings may be used only for ancillary residential purposes. No dwellings or buildings will be used for commercial purposes other than home occupations, per approval by the County.
4. All residences shall not contain less than 2,000 square feet exclusive of porches, decks, carport or garage in the subdivision.
5. No trailer, shack, garage, barn or other outbuildings erected on the property shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted.
6. No manufactured homes, mobile homes or modular homes shall be allowed on any parcel, which such condition shall be included and enforced in the covenants and conditions.
7. No inoperable vehicles or unlicensed vehicles shall be allowed on any lot for over 30 days, unless stored in a fully enclosed garage, subject to applicable sections of the County Code.

8. No livestock or farm animals shall be permitted. However, pets, such as cats, dogs, horses, ponies or the like, shall be permitted, provided they do not constitute a nuisance to the other lot owners.
9. Prior to final County approval of any subdivision plat for the Property, the Owner shall furnish satisfactory evidence to the County Health Department and the County that there exists on each lot an effective site for a well and an effective site for a septic system of sufficient capacity to service the proposed improvements on such lot.
10. All streets in the subdivision shall meet state standards and shall be taken into the state road system.
11. In order to assist the County with mitigation of impacts on the County from the development of the Property, a contribution of \$5,629.00 per lot shall be paid to the County prior to the issuance of each building permit. The County may use these funds for any project in the County's Capital Improvement Plan, the need for which is generated in whole or in part by the physical development and operation of the Property.
12. The per lot contribution paid each year pursuant to §11 shall be adjusted annually beginning January 1, 2007 to reflect any increase or decrease for the preceding year in the Consumer Price Index, U.S. City Average, All Urban Consumers (CPI-U) All Items⁴⁰
¹ (1982-84 = 100)(the "CPI") prepared by the U. S. Bureau of Labor Statistics of the U. S. Department of Labor. In no event shall the per lot contribution be adjusted to a sum less than the amount set in §11. In the event the CPI is not available, another reliable government indicator approved by the County may be relied upon in establishing an inflationary factor for purposes of determining the per lot contribution to approximate the rate of annual inflation in the County.

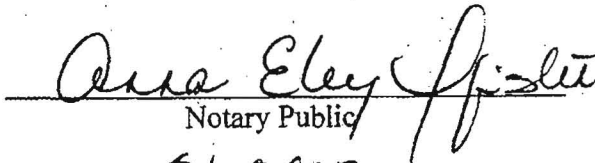
13. The Owner shall limit the total number of lots on the property to a maximum of fifteen (15).

WITNESS the following signatures:


PATRICK W. CASALE, Owner

STATE OF VIRGINIA,
County of Dinwiddie, to-wit:

The foregoing instrument was acknowledged this 16 day of February, 2006 by
PATRICK W. CASALE, Owner.


Notary Public

My commission expires: January 31, 2007

casalePROFFERS

INSTRUMENT #060004358
RECORDED IN THE CLERK'S OFFICE OF
DINWIDDIE ON
SEPTEMBER 6, 2006 AT 11:24AM
ANNIE L. WILLIAMS, CLERK