

PROFFERS
RZ 2004-SU-015/FDP 2004-SU-015
NATIONAL CAPITAL LAND & DEVELOPMENT, INC./
LOWE STREET
DATED: December 8, 2004

Pursuant to Section 15.2-2303 (A) of the Code of Virginia, 1950, as amended, the undersigned Applicant/Owners for both themselves and their successors and assigns (hereinafter collectively "Applicant") for property identified as Tax Map 034-2-((1)) parcel 18; Tax Map 034-4 ((1)) parcels 4-6; Tax Map 034-4 ((2)) parcels 1-12; Tax Map 034-4 ((3)) parcels 1-4 and 6-12 (hereinafter referred to as the "Application Property") hereby agree to the following Proffers, provided the rezoning to the PDH-5 District and the Conceptual and Final Development Plan identified below for the Application Property are approved.

CONCEPTUAL AND FINAL DEVELOPMENT PLAN:

1. Development of the Application Property shall be in substantial conformance with the Conceptual and Final Development Plan prepared by Bowman Consulting Group dated December 2003 and last revised on October 18, 2004 ("CDP/FDP").
2. Landscaping shall be in substantial conformance with the amount and type depicted on Sheet 5 of 7 of the CDP/FDP and may vary depending on final engineering but shall be in conformance with provisions of Article 13 of the Zoning Ordinance subject to the approval of the Urban Forest Management Branch ("UFMB").

MINOR MODIFICATIONS:

3. Pursuant to Par. 4 of Sect. 16-403 of the Fairfax County Zoning Ordinance, minor modifications from the approved CDP/FDP and these Proffers may be permitted as determined by the Zoning Administrator.
4. (a) The Applicant reserves the right to make minor adjustments to the layout, internal lot lines and utility line location on the proposed CDP/FDP at the time of subdivision plat submission based on final engineering and house locations and building footprints, without reducing peripheral setbacks, distance between proposed units, open space, or tree preservation areas, if such are in substantial conformance with the CDP/FDP as determined by the Zoning Administrator. The development shall conform to the typical lot layouts illustrated on Sheet 2 of 7 of the CDP/FDP: (i) a minimum of eighteen (18) foot front yards; (ii) a minimum of twenty (20) foot rear yards and no deck permitted closer than five (5) feet to the rear lot line; and (iii) a minimum five (5) foot side yards but minor ornamental encroachments such as brick returns will be permitted.

For all corner lots, the yard with the longest frontage on any street shall be deemed the side yard and the other yard with street frontage shall be deemed the front yard.

(b) The Applicant, with Final House Grading Plan submission, shall include the maximum size deck allowed for each unit set forth showing compliance with this Proffer. A copy of these Proffers, including the deck size matrix, shall be provided to every unit purchaser as part of the required documents to be disclosed in the Homeowners Association ("HOA") documents as set forth in Proffer 6(a).

(c) The Applicant will not install any window in any unit that would be opposite, either directly or with any portion of said windows overlapping, a window in an adjacent unit across a side yard unless there is a minimum of sixteen (16) feet between said units. The Applicant will not construct any building extensions (i.e., bay windows, chimneys, mechanical equipment) into the side yards of any unit which has a side yard of less than six (6) feet. Where any two walls of units are within twelve (12) feet or less of each other, the Applicant will construct one wall with material sufficient to withstand fire for a minimum of one hour and no more than 25% of the wall shall be openings such as doors or windows.

(d) On the following units which have sides visible to Public Streets: Lots 1, 10, 33, 37, 38, 46, 60, 69, 70, 73, 77, 79, 80, and 87 on the CDP/FDP, Applicant shall use materials for the side visible to Public Streets comparable in quality and to the same extent as the front elevation on the units.

DENSITY CREDIT:

5. The Applicant hereby reserves density credit as may be permitted by the Zoning Ordinance for all eligible dedications described herein or as may be reasonably required by Fairfax County or other state or local government organizations at the time of subdivision plat approval.

HOMEOWNERS ASSOCIATION:

6. (a) The Applicant shall prepare all the necessary documentation to form a homeowners association which HOA will eventually be controlled by the Homeowners as provided by state law.

(b) The HOA documents will contain: (i) a covenant which shall be recorded providing the garages shall only be used for a purpose that will not interfere with the intended purpose of garages (e.g., parking of vehicles), which shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the HOA, to be established, and the Fairfax County Board of Supervisors; and (ii) the limitations on location and construction of houses and accessory structures contained in Proffer 4. Prospective

purchasers shall be advised in writing of the use restrictions prior to entering into a contract of sale.

(c) The parcel known as Tax Map Number 34-4((3))0005 which is not a part of this rezoning application, shall be permitted to join the HOA to be formed per Proffer 6(a) if the owner of that parcel, now or in the future, elects to do so. Provided that upon joining, the owner of said parcel shall agree to allow the covenants to be recorded against such parcel in the land records of Fairfax County, Virginia and agree to be bound by them and the by-laws of the HOA, including payment of any dues or special assessments as if said parcel was a part of the HOA from inception.

(d) All sales literature shall include full disclosure of the proximity of Dulles International Airport and the potential for nearby low flying aircraft. Such disclosure shall be recorded in a form as approved by the County Attorney in perpetuity in deeds relating to the transfers of the Application Property and included in HOA documents.

7. Prior to approval of the record subdivision plat for development lots within the Application Property, the Applicant shall submit the documents establishing the HOA to the County of Fairfax (hereinafter "County") for review and approval. The HOA shall be established of record prior to approval of the record subdivision plat for the Application Property.

LIMITS OF CLEARING AND GRADING:

8. The Applicant shall substantially conform to the limits of clearing and grading as shown on the CDP/FDP, minor deviations based upon final engineering may be allowed. Placement and positioning of all utilities shall be done in the least disruptive manner possible, as determined by the Director of Department of Public Works and Environmental Services ("DPWES") or Virginia Department of Transportation if within public right-of-way. In the event that tree preservation areas shown to be protected are damaged, a tree replacement plan shall be submitted for review and approval by the UFMB.

TREE PRESERVATION

9. (a) The Applicant shall submit a tree preservation plan as part of the first and all subsequent subdivision plat submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect and reviewed and approved by the UFMB. The tree preservation plan shall consist of a tree survey which includes the location, species, size, crown spread and condition rating percent of all trees ten (10) inches or greater in diameter. The area to be surveyed shall be twenty (20) feet on either side of the limits of clearing and grading reflected on the approved CDP/FDP, including

off-site areas. Individual trees or grouping of trees to be preserved as reflected on the approved CDP/FDP shall be included. The tree survey shall also include areas of clearing and grading not shown on the CDP/FDP resulting from engineering requirements, such as off-site clearing and grading for utilities or stormwater outfall. The condition analysis shall be prepared using methods outlined in the latest edition of the Guide To Plant Appraisal, published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as, but not limited to: crown pruning; root pruning; mulching and fertilization and others as necessary, shall be included in the tree preservation plan.

(b) All trees to be preserved in the tree preservation plan shall be protected by fencing. Tree protection fencing shall be erected at the limits of clearing and grading. Materials and installation of tree protection fencing shall conform to the following standard:

Four foot high fourteen/gauge welded wire attached to six foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart.

The tree protection fencing shall be made clearly visible to all personnel by using fluorescent reflectors or orange coloring to call attention thereto. Fencing shall be installed prior to the performance of any clearing and grading activities on site. All tree preservation activities including the installation of tree protection fencing shall be performed under the supervision of a certified arborist or landscape architect. Prior to the commencement of any clearing and grading activities on the site the UFMB shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed.

(c) The demolition of existing features and structures shall be conducted in a manner that minimizes the impact on individual trees and groups of trees that are to be preserved as reviewed and approved by the UFMB. The methods to preserve the trees shall be shown on the grading plan submitted with the request for permission to demolish the structures. Methods to preserve existing trees may include, but are not limited to the following: use of super silt fence, welded wire tree protection fence, root pruning, mulching and others.

