PROFFERS

EDGEMOORE LAND, L.L.C. – FAIRFIELD MANOR

RZ 2004-PR-008

April 25, 2005

Pursuant to Section 15.2-2303(A) Code of Virginia, 1950, as amended, the owner and the undersigned applicant, for both themselves, their successors and assigns, (hereinafter collectively referred to as the "Applicant") filed for a rezoning on property identified on Fairfax County Tax Map 48-2 ((1)) 3 (hereinafter referred to as the "Application Property") hereby agree to the following proffers, provided that the Board of Supervisors (hereinafter referred to as the "Board") approves the rezoning of the Application Property to the PDH-2 Zoning District.

1. CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN ("CDP/FDP")

Development of the Application Property shall be in substantial conformance with the CDP/FDP, entitled "Fairfield Manor," containing seven (7) sheets prepared by Bowman Consulting, dated February, 2004 as revised through March 22, 2005.

2. MINOR MODIFICATIONS

Pursuant to Paragraph 4 of Section 16-403 and Section 18-204 of the Zoning Ordinance, minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the internal lot lines of the proposed subdivision at time of subdivision plan submission based on final house locations and building footprints as shown on the CDP/FDP, provided that such changes are in substantial conformance with the CDP/FDP.

3. TRANSPORTATION

a. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of thirty (30) feet from the centerline along the Application Property's Hunter Road frontage as shown on the CDP/FDP. Dedication shall be made at time of recordation of the final subdivision plat or upon demand of either Fairfax County or VDOT, whichever should come first.

b. At time of subdivision plan approval, the Applicant shall dedicate and convey in fee simple to the Board right-of-way within the Application Property for the interior public street as shown on the CDP/FDP.

c. The Applicant shall construct a four (4) foot wide sidewalk along the interior public street as shown on the CDP/FDP prior to the issuance of any RUP.

d. Applicant shall resurface and repair Hunter Road as necessary as determined by DPWES should damage occur as a result of construction and/or the installation of utilities to serve the Application Property.

e. Construction traffic shall enter from Hunter Road and exit on to Maple Lane. Construction traffic shall be limited to one access point to and one egress point from the Application Property. The access point shall be chained, or otherwise made non-accessible, during non-construction hours.

f. Wash racks shall be installed at the access point to the Application Property to clean construction vehicles of dirt and debris prior to exiting the Application Property.

4. STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES

a. At time of subdivision plan submission, Applicant shall request a waiver of stormwater detention and provide, if acceptable to DPWES, low impact development techniques to minimize the amount of impervious area on the Application Property, reduce discharge velocities leaving the Application Property, increase time of concentration on the Application Property, increase infiltration into the ground, and provide deconcentration of runoff from impervious areas. Low impact development techniques shall include the installation of bio-retention filters (rain gardens) in the open space located along the north side of the public street and/or on the west side of the Application Property as generally shown on the CDP/FDP. The final location of the rain gardens shall be determined by the Applicant at time of subdivision plan submission as reviewed and approved by DPWES. Other low impact development techniques may include the installation of vegetated filter strips or such other measures as approved by DPWES. If a waiver is not approved by DPWES, the Applicant shall provide a storm water management (SWM) dry pond and Best Management Practices (BMPs) on the Application Property in the general location shown on the CDP/FDP and in accordance with the requirements of the PFM and the Chesapeake Bay Preservation Ordinance, unless waived or modified by DPWES.

b. In the event that the on-site SWM pond is reduced in size or waived by DPWES, reduction or removal of the SWM pond shown on the CDP/FDP shall not require approval of a proffered condition amendment or an amendment to the CDP/FDP. Should the proposed SWM pond be waived or modified by DPWES, that area not utilized as a SWM pond shall remain as undisturbed open space owned by the homeowners' association established for the community.

c. The proposed SWM dry pond, including its perimeter, and/or the rain gardens shall be landscaped to the maximum extent feasible, as determined by the Urban Forest Management Branch, pursuant to the policy adopted by the Board of Supervisors, using

native or other desirable hydrophilic vegetation species. The landscaping plan for the SWM facility shall be submitted with the first (1st) subdivision plan for review and approval by the Urban Forester.

d. The Applicant shall construct the maintenance access road for the SWM pond as shown on the CDP/FDP of a permeable material as approved by DPWES.

e. The Applicant shall utilize accepted practices of erosion and sedimentation control, as approved by DPWES, to minimize erosion of the bank of the floodplain located on the Application Property. The conservation escrow posted on the Application Property shall not be released until it is demonstrated to the satisfaction of DPWES that the bank on the Application Property is stabilized.

