PROFFERS

PCA/FDPA 1998-DR-049-02
DATED: 8/19/04

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 16-403 of the Zoning Ordinance of Fairfax County (1978, as amended) (the "Zoning Ordinance"), the undersigned Applicant/Owner for both themselves and their successors and assigns (hereinafter "Applicant"), file for a proffer condition amendment, and final development plan amendment approval for property identified as Tax Map Reference 30-1((30)) Parcels 20-24 (the "Subject Property") and hereby agree to the following proffers, if, and only if, the Fairfax County Board of Supervisors (the "Board") approves the PCA/FDPA for the Subject Property, which is a .9764 acre portion of the property subject to the proffers for RZ 1998-DR-049. In the event said application is denied, this proffer statement shall be rendered null and void. In the event said application is approved, these proffers shall be applicable only to the .9764 acre parcel that is the subject of this application.

1. Except as modified below, the Subject Property is governed by the Proffers dated July 26, 1999 of RZ 1998-DR-049.

2. Proffer Number 1.1 of the July 26, 1999 proffers shall be amended as follows:

1. Development Plan

1.1 Subject to the proffers and the provisions of Section 16-402 of the Zoning Ordinance, under which minor modifications to an approved CDP/FDP are permitted, development of the Subject Property shall be in substantial conformance with the CDP/FDP, prepared by Huntley, Nyce & Associates, dated July 23, 1998 as amended by the CDPA/FDPA entitled "Evans Farm Dranesville District Fairfax County, Virginia CDPA/FDPA (Zoning Plat) – Lots 20-24 (House Type Change)", prepared by Huntley, Nyce & Associates, dated July 23, 1998, revised through March 18, 2004, consisting of seven sheets (the "Plat").

3. This application shall in no way impact the Applicant's obligations regarding tree preservation on the Subject Property pursuant to 1) proffer number 6. Tree Preservation, contained in the proffers for RZ 1998-DR-049, and 2) notes contained on sheet 6 of the Plat. Specifically, approval of this application shall in no way impact trees identified for preservation on the Subject Property's shared property line with the Broyhill Estates subdivision.

4. The rear facades of the single family detached houses to be constructed on the Subject Property shall be in general conformance with the rear elevations as shown on the attached plan labeled "Evans Farm Lots 20-24" and dated July 20, 2004.

5. The Applicant shall construct a sidewalk which will connect the sidewalk at Farm Meadow Court to the sidewalk at Enterprise Avenue generally consistent with the sidewalk shown on the attached exhibit labeled "Sidewalk Plan" attached hereto. If the configuration shown on the Sidewalk Plan is not possible, then Fairfax County may administratively approve such other configuration that is in substantial conformance with the provision of such a pedestrian connection. The sidewalk will be approximately four (4) feet wide and constructed of the same concrete paver as the rest of the sidewalks in Evans Farm. The Applicant's obligation to construct the sidewalk shall be contingent upon receipt of any and all necessary approvals from Fairfax County. The sidewalk, if approved by Fairfax County, shall be constructed prior to issuance of the Residential Use Permit for the adjacent home located on Lot 18.

HAMPSTEAD VILLAGE LLC
(Title owner of Tax Map 30-1-((30))-20,21, 22, 23, 24)

By: _____
Name: James L. Perry
Title: Vice President

EVANS FARM ASSOCIATION
(Title owner of Tax Map 30-1-((30))-E1 pt..)

_____
Name: James L. Perry
Title: President