(d) The Applicant shall retain a professional with experience in plant appraisal, such as a certified arborist or landscape architect, to determine the replacement value of the trees to be preserved in the northeast corner of the site as shown on the CDP/FDP. These trees and their value shall be identified on the tree preservation plan and landscape plan at the time of the first submission of the subdivision plat. The replacement value shall be determined according to the methods contained in the latest edition of the Guide to Plant Appraisal, published by the International Society of Arboriculture, subject to the review and approval of the UFMB.

(c) At the time of subdivision plat approval, the Applicant shall post at its election, a cash escrow, bond or letter of credit payable to the County to ensure preservation and/or replacement of the designated trees that die or are dying due to construction activities. The terms of the letter of credit shall be subject to the approval of the County Attorney. The total amount of the cash bond or letter of credit shall be in the amount of the sum of the assigned replacement values of the designated trees.

(f) If the designated trees are found to be dead or dying at the time of final bond release by an UFMB representative, the cash escrow, bond or letter of credit shall be used to the fullest extent possible to plant similar species, or species appropriate to the site, in consultation with the UFMB and the Applicant's certified arborist. The cash escrow, bond or letter of credit shall not be used for the removal of the dead/dying trees normally required by the PFM and the Conservation Agreement. If the Applicant's certified arborist, in consultation with the UFMB representative, determine that only a certain number of trees can be planted due to space constraints which amounts to less than the full extent of the security, the remainder of the monies shall be returned to the Applicant. The cash escrow, bond or letter of credit shall be released at time of release of the projects conservation escrow, or sooner, if approved by the UFMB.

OPEN SPACE:

10. All open space areas shown on the CDP/FDP shall be dedicated and conveyed to the HOA and shall be landscaped generally as shown on Sheet 5 of 7 of the CDP/FDP, except for necessary crossings for placement of utilities as approved by DPWES, and/or for the installation of recreation facilities shown on the CDP/FDP. The areas shown as being outside the clearing and grading limits shall not be disturbed except to plant decorative and/or screening landscaping or to replace or erect barrier fences requested by neighboring property owners. The Applicant or HOA (when control is assumed by homeowners) will maintain the fence shown on Sheets 2 and 3 of 7 of the CDP/FDP along the common boundary with Armfield Farms and repair or replace any portion thereof that maybe damaged during construction or thereafter.

LANDSCAPING OF STORM WATER MANAGEMENT FACILITIES:

11. (a) Applicant shall comply with DPWES requirements for storm water management facilities as shown on the CDP/FDP but may request waivers or modifications thereto.

(b) In order to restore a natural appearance to the proposed storm water management facilities, a landscape plan shall be submitted as part of the first submission of the subdivision construction plan for review and approval by the UFMB. The plan shall show all easements and any restrictive planting easement for the storm water management facilities and extensive landscaping in all areas outside of that

restrictive planting easement, to the maximum extent feasible in accordance with the planting policies of Fairfax County. Applicant will employ "low impact development" ("LID"), if appropriate locations within the proposed dedicated open space can be identified. These LID practices may include reducing the discharge velocities leaving the Application Property, increased flow paths/time of concentration, provisions to promote sheet flow and forested restoration of currently non-wooded and maintained lawn areas located within the proposed dedicated open space.

(c) All utilities on the Application Property shall be located so as to not interfere with the landscaping shown on the proffered CDP/FDP, subject to the approval of the UFMB.

(d) If the proposed storm water management facilities are reduced in size or eliminated due to modification and/or waiver requests of Applicant being granted, those areas eliminated or portions thereof reduced will be retained as landscaped open space subject to review and approval of the UFMB.

AFFORDABLE DWELLING UNITS:

12. Affordable Dwelling Units ("ADU") shall be provided as shown on the CDP/FDP and per the policies of the Department of Housing and Community Development and constructed of substantially similar architectural materials (partial brick and vinyl siding) and details to the market rate units.

ENERGY CONSERVATION:

13. All homes on the Application Property will meet the thermal guidelines of the CABO for energy efficient homes or its equivalent, as determined by DPWES for either electric or gas energy systems.

RECREATION FACILITIES:

14. (a) Based upon the Zoning Ordinance, Sections 6-110 and 16-404, the Applicant shall provide \$955.00 per residential unit for outdoor recreational facilities to serve the development which yields a one-time contribution of \$83,085.00 to the Fairfax County Park Authority. This contribution shall be reduced by the cost of those creditable expenses within the linear park and recreation areas set for on Sheets 6 and 7 of the CDP/FDP and as approved by DPWES. This contribution shall be made at the time of the approval of the subdivision plat.

(b) In order to offset the additional impact caused by the proposed development less credit for the onsite active recreation facilities, the Applicant shall simultaneously with the aforesaid contribution make an additional contribution to the

Fairfax County Park Authority of \$84,042.00. This contribution shall be made at the time of the approval of the subdivision plat.

PUBLIC SCHOOLS:

15. The Applicant shall make a one-time monetary "Public Schools" contribution of \$277,500.00 to the Fairfax County Board of Supervisors for the projected increase in students attributed to the approved rezoning. Said contributions shall be directed toward needs at the Lees Corner Elementary, Franklin Middle, and Chantilly High Schools as determined by the Sully District School Board Representative. This contribution shall be made at the time of subdivision plat approval.

CENTREVILLE ROAD DEDICATION AND CONSTRUCTION:

16. Subject to Virginia Department of Transportation ("VDOT") and DPWES approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way for the widening of Centreville Road along the Application Property's frontage up to 66 feet from the existing VDOT centerline as shown on Sheet 2 of 7 of the CDP/FDP at the time of subdivision plat approval or upon demand of the County, whichever occurs first, and any necessary temporary construction easements associated with the improvement. Any area along Centreville Road frontage within that 66 feet not required to be permanently dedicated will be open space as set forth in Proffer 10 hereof. The Applicant shall construct frontage improvements along its Centreville Road frontage as shown on Sheet 2 of 7 of the CDP/FDP; or if previously constructed by the others or, at the discretion of Fairfax County, the Applicant may contribute the cost to Fairfax County of the aforesaid frontage improvements less the actual cost of improvements installed by the Applicant to the benefit of and consistent with the ultimate VDOT Project. The Applicant shall relocate and underground all overhead utilities along the Application Property frontage outside of the ultimate edge of road improvements in conjunction with the development of the Property; if the frontage improvements are constructed by others, the Applicant shall dedicate any necessary utility easements as needed. Along its Centreville Road frontage, the Applicant shall construct a ten (10) foot wide asphalt trail to align with the Chantilly Green trail along Centreville Road within the public street right-of-way.

17. (a) If it is determined by VDOT that the intersection of Centreville Road and Lowe Street warrants a traffic signal, the Applicant shall contribute fifty percent of the signal cost to Fairfax County at the time of subdivision plat recordation. In addition, any right-of-way or easements necessary for the installation of the signal from the Application Property shall be dedicated to Fairfax County at the time of subdivision plat approval or upon demand, whichever occurs first.

(b) If a left turn lane into Lowe Street for southbound traffic on Centreville Road has not been constructed by others, the Applicant shall construct such a

turn lane. No Residential Use Permits (RUPs) shall be issued before such a turn lane is constructed and open for traffic.

(c) In the event that the widening of Centreville Road per VDOT Project 0657-029-281, C502 has not been completed prior to the issuance of the first RUP. The Applicant shall construct an interim right turn lane into Lowe Street for northbound traffic on Centreville Road. The Applicant may request from Fairfax County any escrow that the County has collected for this improvement.

18. Applicant has applied for the abandonment/vacation of the existing right-of-way of Lowe Street, Louise Avenue and Armfield Street and their abandonment/or realignment on Applicant's Property. If abandoned/vacated, Applicant shall develop these areas as shown on the CDP/FDP. Should the abandonment/vacation of any of said streets, and subsequent realignment not occur, Applicant shall apply for a Proffered Condition Amendment/Final Development Plan Amendment, which may result in a loss of density. The Applicant hereby waives any right to claim or assert (i) vested right in any plan approved under the assumption of accomplishment of such vacation and/or abandonment, or (ii) a taking or any other cause of action that otherwise may have arisen out of a Board decision to deny in whole or in part the right-of-way vacation and/or abandonment request.