5. LANDSCAPING AND OPEN SPACE

a. The Applicant shall submit a tree preservation plan as part of the first and all subsequent subdivision plan 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 Urban Forest Management Branch. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees that are twelve (12) inches or greater in diameter, and ten (10) feet to either side of the limits of clearing and grading shown on the CDP/FDP for the entire site, and shall be consistent with the list entitled "Trees Identified for Preservation" on the CDP/FDP. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside the limits of clearing and grading shown on the CDP/FDP, and other areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan. No root pruning shall be done without the approval of the Urban Forest Management Branch.

b. All trees shown to be preserved on the tree preservation plan shall be protected by a tree protection fence. Tree protection fencing four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, shall be erected at the limits of clearing and grading as shown on the demolition, phase I & phase II erosion and sedimentation control sheets for the entire site.

Methods to preserve existing trees may include, but not be limited to, the following: use of super silt fence, welded protection fence, root pruning and mulching. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing, including super silt fence, shall be performed under the supervision

of a certified arborist. Care should be taken to ensure that installation of the super silt fence minimizes damage to the roots of trees to be preserved. Super silt fence shall be installed according to PFM Plate No. 11-11. Super silt fence shall be inspected on a daily basis to ensure that it is intact and not damaged as a result of construction. Three days prior to the commencement of any clearing, grading or demolition activities, the Urban Forest Management Branch, the President of the Briarwood Citizens Association, and the Providence District Supervisor's office shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed and the project's certified arborist or landscape architect shall verify in writing that the tree protection fence has been properly installed.

During any clearing or tree/vegetation/structure removal on the Application Property, a representative of the Applicant shall be present to monitor the process and ensure that the tree protection fencing remains in place and the trees protected by said fencing are preserved.

c. The demolition of existing features and structures shall be conducted in a manner that does not impact individual trees and groups of trees that are to be preserved as reviewed and approved by the Urban Forest Management Branch.

d. The Applicant shall retain the services of a certified arborist or landscape architect to supervise on-site tree preservation efforts in order to ensure conformance with all tree preservation proffers/conditions. The tree preservation schedule shall be described and detailed in the tree preservation plan, and reviewed and approved by the Urban Forest Management Branch.

e. All tree preservation-related work occurring in or adjacent to tree preservation areas shall be accomplished in a manner that avoids damage to vegetation to be preserved, including any woody, herbaceous or vine plant species that occur in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Any removal of any vegetation or soil disturbance in tree preservation areas, including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc., shall be subject to the review and approval of the Urban Forest Management Branch. The use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rakes and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by the Urban Forest Management Branch.

f. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an Urban Forest Management Branch representative to determine

where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading, and may result in an expansion of the limits of clearing and grading, and the limits shall be adjusted accordingly. Trees that are identified specifically by the Urban Forest Management Branch representative in writing as dead or dying may be removed as part of the clearing operation. Any tree that is designated for removal at the edge of the limits of clearing and grading or within the tree preservation area, shall be removed using a chain saw to avoid damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.

g. The Applicant shall submit a detailed landscaping plan as part of the first and all subsequent plan submissions that is consistent with the location, quality and quantity of landscaping shown on the CDP/FDP and these proffers. The landscaping plan shall utilize a variety of tree species of various sizes planted throughout the site. The native species may include, but are not limited to, white oak, red maple, red oak, American holly, American beech, willow oak, dogwood and others. Pursuant to the Public Facilities Manual ("PFM"), the Applicant shall receive additional tree cover credit if native and desirable trees comprise a minimum of 90% of all trees listed on site. The Applicant shall also receive additional tree cover credit for utilizing tree species and planting locations that are effective for energy conservation as determined by DPWES.

h. In order to protect co-owned and off-site trees from construction damage, the Applicant shall remove any dead, dying, or hazardous, on-site, co-owned and off-site trees adjacent to the limits of clearing and grading that are damaged as a result of construction activities and replace the lost tree canopy. Off-site mitigation shall only be conducted with permission of the appropriate off-site owner, which shall be diligently pursued as determined by DPWES. Prior to subdivision plat approval, a replacement value shall be assigned by the Urban Forest Management Branch to all healthy on-site, co-owned or off-site trees measuring ten (10) inches or larger in diameter, which are located within twenty (20) feet of the limits of clearing and grading as shown on the CDP/FDP. Trees recommended for removal on the tree preservation plan shall not be assigned a value. At the time of subdivision plan approval, the Applicant shall post cash or a letter of credit payable to the County of Fairfax to ensure removal and replacement of any on-site, co-owned or off-site trees that are left dead, dying, or hazardous as a result of damage by construction activities. The calculated replacement values shall be reviewed and approved by the Urban Forest Management Branch prior to posting the cash bond or letter of credit. The terms of the letter of credit shall be subject to approval by the County Attorney. The replacement value of each designated tree shall be determined by a certified arborist according to the methods contained in the latest edition of the Valuation of Landscape Trees, Shrubs and Other Plants published by the International Society of Arboriculture, subject to review and approval by the Urban Forest Management Branch, and the total amount of the cash bond, escrow or letter of credit shall not exceed the sum of $20,000.00, in addition to any conservation escrow that is required at the time of subdivision plan approval. From time to time,

