

**PROFFER STATEMENT**  
**RECORD OWNER AND APPLICANT: EXXON CORPORATION (RAS#2-6180)**  
**FAIRFAX COUNTY TAX MAP PARCEL #68-3-1-7A**  
**REZONING #RZ 96-B-025**  
**DATE: December 9, 1996**

The undersigned hereby proffers that the use and development of the subject property shall be in strict accordance with the following conditions and, if accepted, shall supersede all other proffers made prior hereto. In the event the referenced rezoning is not granted, the proffers described herein shall be withdrawn and are null and void. Any improvements proffered herein shall be provided at the time of development of that portion of the site unless otherwise specified. The terms "Applicant" and "Developer" include all future owners and successors in interest. The "Plan" shall refer to the plan entitled "Generalized Development Plan/Special Exception Plat, Exxon 2-6180, 5211 Ox Road, Braddock District, Fairfax County, Virginia" prepared by The Plan Source, dated November 1, 1996.

1. Land Use.

A. The use of the property shall be limited to the proposed gasoline station, quick service food store and motor vehicle repair facility which shall be developed in substantial accordance with the Plan. The service station use requires special exception approval, which approval will govern the operational aspects of the use such as hours of operation, the area of and type of convenience items which may be sold in the retail area, and similar detail aspects of the service station. The Applicant acknowledges that no other use may be made of the property unless a proffer condition amendment is approved for an alternate use.

B. No car wash or fast food restaurant shall be permitted on the property.

2. Landscaping.

A. Perimeter landscaping and the 7 foot high brick screening wall shall be provided in substantial accordance with the Plan in terms of quality and quantity. The final Landscape Plan shall be submitted at the time of the site plan approval, subject to review and approval by the Department of Environmental Management.

B. In the event existing understory growth on the south side of Zion Drive must be removed as part of the Zion Drive widening proposed by the Applicant, then a minimum of 6 evergreen trees, 6 to 7 feet high, shall be planted on the south side of the Zion Drive right-of-way as shown on the Plan, subject to Virginia Department of Transportation's

("VDOT") and Fairfax County's approval, to provide additional screening on the south side of Zion Drive and to replace said understory growth.

3. Transportation. At the time of redevelopment of the property, as shown on the Plan, the improvements to Zion Drive and Ox Road shall be constructed by the Applicant as generally shown on the Plan subject to Fairfax County's and VDOT's approval and/or modification. The proposed improvements include the following:

- A. Consolidation of 2 entrances on Ox Road into 1 entrance.
- B. Pavement widening on Ox Road frontage.
- C. Relocation of traffic signal pole on Ox Road frontage.
- D. Consolidation of 2 entrances on Zion Drive into 1 entrance.
- E. Right of way dedication, as generally delineated on the Plan, pavement widening, addition of curb and gutter on the south side of Zion Drive and other improvements all to provide a protected left turn lane into the site on eastbound Zion Drive.
- F. Ancillary easements to allow for typical traffic maintenance and operation needs such as placement of signs.
- G. Right-of-way dedication shall be conveyed in fee simple to the Board of Supervisors and shall be provided at the time of site plan approval or upon request by Fairfax County or VDOT, whichever occurs first.

4. Stormwater. The Applicant shall insure that stormwater runoff from the site does not unduly impact the adjacent residential properties on the east side of the station. Stormwater detention and water quality treatment shall be provided in accordance with all applicable Ordinance requirements as determined by the Department of Environmental Management.

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EXXON CORPORATION

By: *R. W. Hilchey* *AGENT & ATTORNEY-IN-FACT*  
R. W. HILCHEY, Market Development Manager  
Agent and Attorney-in-Fact