SIGNS

19. No temporary signs (including "popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or any builder or at the Applicant's or any builder's direction to assist in the initial marketing and sale of homes on the subject Property. Furthermore, the Applicant and every builder shall direct its agents and employees involved in marketing and/or sale of residential units on the subject Property to adhere to this proffer.

PRIVATE STREET:

20. The Applicant will construct all private streets on Application Property in conformance with the Public Facilities Manual standard TS-5A with a minimum thirty-four (34) foot easement and minimum twenty-four (24) foot pavement width. Said private streets shall be constructed with materials and depth of pavement pursuant to the provisions of Section 7-0502 of the Public Facilities Manual. Sidewalks will be provided on the public and private streets as shown on the CDP/FDP. The HOA will be responsible for maintenance, snow removal and general upkeep of the private streets and sidewalks, only. Prospective purchasers shall be advised in writing prior to signing the contract of sale that some of the streets are public and maintained by Fairfax County and some are private and the duty of the HOA to maintain the private streets and sidewalks

and same shall be in the HOA documents. Applicant shall also deposit \$10,000.00 into an escrow account established for the benefit of the HOA to provide for the future maintenance of the private streets. Said deposit shall be made when control of the HOA is assumed by the individual homeowners with the responsibility for maintenance of all common areas including the private streets or at final bond release by Fairfax County, whichever occurs first.

21. Applicant shall remove the traffic barrier and connect Lowe Street into Vernacchia Drive on the Western side of Chantilly Green Property and remove the traffic barrier and connect Sangiovese Street from the Northern side of Chantilly Green into Application Property in general conformance with what is shown on the CDP/FDP no later than the acceptance of Lowe Street into the Virginia Road System by VDOT. Said connections shall be constructed according to PFM standards for connecting private streets with public streets or private streets with private streets, as applicable.

LIGHTING:

22. All lighting installed on the property shall conform to the requirements of Part 9, Outdoor Lighting, of Article 14, Performance Standards, of the Fairfax County Zoning Ordinance.

BLASTING:

23. If blasting is required, and before any blasting occurs on the Application Property, the Applicant or its successors will insure that blasting is done per Fairfax Fire Marshal requirements and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats shall be implemented. In addition, the Applicant or its successors shall:

(a) A professional consultant shall be retained to perform a pre-blast survey of each house or residential building located within one hundred fifty (150) feet and residences with a well within two hundred fifty (250) feet of the property boundary as shown on Exhibit 1 attached hereto; written confirmation that it has been done will be given to DPWES and copies of the survey shall be provided to Fairfax County upon request prior to any blasting being done on-site.

(b) The consultant shall be required to request access by way of certified mail to the last known address of the owner(s) of any house, buildings, swimming pools or wells that are located within the aforesaid ranges if permitted by owner, to determine the pre-blast conditions of these structures. The consultant will be required to give a minimum of fourteen (14) days notice of the scheduling of the pre-blast survey. All owners of structures entitled to pre-blast inspections shall be provided with the name, address, and phone number of the blasting contractor's insurance carrier.

(c) The consultant shall be required to place seismographic instruments prior to blasting to monitor the shock waves. Seismographic monitoring records shall be provided to County agencies upon their request.

(d) Residences within 150 feet of the property boundary shall be notified ten (10) days prior to blasting, no blasting shall occur until such notice has been given.

(e) Upon receipt of a claim of actual damage resulting from said blasting, the consultant shall respond within five (5) days by meeting at the site of the alleged damage to confer with the property owner. Any verified claims for damage due to blasting shall be expeditiously resolved.

(f) Blasting subcontractors shall be required to maintain necessary liability insurance to cover the costs of repairing any damages to structures that are directly attributable to the blasting activity.

(g) The consultant shall be required to provide an analysis of the potential for gas migration from the site to the Fire Marshal for review and approval prior to blasting, and appropriate mitigation or notification as determined by the Fire Marshal shall be implemented.

HERITAGE RESOURCE DOCUMENTATION:

24. For the purpose of recording and documenting relevant historic information prior to demolition, the Applicant shall cause the Coates house located at Tax Map 34-4((1)) 006 to be photographed and documented, prior to demolition, by a consultant listed either in the Virginia Department of Historic Resources ("VDHR") or the Maryland Historical Trust Preservation Consultant Directory or by a certified professional architectural historian. Photographic recordation and written documentation and description of the house, its construction, its occupants and significant events that occurred on the Property shall be accomplished to a standard as required for a VDHR "Intensive Level Survey" using VDHR Preliminary Information Form, and shall be completed prior to demolition of the existing house. Said documentation shall include a sketch plan drawing, as indicated in the Historic American Building ("HABS") Documentation Level III. All photographs (including negatives), written documentation and sketches shall be submitted to the Virginia Room of the Fairfax County Public Library and to the Fairfax County Department of Planning and Zoning ("DPZ"). A minimum of thirty (30) days prior to demolition of the Coates house, the Applicant shall provide DPZ with written notice and shall permit representatives of DPZ, the History Commission and the Fairfax County Park Authority access to the house during said 30-day period. Said representatives shall be required to sign waivers of liability for their presence on the Property, if requested by the Applicant.

NOISE IMPACT STUDY

25. (a) Prior to final subdivision plat approval, the Applicant shall provide to DPWES and DPZ an acoustical study ("Study") for review and approval in accordance with DPZ's established guidelines for such Study, to assess the impact of transportation noise from Centreville Road on the proposed development based on final house locations. The Study shall utilize standard measures to evaluate noise, and shall confirm existing mapped noise contour intervals which demonstrate that interior noise levels for both ground and upper story levels of any unit does not exceed DNL 45 dBA and that exterior noise within the privacy yards and outdoor recreational areas does not exceed DNL 65 dBA. A fence or noise attenuation wall, if either is necessary, may be constructed along the Centreville Road Frontage to reduce the exterior noise. It shall be solid from the ground up, with no gaps and no openings, not to exceed the height as permitted by Fairfax County Zoning Ordinance, with the need, size and final location to be established after completion of Study above.

(b) In order to reduce interior noise to a level of approximately DNL 45 dBA in those units within a noise impact zone of DNL 65 dBA or above ("Impact Zone"), if determined necessary by the Study required in Proffer number 25(a) above, Applicant shall construct the units with the following acoustical treatment measure:

(i) Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 39.

(ii) Doors and windows shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the windows shall have an STC rating of at least 39.

(iii) All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials ("ASTM") to minimize sound transmission.

(c) Any units which are determined by the Study to be within a noise impact zone of DNL 70 dBA or above shall be identified on the subdivision plat, and shall be constructed with the following acoustical treatment measures in order to reduce interior noise to a level of approximately DNL 45 dBA in those units:

(i) Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 45.

(ii) Doors and windows shall have a laboratory STC rating of at least 37 unless glazing constitutes more than 20 % of any façade exposed to noise

levels of DNL 70 dBA or above. If glazing constitutes more than 20% of an exposed façade, then the windows shall have an STC rating of at least 45.

(iii) All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials ("ASTM") to minimize sound transmission.