funds, or a portion thereof, may be drawn on the cash bond or letter of credit and expended for the purposes of this proffer. The remaining balance of the cash bond or letter of credit shall be refunded by Fairfax County no longer than three (3) years following the issuance of the last residential use permit. The replacement of trees by the County shall be in accordance with the guidelines of the Fairfax County Public Facilities Manual.

i. As coordinated with the Urban Forest Management Branch, the Applicant shall submit a tree transplantation plan as part of the first and all subsequent subdivision plan submissions, which proposes transplantation of trees to the extent approved by the Urban Forest Management Branch, and shall implement the approved tree transplantation plan. The tree transplantation plan shall be prepared by a professional with experience in the preparation of tree transplantation plans, such as a certified arborist or landscape architect, and reviewed and approved by the Urban Forest Management Branch. Depending on site constraints, the plan shall address one or all of the following items, as determined by the Urban Forest Management Branch:

- the species and size to be transplanted;
- the existing location of the trees;
- the proposed final location of the trees;
- the proposed time of year when the trees will be moved;
- the transplanting methods to be used, including tree spade size;
- details regarding after-transplant care, including mulching and watering, and if necessary, support measures such as cabling, guying or staking.

Transplanted trees that do not survive through the tree bond period, as defined in proffer 5.h. shall be replaced by species specified on the Plant List as listed on Sheet 4 of 7 of the CDP/FDP. The replacement trees shall be the caliper or height specified for said category of tree to meet the 10-year canopy requirement, as approved by the Urban Forest Management Branch and consistent with the tree transplantation plan and the landscape plan.

j. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP subject to the installation of utilities as determined necessary by the Director of DPWES. If it is determined necessary to install utilities outside of the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by the Urban Forest Management Branch and coordinated with the Director of DPWES. A replanting plan shall be developed and implemented, subject to approval by the Urban Forest Management Branch, for any areas outside the limits of clearing and grading that must be disturbed.

k. The intent of this proffer is to facilitate an opportunity to rescue native plant species before the initiation of land disturbing activities on the Application Property. Except for the conditions identified herein, the implementation of this proffer shall in no way interfere with the land development process or construction schedule after approval of this rezoning. The Applicant shall cooperatively work with the Providence District Supervisor's Office, the Fairfax County Urban Forest Management Branch, *Earth Sangha* and *Land and Waters* to coordinate an opportunity for the removal and transplantation of native plant species located outside tree save areas as designated on the CDP/FDP. In order to facilitate the rescue and transplantation of native plants prior to the initiation of land disturbing activities, the Applicant shall mark the general area of the tree save areas immediately after approval of this rezoning and shall notify the Providence District Supervisor's Office, *Earth Sangha* and *Land and Waters* twice; immediately after approval of this rezoning and at time of the second subdivision plan submission. Marking of the tree save areas immediately after approval of this rezoning and the implementation of the two part notification process shall constitute fulfillment of this proffer. This proffer shall not interfere with the tree transplantation plan as described in proffer 5.i.

6. NOISE ATTENUATION

a. Applicant shall achieve an interior noise level of approximately 45 dBA Ldn in all units. All units will have the following acoustical attributes as determined by DPWES:

   i. Exterior walls shall have a laboratory Sound Transmission Classification (STC) of at least 39.

   ii. Doors, windows and glazing shall have an STC of at least 28. If glazing constitutes more than 20 percent of any facade impacted by noise from I-66, they shall have the same laboratory STC ratings specified for exterior walls.

   iii. Adequate measures to seal and caulk between surfaces will be provided.

b. In the alternative, a refined acoustical analysis may be performed, and reviewed and approved by DPWES, prior to the issuance of a building permit and noise mitigation recommendations implemented to ensure interior noise levels do not exceed 45 dBA Ldn.

