

PROFFERED CONDITIONS

JUN 28 1990

PCA 84-P-129-3

ZONING EVALUATION DIVISION

June 27, 1990

Pursuant to Section 15.1-491 (a) Code of Virginia, 1950 edition as amended, subject to the Board of Supervisors approval of the requested Proffered Condition Amendment (PCA), applicant proffers to the following amended conditions. These amended conditions shall supersede the prior conditions numbers 1 and 8, dated May 3, 1989 and approved on May 8, 1989 by the Board of Supervisors. The other proffered conditions approved on May 8, 1989 shall not be affected by these amended proffered conditions.

1. The subject property shall be developed in accordance with the approved Conceptual Development Plan prepared by HOK, architects and planners, dated June 23, 1987, and Final Development Plan prepared by HOK, architects and planners, dated April 10, 1987 and revised through May 25, 1990.

8. Applicant and/or assigns shall provide the following option to promote affordable housing:

a) For those units built originally as rental units, the developer will make available, for a period of twelve (12) years, multi-family rental units for low and moderate income families in an amount equal to five percent (5%) of the total number of residential rental dwelling units Site Plan-approved on the subject property. Units reserved for occupancy by low income families will be two (2) bedroom apartments for which initial rents will be established at levels affordable to households at sixty percent (60%) of the median income of the Washington, D.C. Metropolitan Statistical Area. Tenants will be required to pay no more than thirty percent (30%) of gross monthly income for rent and utilities. An additional five percent (5%) of the total number of residential rental units Site Plan-approved on the subject property shall be made available for a period of 12 years for low and moderate income families at levels affordable to households at ninety percent (90%) of the median income of the Washington, D.C. Metropolitan Statistical Area. Affordable units will be provided in Buildings "D" and "F" and made available on a pro-rata basis as Buildings "D" and "F" are developed. Applicant and/or assigns may raise rents on the units subject to this requirement at the same rate at which it increases rent for comparable units in the development rented at market rents, or to the degree that the median income rises in the Washington, D.C. M.S.A. Applicant and/or assigns agree to enter into a Private Rental Program Agreement with the Fairfax County Redevelopment and Housing Authority to monitor Applicant's compliance with this proffer.

b) Should the developers substitute three bedroom units in lieu of the two bedroom units proffered at sixty percent (60%) of the median income there will be a corresponding reduction in the requirement for units proffered at ninety percent (90%) of the median income.

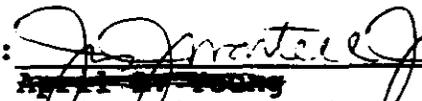
c) For those units built originally for sale, the Applicant will sell five percent (5%) of those units to the Fairfax County Redevelopment and Housing Authority at cost for resale under the Moderate Income Direct Sales (MIDS) program. It is understood that cost will not exceed a price that would be affordable within the published income limits for the MIDS program. The MIDS units shall be distributed throughout Buildings "D" and "F" and made available on a pro-rata basis as the units within Buildings "D" and "F" are completed. An additional five percent (5%) of the units built originally for sale will be offered to the Fairfax County Redevelopment and Housing Authority at Applicant's cost for resale under the Moderate Income Direct Sales (MIDS) program. The said offer shall be made for a period of 90 days subject to the terms and conditions of the above referenced paragraph. In the event the Fairfax County Redevelopment and Housing Authority does not exercise the said option, there shall be no further obligations under this paragraph. Upon the exercise of the option, Applicant shall give Fairfax County Redevelopment and Housing Authority a reasonable time to settle on said units.

d) In the event the Applicant proposes to provide elderly housing at a cost of ten percent (10%) below the market cost of the said project within the subject property, said elderly program shall, if approved by Fairfax County Redevelopment and Housing Authority be credited towards the fulfillment of conditions 8 a) and b) to the extent the authority deems it appropriate.

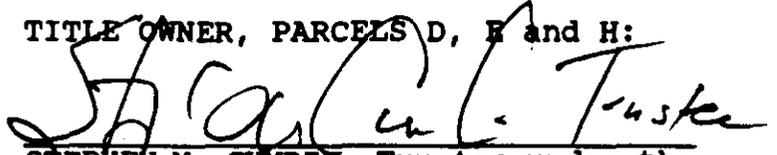
TITLE OWNER, PARCELS F and G:

NVRD METROPLACE L.P., a Virginia  
limited partnership

By: NVR Development, Inc., General  
Partner

By:   
~~James Martell, Jr.~~  
Executive President  
JAMES MARTELL, JR.

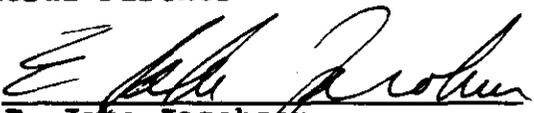
TITLE OWNER, PARCELS D, E and H:

  
STEPHEN M. CUMBIE, Trustee under the  
MetroPlace Land Trust

TITLE OWNER, PARCEL A:

KNV I LIMITED PARTNERSHIP

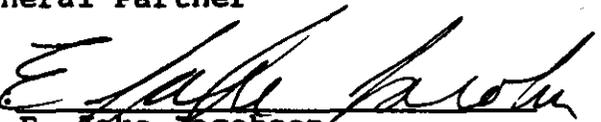
By: NVC Development, Incorporated,  
General Partner

By:   
E. Jake Jacobson  
Vice President

TITLE OWNER, PARCELS B and C:

KNV II LIMITED PARTNERSHIP

By: NVC Development, Incorporated,  
General Partner

By:   
E. Jake Jacobson  
Vice President

CONTRACT PURCHASER, PARCELS D and E:  
NVHOMES, L.P.

By: NVRyan, L.P., General Partner

By: NVHomes II, L.P., General  
Partner

By: NVCompanies, Inc., General  
Partner

By: Charles T. Langford  
Charles T. Langford,  
President

DC-2:LJS-2