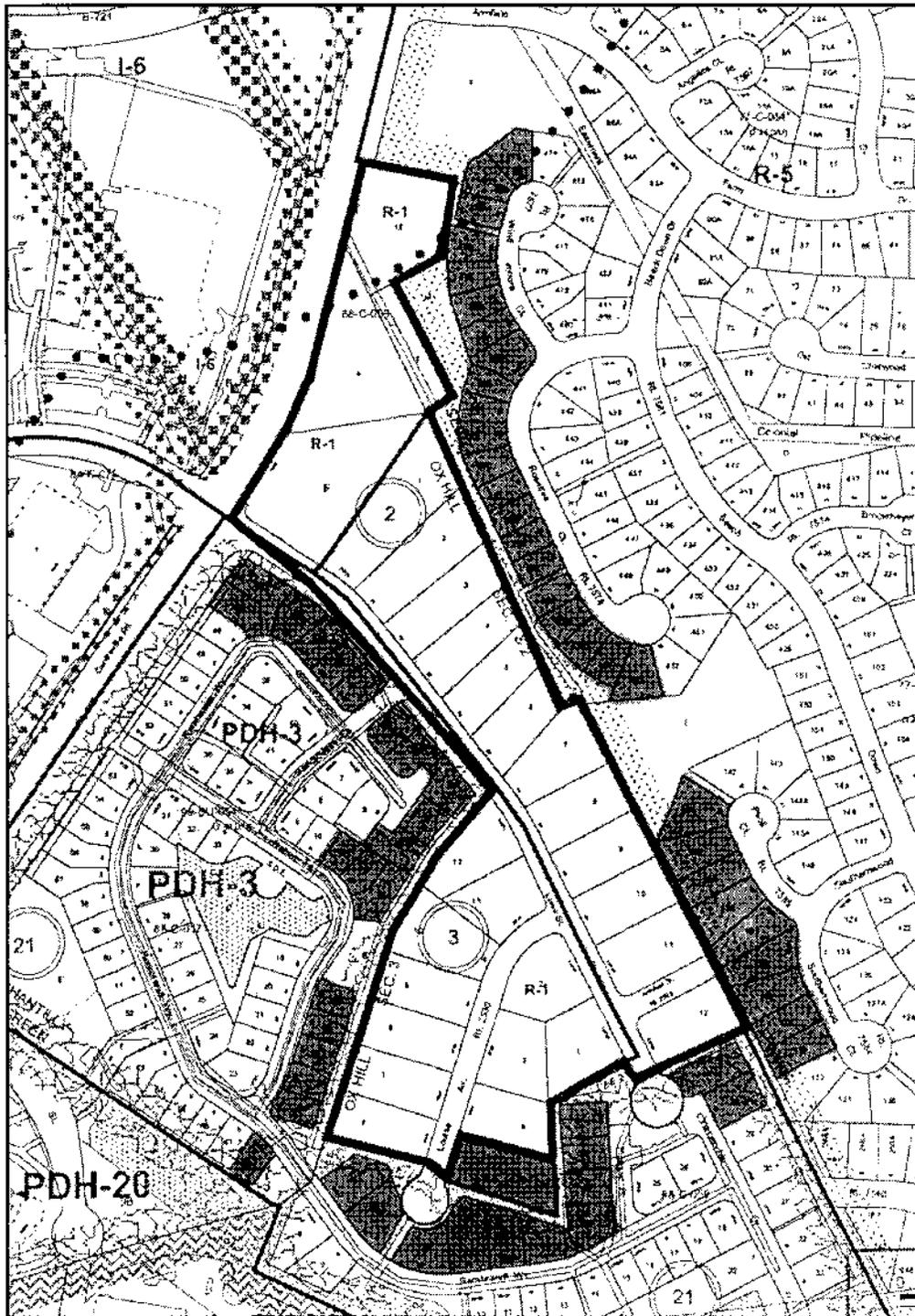
(d) The areas within the Impact Zone along with the units receiving the acoustical treatment measures, shall be identified as set forth in (b) and (c) above on the subdivision plat.

SIGNATURE PAGES FOLLOW THIS PAGE

Blasting Proffer - Affected Properties

Parcels with Houses within 150' of Centreville/Lowe Street Redevelopment

Note: There are no parcels on wells within 250' of Centreville/Lowe



*Shaded Parcels Subject to Blasting Proffer
see following list for tax map number and addresses*

Parcel No.						Address	
Low Street Subdivision (Parcel Not Included in Consolidation)							
034	-	4	-	03	-	0 - 5	3805 Louise Avenue
Armfield Farms							
034	-	4	-	10	-	0 - 133	13714 Southernwood Court
034	-	4	-	10	-	0 - 134	13712 Southernwood Court
034	-	4	-	10	-	0 - 135	13710 Southernwood Court
034	-	4	-	10	-	0 - 136	13708 Southernwood Court
034	-	4	-	10	-	0 - 137	3644 Paoli Court
034	-	4	-	10	-	0 - 138	3642 Paoli Court
034	-	4	-	10	-	0 - 139	3640 Paoli Court
034	-	4	-	10	-	0 - 140	3638 Paoli Court
034	-	4	-	10	-	0 - 141	3636 Paoli Court
034	-	4	-	10	-	0 - 453	13730 Rosetree Court
034	-	4	-	10	-	0 - 454	13728 Rosetree Court
034	-	4	-	10	-	0 - 455	13726 Rosetree Court
034	-	4	-	10	-	0 - 456	13724 Rosetree Court
034	-	4	-	10	-	0 - 457	13722 Rosetree Court
034	-	4	-	10	-	0 - 458	13720 Rosetree Court
034	-	4	-	10	-	0 - 459	13718 Rosetree Court
034	-	4	-	10	-	0 - 460	13716 Rosetree Court
034	-	4	-	10	-	0 - 461	13714 Rosetree Court
034	-	4	-	10	-	0 - 462	13712 Rosetree Court
034	-	4	-	10	-	0 - 463	13710 Rosetree Court
034	-	4	-	10	-	0 - 464	13708 Rosetree Court
034	-	4	-	10	-	0 - 465	13706 Rosetree Court
034	-	4	-	10	-	0 - 466	3614 Windmoore Court
034	-	4	-	10	-	0 - 467	3612 Windmoore Court
034	-	4	-	10	-	0 - 468	3610 Windmoore Court
034	-	4	-	10	-	0 - 469	3608 Windmoore Court
034	-	4	-	10	-	0 - 470	3606 Windmoore Court
034	-	4	-	10	-	0 - 471	3604 Windmoore Court
034	-	4	-	10	-	0 - 472	3602 Windmoore Court
034	-	4	-	10	-	0 - 473	3600 Windmoore Court
Chantilly Green							
034	-	4	-	21	-	0 - 47	13840 Rembrandt Way
034	-	4	-	21	-	0 - 46	13838 Rembrandt Way
034	-	4	-	21	-	0 - 45	13836 Rembrandt Way
034	-	4	-	21	-	0 - 44	13834 Rembrandt Way
034	-	4	-	21	-	0 - 43	13832 Rembrandt Way
034	-	4	-	21	-	0 - 42	13830 Rembrandt Way
034	-	4	-	21	-	0 - 1	13828 Rembrandt Way
034	-	4	-	21	-	0 - 2	13826 Rembrandt Way
034	-	4	-	21	-	0 - 3	13822 Rembrandt Way
034	-	4	-	21	-	0 - 4	13820 Rembrandt Way
034	-	4	-	21	-	0 - 5	13821 Rembrandt Way
034	-	4	-	21	-	0 - 11	3715 Renoir Terrace
034	-	4	-	21	-	0 - 12	3717 Renoir Terrace
034	-	4	-	21	-	0 - 13	3719 Renoir Terrace
034	-	4	-	21	-	0 - 14	3723 Renoir Terrace
034	-	4	-	21	-	0 - 15	3725 Renoir Terrace
034	-	4	-	21	-	0 - 16	3727 Renoir Terrace
034	-	4	-	21	-	0 - 17	3729 Renoir Terrace
034	-	4	-	21	-	0 - 18	3731 Renoir Terrace
034	-	4	-	21	-	0 - 68	13882 Rembrandt Way

<u>Parcel No.</u>	<u>Address</u>
034 - 4 - 21 - 2 - 4	13891 Rembrandt Way
034 - 4 - 21 - 2 - 5	13893 Rembrandt Way
034 - 4 - 21 - 2 - 6	13895 Rembrandt Way
034 - 4 - 21 - 2 - 7	13897 Rembrandt Way
034 - 4 - 21 - 2 - 8	13899 Rembrandt Way
034 - 4 - 21 - 2 - 9	13901 Rembrandt Way
034 - 4 - 21 - 2 - 21	3756 Picasso Place
034 - 4 - 21 - 2 - 22	3754 Picasso Place
034 - 4 - 21 - 2 - 23	3752 Picasso Place
034 - 4 - 21 - 2 - 24	3750 Picasso Place
034 - 4 - 21 - 2 - 27	3761 Vernacchia Drive
034 - 4 - 21 - 2 - 28	3763 Vernacchia Drive