c. In order to reduce exterior noise levels in rear yard recreational areas to 65 dBA Ldn or less, a VDOT approved barrier of a height to be determined by final engineering, shall be provided within the VDOT right-of-way of Interstate 66 as generally shown on the CDP/FDP. Construction of the barrier shall be subject to the receipt of the necessary permissions from VDOT to mitigate exterior noise levels emanating from traffic on Interstate 66. Minor modifications to the location of the barrier may be permitted consistent with an independent noise study as reviewed and approved by VDOT in consultation with the Applicant's noise engineer. The barrier material shall be concrete or other material acceptable to VDOT and the Applicant's noise engineer, or a

combination of materials, shall be noise absorptive, shall be architecturally solid from the ground up, and shall contain no gaps or openings. The sound barrier shall be constructed and completed prior to the issuance of any RUP. Should the barrier not be approved by VDOT to be located within the VDOT right-of-way, no subdivision plan shall be approved unless the Applicant files for and receives approval of either an administrative interpretation or an amendment to these proffered conditions and the CDP/FDP to locate the barrier on the Application Property.

d. All the units that require interior or exterior structural noise attenuation shall be identified on the subdivision plan.

7. PARKS AND RECREATION

a. The Applicant shall comply with Paragraph 2 of Section 6-110 of the Zoning Ordinance regarding developed recreation facilities for residential uses. The Applicant proffers that the minimum expenditure for recreational facilities shall be $955.00 per residential unit. If the maximum expenditure of $955.00 per residential unit for on-site recreational facilities is not satisfied, as determined by DPWES, then any remaining funds shall be provided to the Fairfax County Park Authority (FCPA), prior to the issuance of a building permit, for the provision of recreational facilities in Hideaway Park and/or Villa Lee Park and/or the park being developed in connection with Briarwood Trace. FCPA shall determine the allocation of the funds described herein to each or all designated parks.

b. Prior to the issuance of a building permit, the Applicant shall provide an additional $4,770.00 to the FCPA for recreational facilities located in Hideaway Park and/or Villa Lee Park and/or the park being developed in connection with Briarwood Trace. FCPA shall determine the allocation of the funds described herein to each or all designated parks.

8. HERITAGE RESOURCES

Prior to any land disturbing activities on the Application Property, the Applicant shall conduct a Phase I archaeological study with no more than 30 feet between shovel test pits and provide the results of the study to the Heritage Resources Branch of the FCPA ("Heritage Resources"). The Applicant shall conduct a Phase II study if Heritage Resources determines that the results of the Phase I reveal the presence of potentially significant archaeological resources located on the Application Property, and shall conduct Phase III data and recovery, if necessary. The study shall be conducted by a qualified archaeological professional approved by Heritage Resources, and shall be reviewed and approved by Heritage Resources. The studies shall be completed prior to subdivision plat recordation.

9. AFFORDABLE HOUSING

Prior to the issuance of the first building permit, the Applicant shall contribute a sum equaling one-half (1/2) percent of the aggregate sales price of each new single family dwelling unit to be

constructed on the Application Property to the Fairfax County Housing Trust Fund to assist Fairfax County's low and moderate income housing goals.

10. DESIGN

a. The houses shall be constructed of masonry, stone, hardwood, composition siding, shingle or any combination of these materials in substantial conformance with the architectural elevations shown on Sheet seven (7) of the CDP/FDP. The front façade of the houses shall be masonry, stone, hardwood and/or composition siding. The sides and rears of houses visible from Hunter Road shall have architectural treatments, such as window trim and shutters, similar to the front of the house, and shall be constructed of the same materials as the front of the house in the same proportions (i.e., if 50% of the front façade is brick, then 50% of the visible side and/or rear of the house shall be brick). Final design shall be selected by the Applicant upon the submission of architectural drawings for building permits.

b. A two car garage shall be provided for each residential dwelling. A minimum twenty-five (25) foot long driveway, measured from the garage door to the nearest sidewalk face, shall be provided for each unit.

c. There shall be a minimum side yard setback of eight (8) feet, and there shall be a total combined minimum setback for both side yards of twenty-four (24) feet as illustrated on Sheet 2 of the CDP/FDP. The minimum side yard distance between houses shall be twenty-four (24) feet. Due to the configuration of Lots 5 and 6, the side yard setbacks are illustrated on Sheet 2 of the CDP/FDP, but are subject to modification so long as the minimum side yard setbacks described above are satisfied. Chimneys, stoops, bay windows, and similar features may encroach within the minimum side yard setback, provided that no encroachments (other than fencing) shall be permitted within five (5) feet of any side yard lot line.

d. There shall be a minimum rear yard setback for the primary structure of twenty-five (25) feet. Decks shall be permitted in any rear yard; however, they shall not be permitted closer than ten (10) feet to the rear property line. Decks for proposed Lots 3 and 4 shall not be located any closer than fifteen (15) feet to the rear property line. This shall not preclude the installation of patios/at grade decks in accordance with the Zoning Ordinance.

e. Homes constructed on proposed Lots 1, 5 and 6 shall not include exposed in ground basements. Decks constructed on these lots shall not be any higher than four (4) feet from the finished grade. Closed or roofed decks shall not be permitted on these lots. Carports, garages, storage structures, children's playhouses, and above-ground swimming pools shall not be permitted in the rear yards of proposed Lots 1, 5 and 6.

f. All homes on the Application Property shall comply with the Council of American Building Officials ("CABO") Model Energy Code for energy efficient Homes or its equivalent for electric of gas energy systems, as applicable.

g. All lighting shall comply with Zoning Ordinance Article 14, Part 900, Outdoor Lighting Standards.

11. HOMEOWNERS' ASSOCIATION

a. The Applicant shall establish a homeowners' association (HOA) for the proposed development to own, manage and maintain open space areas including the common tree save areas and all other community owned land and improvements. Restrictions placed on the use of open space/buffer areas, restrictions as set forth in 10(c), (d) and (e) above, and the maintenance responsibilities of the HOA shall be disclosed to all prospective homeowners in a disclosure memorandum prior to entering into a contract of sale and included in the HOA documents.

b. A covenant shall be recorded which provides that garages shall only be used for a purpose that will not interfere with the intended purpose of the garages (e.g., parking of vehicles). This covenant 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 and the Board. This restriction shall be stated in the HOA documents, and the initial purchasers shall be advised of the use restriction prior to entering into a contract of sale.

12. SIGNAGE

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 to assist in the initial sale of homes on the Application Property. Furthermore, the agents and employees involved in the marketing and sale of the residential units on the Application Property shall be directed to adhere to this proffer.

13. FLOODPLAIN

Prior to first submission of a subdivision plan to DPWES, the Applicant shall perform a floodplain study on the Application Property and comply with the results of that study. Should the floodplain delineation result in a decrease in the amount of open space, or a substantial modification to the layout illustrated on the CDP/FDP, no subdivision plan shall be approved, and the Applicant shall file for and receive approval of an amendment to these proffered conditions and the CDP/FDP.

14. CONSTRUCTION HOURS

Construction hours shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and the hours of 8:00 a.m. to 5:00 p.m. on Saturday. No construction shall occur on Sundays or Federal holidays. Construction hours shall be posted on the Application Property

during construction in both English and Spanish. Applicant shall notify contractors and subcontractors of permissible construction hours.

15. SCHOOL CONTRIBUTION

The Applicant shall contribute the sum of $7,500.00 to the Fairfax County Board of Supervisors for improvements to Luther Jackson Middle School, which is located in the vicinity of the Application Property. Said contribution shall be payable at time of subdivision plan approval for the Application Property.

16. PLAN REVIEW

Concurrent with each subdivision plan submission to DPWES, a set of plans shall be delivered to the Providence District Supervisor and the Providence District Planning Commissioner for review and comment.

17. NOTIFICATION

During development of the Application Property, the Applicant shall provide the telephone number of the site superintendent to the President of the Briarwood Citizens Association. This telephone number shall also be posted on the Application Property during construction. Upon request, the Applicant, or a representative, shall attend the regularly scheduled meeting of the Briarwood Citizens Association, if convenient, to provide updates on construction. Prior to attendance, the Applicant shall be provided with a meeting agenda and a list of issues that will be discussed.

18. INTERNET ACCESS

All homes constructed on the Application Property shall be pre-wired with broadband, high capacity data/network connections in multiple rooms, in addition to standard phone lines.

19. SUCCESSORS AND ASSIGNS

These proffers will bind and inure to the benefit of the Applicant and his/her successors and assigns.

20. COUNTERPARTS

These proffers may be executed in one or more counterparts, each of one when so executed and delivered shall be deemed an original document and all of which when taken together shall constitute not one in the same instrument.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT/CONTRACT PURCHASER

EDGEMOORE LAND, LLC.

By: _____

Ahmed Al-Mutawakil, President
EDGEMOORE LAND, LLC.

[SIGNATURES CONTINUED ON NEXT PAGE]

TITLE OWNER:
TAX MAP 48-2 ((1)) 3

Robert E. Hargrove
ROBERT E. HARGROVE

[SIGNATURES END]