OWNERS:

By: _____
Name: Phyllis C. O'Neill
Property Owner of TM# 034-2-01-0018
Address: 3611 Centreville Road

By: Auston E. O'Neill
Name: Auston E. O'Neill
Property Owner of TM# 034-2-01-0018
Address 3611 Centreville Road

By: _____
Name: Leo S. Coates
Property Owner of TM# 034-4-01-0004
Address: 3621 Centreville Road
Property Owner of TM# 034-4-01-0005
Address: None Assigned

By: _____
Name: Sheila B. Coates
Property Owner of TM# 034-4-01-0004
Address 3621 Centreville Road
Property Owner of TM# 034-4-01-0005
Address: None Assigned

Joseph R. Jelinski and Aileen C. Jelinski Living Trust Agreement

By: _____
Name: John E. Jelinski, Trustee
Property Owner of TM# 034-4-01-0006
Address: 3625 Centreville Road

The Hruz Family Trust

The Hruz Family Trust

By: _____
Name: Stanley J. Hruz, Trustee
Property Owner of TM# 034-4-02-0001
Address: 13778 Lowe Street

By: _____
Name: Juanita D. Hruz, Trustee
Property Owner of TM# 034-4-02-0001
Address 13778 Lowe Street

By: _____
Name: Jason B. McWhirter
Property Owner of TM# 034-4-02-0002
Address: 13774 Lowe Street

By: _____
Name: Sarah M. McWhirter
Property Owner of TM# 034-4-02-0002
Address 13774 Lowe Street

By: _____
Name: William Dale Lowe

Property Owner of TM# 034-4-02-0003
Address: 13770 Lowe Street
Property Owner of TM# 034-4-02-0004
Address: 13766 Lowe Street

By: _____
Name: Mary Ellen H. Lowe, a/k/a
Mary H. Lowe
Property Owner of TM# 034-4-02-0003
Address 13770 Lowe Street
Property Owner of TM# 034-4-02-0004
Address: 13766 Lowe Street

OWNERS:

By: _____
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Address: 3621 Centreville Road
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Address: None Assigned

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Address: 13778 Lowe Street

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Address 13774 Lowe Street

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Property Owner of TM# 034-4-02-0002
Address: 13774 Lowe Street

By: _____
Name: Mary Ellen H. Lowe, a/k/a
Mary H. Lowe
Property Owner of TM# 034-4-02-0003
Address 13770 Lowe Street
Property Owner of TM# 034-4-02-0004
Address: 13766 Lowe Street

By: _____
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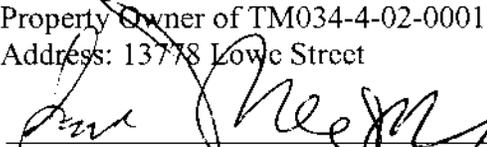
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Address: 3625 Centreville Road

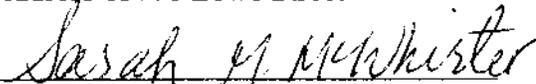
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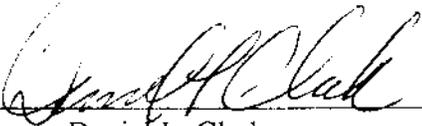
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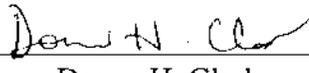
By: _____
Name: Jason B. McWhirter
Property Owner of TM# 034-4-02-0002
Address: 13774 Lowe Street

By: _____
Name: Sarah M. McWhirter
Property Owner of TM# 034-4-02-0002
Address 13774 Lowe Street

By: William Dale Lowe
Name: William Dale Lowe
Property Owner of TM# 034-4-02-0003
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By: Mary H. Lowe
Name: Mary Ellen H. Lowe, a/k/a
Mary H. Lowe
Property Owner of TM# 034-4-02-0003
Address 13770 Lowe Street
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Address: 13766 Lowe Street

By: 
Name: Daniel L. Clark
Property Owner of TM# 034-4-02-0005
Address: 13762 Lowe Street

By: 
Name: Donna H. Clark
Property Owner of TM# 034-4-02-0005
Address 13762 Lowe Street

By: _____
Name: Marshall C. Smith
Property Owner of TM# 034-4-02-0006
Address: 13758 Lowe Street

By: _____
Name: Cecelia J. Smith
Property Owner of TM# 034-4-02-0006
Address 13758 Lowe Street

By: _____
Name: Craig J Mosier
Property Owner of TM# 034-4-02-0007
Address: 13754 Lowe Street

By: _____
Name: Laurie J. Mosier
Property Owner of TM# 034-4-02-0007
Address 13754 Lowe Street

By: _____
Name: James R. McLearn
Property Owner of TM# 034-4-02-0008
Address: 13750 Lowe Street

By: _____
Name: Martena S. McLearn
Property Owner of TM# 034-4-02-0008
Address 13750 Lowe Street

By: _____
Name: Lewis C. Loudermilk, Jr.
Property Owner of TM# 034-4-02-0009
Address: 13746 Lowe Street

By: _____
Names: Sandra J. Loudermilk
Property Owner of TM# 034-4-02-0009
Address 13746 Lowe Street

By: _____
Name: Alice R. Loudermilk (deceased),
Lewis C. Loudermilk, Jr., Administrator of
the Estate of Alice R. Loudermilk
Property Owner of TM# 034-4-02-0009
Address: 13746 Lowe Street

By: _____
Name: John C. Huang
Property Owner of TM# 034-4-02-0010
Address: 13742 Lowe Street

By: _____
Name: Lamar A. Weikle
Property Owner of TM# 034-4-02-0011
Address: 13738 Lowe Street

By: _____
Name: Ova Weikle
Property Owner of TM# 034-4-02-0011
Address 13738 Lowe Street

By: _____
Name: Daniel L. Clark
Property Owner of TM# 034-4-02-0005
Address: 13762 Lowe Street

By: _____
Name: Donna H. Clark
Property Owner of TM# 034-4-02-0005
Address 13762 Lowe Street

By: Marshall C. Smith
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Property Owner of TM# 034-4-02-0006
Address: 13758 Lowe Street

By: Cecelia J. Smith
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Property Owner of TM# 034-4-02-0006
Address 13758 Lowe Street

By: _____
Name: Craig J. Mosier
Property Owner of TM# 034-4-02-0007
Address: 13754 Lowe Street

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Name: James R. McLearn
Property Owner of TM# 034-4-02-0008
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Address: 13746 Lowe Street

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Names: Sandra J. Loudermilk
Property Owner of TM# 034-4-02-0009
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By: _____
Name: Alice R. Loudermilk (deceased),
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the Estate of Alice R. Loudermilk
Property Owner of TM# 034-4-02-0009
Address: 13746 Lowe Street

By: _____
Name: John C. Huang
Property Owner of TM# 034-4-02-0010
Address: 13742 Lowe Street

By: _____
Name: Lamar A. Weikle
Property Owner of TM# 034-4-02-0011
Address: 13738 Lowe Street

By: _____
Name: Ova Weikle
Property Owner of TM# 034-4-02-0011
Address 13738 Lowe Street

By: _____
Name: Daniel L. Clark
Property Owner of TM# 034-4-02-0005
Address: 13762 Lowe Street

By: _____
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Property Owner of TM# 034-4-02-0005
Address 13762 Lowe Street

By: _____
Name: Marshall C. Smith
Property Owner of TM# 034-4-02-0006
Address: 13758 Lowe Street

By: _____
Name: Cecelia J. Smith
Property Owner of TM# 034-4-02-0006
Address 13758 Lowe Street

By: *Craig Mosier*
Name: Craig J. Mosier
Property Owner of TM# 034-4-02-0007
Address: 13754 Lowe Street

By: *Laurie Mosier*
Name: Laurie J. Mosier
Property Owner of TM# 034-4-02-0007
Address 13754 Lowe Street

By: _____
Name: James R. McLearen
Property Owner of TM# 034-4-02-0008
Address: 13750 Lowe Street

By: _____
Name: Martena S. McLearen
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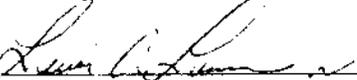
By: _____
Name: Cccelia J. Smith
Property Owner of TM# 034-4-02-0006
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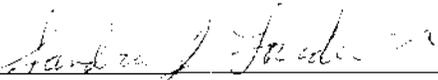
By: _____
Name: Craig J. Mosier
Property Owner of TM# 034-4-02-0007
Address: 13754 Lowe Street

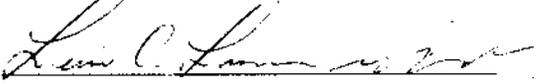
By: _____
Name: Laurie J. Mosier
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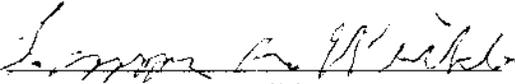
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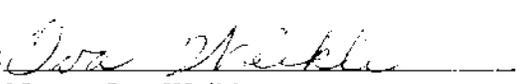
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By: George Drosos
Name: George Drosos
Property Owner of TM# 034-4-02-0012
Address: 13732 Lowe Street

By: Catherine Drosos
Name: Catherine Drosos
Property Owner of TM# 034-4-02-0012
Address 13732 Lowe Street

By: _____
Name: Nancy W. Carr
Property Owner of TM# 034-4-03-0001
Address: 13733 Lowe Street
Property Owner of TM# 034-4-03-0002
Address: 13737 Lowe Street

By: _____
Name: Cullen B. Tilman
Property Owner of TM# 034-4-03-0003
Address: 3735 Louisc Avenue

By: _____
Name: Everett H. Curtis, Trustee,
for the benefit of Michael Wayne Curtis
and Debbie Lynn Curtis
Property Owner of TM# 034-4-03-0004
Address: 3801 Louise Avenue

By: _____
Name: Michael G. Moore
Property Owner of TM# 034-4-03-0006
Address: 3804 Louise Avenuc

By: _____
Name: Arjen Weiss
Property Owner of TM# 034-4-03-0007
Address: 3800 Louise Avenue

By: _____
Name: Wilhelmina Weiss
Property Owner of TM# 034-4-03-0007
Address: 3800 Louise Avenue

By: _____
Name: Wilma Weiss
Property Owner of TM# 034-4-03-0008
Address: 3736 Louise Avenue

By: _____
Name: Ricky A. Spraggs
Property Owner of TM# 034-4-03-0009
Address: 3732 Louise Avenue

By: _____
Name: George Drosos
Property Owner of TM# 034-4-02-0012
Address: 13732 Lowe Street

By: _____
Name: Catherine Drosos
Property Owner of TM# 034-4-02-0012
Address: 13732 Lowe Street

By: *Nancy W. Carr*
Name: Nancy W. Carr
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Address: 13737 Lowe Street

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Address: 13737 Lowe Street

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Address: 3735 Louise Avenue

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Property Owner of TM# 034-4-02-0012
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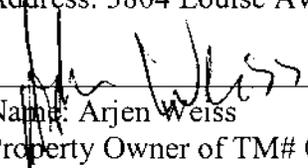
By: _____
Name: Catherine Drosos
Property Owner of TM# 034-4-02-0012
Address 13732 Lowe Street

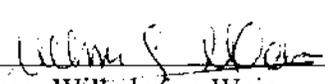
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Property Owner of TM# 034-4-03-0008
Address: 3736 Louise Avenue

By:  _____
Name: Ricky A. Spraggs
Property Owner of TM# 034-4-03-0009
Address: 3732 Louise Avenue

By: Michael Spraggs
Name: Michael Spraggs
Property Owner of TM# 034-4-03-0010
Address: 3728 Louise Avenue
Property Owner of TM# 034-4-03-0012
Address: 13751 Lowe Street

By: Lucy M. Spraggs
Name: Lucy M. Spraggs
Property Owner of TM# 034-4-03-0010
Address: 3728 Louise Avenue
Property Owner of TM# 034-4-03-0012
Address: 13751 Lowe Street

By: _____
Name: Carole F. Curtis
Property Owner of TM# 034-4-03-0011
Address: 3724 Louise Avenue

The Board of Supervisors of Fairfax County, Title Owner of: public right-of-way of Louise Avenue (Rte. 2530); Lowe Street (Rte. 2528); and Armfield Street (Rte. 2529) adjacent to Tax Map Numbers: 34-2((1))18, 34-4((1)) 4, 5, 6; 34-4((2)) 1-12; 34-4((3)) 1-4, 6-12

By: _____
Name: Anthony H. Griffin, County
Executive/Agent, Trustee

NATIONAL CAPITAL LAND & DEVELOPMENT, INC.

By _____
F. Gary Garczynski, President

By: _____
Name: Michael Spraggs
Property Owner of TM# 034-4-03-0010
Address: 3728 Louise Avenue
Property Owner of TM# 034-4-03-0012
Address: 13751 Lowe Street

By: _____
Name: Lucy M. Spraggs
Property Owner of TM# 034-4-03-0010
Address: 3728 Louise Avenue
Property Owner of TM# 034-4-03-0012
Address: 13751 Lowe Street

By: Carole F. Curtis
Name: Carole F. Curtis
Property Owner of TM# 034-4-03-0011
Address: 3724 Louise Avenue

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By: _____
Name: Anthony H. Griffin, County
Executive/Agent, Trustee

NATIONAL CAPITAL LAND & DEVELOPMENT, INC.

By: _____
F. Gary Garczynski, President

AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, by and between National Capital Land & Development, Inc. ("Contract Purchaser"); Phyllis C. O'Neill, Auston E. O'Neill, Leo S. Coates, Sheila B. Coates, John E. Jelinski, Trustee, Stanley J. Hruz, Trustee, Juanita D. Hruz, Trustee, Jason B. McWhirter, Sarah M. McWhirter, William Dale Lowe, Mary Ellen H. Lowe a/k/a Mary H. Lowe, Daniel L. Clark, Donna H. Clark, Marshall C. Smith, Cecelia J. Smith, Craig J. Mosier, Laurie J. Mosier, James R. McLearn, Martena S. McLearn, Lewis C. Loudermilk, Jr., Sandra J. Loudermilk, Alice R. Loudermilk, John C. Huang, Lamar A. Weikle, Ova Weikle, George Drosos, Catherine Drosos, Nancy W. Carr, Cullen B. Tilman, Everett H. Curtis, Trustee, Michael G. Moore, Arjen Weiss, Wilhelmina Weiss, Wilma Weiss, Ricky A. Spraggs, Michael Spraggs, Lucy M. Spraggs, Carole F. Curtis ("Landowners"), hereinafter collectively called ("Landowner") and the BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, a body corporate and politic ("Board").

WHEREAS, Landowner is the owner of a parcel(s) of land in Fairfax County, Virginia, that is identified by Fairfax County Tax Map Numbers 034-2-01-0018, 034-4-01-0004, 034-4-01-0005, 034-4-01-0006, 034-4-02-0001, 034-4-02-0002, 034-4-02-0003, 034-4-02-0004, 034-4-02-0005, 034-4-02-0006, 034-4-02-0007, 034-4-02-0008, 034-4-02-0009, 034-4-02-0010, 034-4-02-0011, 034-4-02-0012, 034-4-03-0001, 034-4-03-0002, 034-4-03-0003, 034-4-03-0004, 034-4-03-0006, 034-4-03-0007, 034-4-03-0008, 034-4-03-0009, 034-4-03-0010, 034-4-03-0012, 034-4-03-0011 ("subject property"), and

WHEREAS, Landowner has applied to rezone the subject property and the land underlying certain roads that are owned by the Board ("subject roads"), and such rezoning request has been designated as RZ/FDP 2004-SU-015 and

WHEREAS, Landowner has proffered, pursuant to RZ/FDP 2004-SU-015 to seek the vacation and/or abandonment of the subject roads, and

WHEREAS, Landowner will own the land underlying the subject roads if the roads are vacated and/or abandoned, and

WHEREAS, it is anticipated that RZ/FDP 2004-SU-015 will be submitted to the Board before the Board is asked to vacate and/or abandon the subject roads, and

WHEREAS, because of its ownership of the subject roads, the Board has joined as a Landowner in RZ/FDP 2004-SU-015 and, by its authorized representative, has signed the proffers that have been proposed in connection therewith.

NOW THEREFORE, in consideration of the premises set out herein and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The Board is under no obligation to vacate or abandon the subject roads.
2. No applications, plans, plats, or permits for the development of the subject property shall be filed by the Landowner or approved by the Board, its agents, officials, or employees until the Board has approved the vacation and/or abandonment of the subject roads and no action challenging such approval has been filed within 30 days after the approval in a court of competent jurisdiction.
3. In the event that the Board does not approve the vacation and/or abandonment of the subject roads, or in the event that the Board's approval of such vacation and/or abandonment is overturned by a court of competent jurisdiction, any development of the subject property under RZ / FDP 2004-SU-015 shall require a proffered condition amendment and Landowner acknowledges and accepts that such amendment may result in a loss of density. Landowner waives any right to claim or assert a taking or any other cause of action as a result of the Board's decision not to vacate and/or abandon the subject roads.
4. Landowner shall indemnify and hold harmless the Board, its agents, officials, and employees against all claims of whatever kind that may arise out of the Board having signed the proffers in connection with the RZ/ FDP 2004-SU-015 .
5. This agreement is governed by the laws of the Commonwealth of Virginia and is binding upon the parties and their successors and assigns.
6. This agreement shall not be amended or modified except by an agreement in writing by the parties. If any provision of this agreement is found to be invalid by a court of competent jurisdiction, such provision shall be severed from this agreement and all remaining provisions shall remain in full force and effect.
7. This agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this agreement shall not be binding upon the parties except to the extent incorporated in this agreement.
8. Landowner agrees that the terms, conditions, and covenants stated in this agreement are not personal to the Landowner but run with the land and

shall be binding upon the Landowner, its heirs, personal representatives, successors, and assigns.

9. This Agreement may be executed in any number of counterparts, each of which shall be an original but all of which together will constitute one instrument, binding upon all parties hereto, notwithstanding that all of such parties may not have executed the same counterpart.
10. This agreement shall be recorded among the land records of Fairfax County, Virginia.

WITNESS the following signatures and seals.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

By: Phyllis C. O'Neill
Name: Phyllis C. O'Neill
Property Owner of TM# 034-2-01-0018
Address: 3611 Centreville Road

By: Auston E. O'Neill
Name: Auston E. O'Neill
Property Owner of TM# 034-2-01-0018
Address: 3611 Centreville Road

State of Virginia)
County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by Phyllis C. O'Neill
on this 9th day of November, 2004.

[Signature]
Notary Public

My Commission Expires: 10/31/05

State of Virginia)
County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by Auston E. O'Neill
on this 9th day of November, 2004.

[Signature]
Notary Public

My Commission Expires: 10/31/08

By: [Signature]
Name: Leo S. Coates
Property Owner of TM# 034-4-01-0004
Address: 3621 Centreville Road
Property Owner of TM# 034-4-01-0005
Address: None Assigned

By: [Signature]
Name: Sheila B. Coates
Property Owner of TM# 034-4-01-0004
Address 3621 Centreville Road
Property Owner of TM# 034-4-01-0005
Address: None Assigned

State of Virginia)
) to wit:
County of Fairfax)

The foregoing instrument was acknowledged before me by
Leo S. Coates, on this 6th day of November, 2004.

[Signature]
Notary Public

My Commission Expires: April 30, 2006

State of Virginia)
) to wit:
County of Fairfax)

The foregoing instrument was acknowledged before me by
Sheila B Coates, on this 6th day of November, 2004.

[Signature]
Notary Public

My Commission Expires: April 30, 2006

The Hruz Family Trust

The Hruz Family Trust

By: Stanley J. Hruz
Name: Stanley J. Hruz, Trustee
Property Owner of TM034-4-02-0001
Address: 13778 Lowe Street

By: Juanita D. Hruz
Name: Juanita D. Hruz, Trustee
Property Owner of TM# 034-4-02-0001
Address: 13778 Lowe Street

State of Virginia)
City) to wit:
County of FREDERICKSBURG)

I HEREBY CERTIFY, that on this 8th day of November, 2004, before me, the undersigned Notary Public of said State, personally appeared Stanley J. Hruz, who acknowledged **himself** to be a trustee of The Hruz Family Trust Trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that **he** executed the same for the purposes therein contained as a duly authorized trustee.

WITNESS my hand and Notarial Seal.

Galtzumi H. Pollard
Notary Public

My Commission Expires: 7-31-2007

State of Virginia)
City) to wit:
County of FREDERICKSBURG)

I HEREBY CERTIFY, that on this 8th day of November, 2004, before me, the undersigned Notary Public of said State, personally appeared Juanita D. Hruz, who acknowledged **herself** to be a trustee of The Hruz Family Trust Trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that **she** executed the same for the purposes therein contained as a duly authorized trustee.

WITNESS my hand and Notarial Seal.

Galtzumi H. Pollard
Notary Public

My Commission Expires: 7-31-2007

By: [Signature]
Name: Jason B. McWhirter
Property Owner of TM# 034-4-02-0002
Address: 13774 Lowe Street

By: [Signature]
Name: Sarah M. McWhirter
Property Owner of TM# 034-4-02-0002
Address: 13774 Lowe Street

State of VA)
County of P. Wm) to wit:

The foregoing instrument was acknowledged before me by
Jason B. McWhirter on this 14 day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 9 30 08

State of VA)
County of P. Wm) to wit:

The foregoing instrument was acknowledged before me by
Sarah M. McWhirter, on this 14 day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 9 30 08

By: William Dale Lowe
Name: William Dale Lowe

Property Owner of TM# 034-4-02-0003
Address: 13770 Lowe Street
Property Owner of TM# 034-4-02-0004
Address: 13766 Lowe Street

By: Mary H. Lowe
Name: Mary Ellen H. Lowe, a/k/a
Mary H. Lowe

Property Owner of TM# 034-4-02-0003
Address 13770 Lowe Street
Property Owner of TM# 034-4-02-0004
Address: 13766 Lowe Street

State of Virginia)
County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by
William Dale Lowe & Mary Ellen H. Lowe, on this 10th day of November, 2004.

J. E. Hu
Notary Public

My Commission Expires: 06/30/06

State of Virginia)
County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by
William Dale Lowe & Mary Ellen H. Lowe, on this 10th day of November, 2004.

J. E. Hu
Notary Public

My Commission Expires: 06/30/06

By: *Craig J. Mosier*
Name: Craig J. Mosier
Property Owner of TM# 034-4-02-0007
Address: 13754 Lowe Street

By: *Laurie J. Mosier*
Name: Laurie J. Mosier
Property Owner of TM# 034-4-02-0007
Address: 13754 Lowe Street

State of VA)
County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by
CRAIG J. MOSIER, on this 13 day of November, 2004.

[Signature]
Notary Public

My Commission Expires: 4/30/2005

State of VA)
County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by
LAURIE J. MOSIER on this 13 day of November, 2004.

[Signature]
Notary Public

My Commission Expires: 4/30/2005

By: James R McLearn
Name: James R. McLearn
Property Owner of TM# 034-4-02-0008
Address: 13750 Lowe Street

By: Martena S. McLearn
Name: Martena S. McLearn
Property Owner of TM# 034-4-02-0008
Address: 13750 Lowe Street

State of VIRGINIA)
)to wit:
County of LOUDOUN),

The foregoing instrument was acknowledged before me by
James R. McLearn, on this 9 day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 1-31-2008

State of VIRGINIA)
)to wit:
County of LOUDOUN),

The foregoing instrument was acknowledged before me by
Martena S. McLearn, on this 9 day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 1-31-2008

By: Alice R. Loudermilk, Administrator

Name: Alice R. Loudermilk
Property Owner of TM# 034-4-02-0009
Address: 13746 Lowe Street

State of Virginia)
County of Fauquier) to wit:

The foregoing instrument was acknowledged before me by
Alice R. Loudermilk, on this 1 day of January, 2004.

[Signature]
Notary Public

My Commission Expires: 3-3-07

By: John C Huang
Name: John C. Huang
Property Owner of TM# 034-4-02-0010
Address: 13742 Lowe Street

State of VA)
County of W. Lun) to wit:

The foregoing instrument was acknowledged before me by
John C. Huang, on this 17th day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 9-30-08

By: [Signature]
Name: Lamar A. Weikle
Property Owner of TM# 034-4-02-0011
Address: 13738 Lowe Street

By: [Signature]
Name: Ova Weikle
Property Owner of TM# 034-4-02-0011
Address: 13738 Lowe Street

State of VA)
County of D. W.) to wit:

The foregoing instrument was acknowledged before me by Lamar A. Weikle on this 17 day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 9-30-04

State of VA)
County of D. W.) to wit:

The foregoing instrument was acknowledged before me by Ova Weikle, on this 17 day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 9-30-04

By: [Signature]
Name: George Drosos
Property Owner of TM# 034-4-02-0012
Address: 13732 Lowe Street

By: [Signature]
Name: Catherine Drosos
Property Owner of TM# 034-4-02-0012
Address: 13732 Lowe Street

State of VA)
County of Pr Wm) to wit:

The foregoing instrument was acknowledged before me by George Drosos, on this 15th day of Nov., 2004.

[Signature]
Notary Public

My Commission Expires: 9-30-08

State of VA)
County of Pr Wm) to wit:

The foregoing instrument was acknowledged before me by Catherine Drosos, on this 15th day of Nov., 2004.

[Signature]
Notary Public

My Commission Expires: 9-30-08

By: Nancy W Carr
Name: Nancy W. Carr
Property Owner of TM# 034-4-03-0001
Address: 13733 Lowe Street
Property Owner of TM# 034-4-03-0002
Address: 13737 Lowe Street

State of Vt)
County of Pl. Co) to wit:

The foregoing instrument was acknowledged before me by Nancy W. Carr, on this 24 day of Dec, 2004.

[Signature]
Notary Public

My Commission Expires: 7-30-08

By: Cullen B. Tilman 11/4/04
Name: Cullen B. Tilman
Property Owner of TM# 034-4-03-0003
Address: 3735 Louise Avenue

State of Pr. VA)
County of Pr. Com.) to wit:

The foregoing instrument was acknowledged before me by
Cullen B. Tilman, on this 4th day of Nov, 2004.

Patricia R. Tyler
Notary Public

My Commission Expires: 9-30-08

By: Everett H Curtis Trustee
Name: Everett H. Curtis, Trustee
for the benefit of Michael Wayne Curtis and
Debbie Lynn Curtis
Property Owner of TM# 034-4-03-0004
Address: 3801 Louise Avenue

State of VA)
County of D. WM) to wit:

I HEREBY CERTIFY, that on this 15th day of Nov., 2004, before me, the undersigned Notary Public of said State, personally appeared Everett H. Curtis, Trustee who acknowledged **himself** to be a trustee, for the benefit of Michael Wayne Curtis and Debbie Lynn Curtis, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that **he** executed the same for the purposes therein contained as a duly authorized trustee.

WITNESS my hand and Notarial Seal:

Natasha Feyle
Notary Public

My Commission Expires: 9-30-08

By: Michael G. Moore

Name: Michael G. Moore
Property Owner of TM# 034-4-03-0006
Address: 3804 Louise Avenue

State of VA)
County of W. COV.) to wit:

The foregoing instrument was acknowledged before me by
Michael G. Moore, on this 10th day of Nov., 2004.

[Signature]
Notary Public

My Commission Expires: 9-30-08

By: [Signature]
Name: Arjen Weiss
Property Owner of TM# 034-4-03-0007
Address: 3800 Louise Avenue

By: [Signature]
Name: Wilhelmina Weiss
Property Owner of TM# 034-4-03-0007
Address: 3800 Louise Avenue

State of VA)
)to wit:
County of Fairfax),

The foregoing instrument was acknowledged before me by
Arjen and Wilhelmina Weiss, on this 15th day of November, 2004.

[Signature]
Notary Public

My Commission Expires: My Commission Expires January 31, 2006

State of VA)
)to wit:
County of Fairfax),

The foregoing instrument was acknowledged before me by
Wilhelmina Weiss, on this 15th day of November, 2004.

[Signature]
Notary Public

My Commission Expires: My Commission Expires January 31, 2006

By: Wilma Weiss

Name: Wilma Weiss

Property Owner of TM# 034-4-03-0008

Address: 3736 Louise Avenue

State of VA)

County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by Wilma Weiss, on this 15th day of November, 2004.

[Signature]
Notary Public

My Commission Expires: _____ My Commission Expires January 31, 2006

By: Ricky A. Spraggs
Name: Ricky A. Spraggs
Property Owner of TM# 034-4-03-0009
Address: 3732 Louise Avenue

State of VA)
County of Fairfax) to wit:

The foregoing instrument was acknowledged before me by Ricky A. Spraggs, on this 17 day of Nov, 2004.

[Signature]
Notary Public

My Commission Expires: 2-28-06

By: Michael Spraggs
Name: Michael Spraggs
Property Owner of TM# 034-4-03-0010
Address: 3728 Louise Avenue
Property Owner of TM# 034-4-03-0012
Address: 13751 Lowe Street

By: Lucy M. Spraggs
Name: Lucy M. Spraggs
Property Owner of TM# 034-4-03-0010
Address: 3728 Louise Avenue
Property Owner of TM# 034-4-03-0012
Address: 13751 Lowe Street

State of Virginia)
County of Stafford) to wit:

The foregoing instrument was acknowledged before me by Michael Spraggs, on this 10 day of November, 2004.

[Signature]
Notary Public

My Commission Expires: Jan 31, 2008

State of Virginia)
County of Stafford) to wit:

The foregoing instrument was acknowledged before me by Lucy M. Spraggs, on this 10 day of November, 2004.

[Signature]
Notary Public

My Commission Expires: Jan 31, 2008

By: Carole F. Curtis

Name: Carole F. Curtis

Property Owner of TM# 034-4-03-0011

Address: 3724 Louise Avenue

State of VA)
County of P. Wm.) to wit:

The foregoing instrument was acknowledged before me by Carole F. Curtis, on this 15th day of Nov, 2004.

Roberta K. Foy
Notary Public

My Commission Expires: 9-30-08

NATIONAL CAPITAL LAND & DEVELOPMENT, INC.

By: F. Gary Garczynski, President
F. Gary Garczynski, President

State of VA)
County of Dinwiddie) to wit:

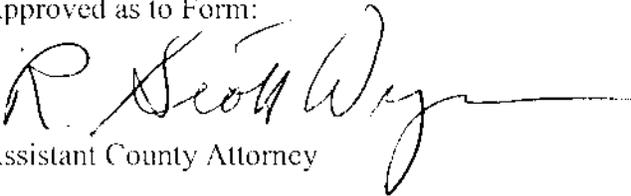
I HEREBY CERTIFY, that on this 19th day of Nov, 2004, before me, the undersigned Notary Public of said State, personally appeared F. Gary Garczynski, who acknowledged **himself** to be the President of National Capital Land & Development, Inc., a VA Corporation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that **he** executed the same for the purposes therein contained as the duly authorized President of said corporation by signing the name of the corporation by **himself** as F. Gary Garczynski.

[Signature]
Notary Public

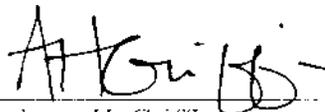
My Commission Expires: 9-30-08

BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

Approved as to Form:

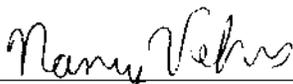

Assistant County Attorney

Executed on behalf of the Board of Supervisors of Fairfax County, Virginia, by authority granted by said Board.

By: 
Anthony H. Griffin
County Executive

State of Virginia
County of Fairfax, to wit:

The foregoing instrument was acknowledged before me by Anthony H. Griffin, County Executive, on this 24th day of November 2004.



Notary Public

My Commission Expires: 3-31-08