

AUGUST 6, 2001  
6 P.M.ITEM  
RZ 2001-SU-003

RZ-2001-SU-003  
PULTE HOME CORPORATION – Westbrook Drive  
PROFFER STATEMENT

MARCH 21, 2001  
APRIL 19, 2001  
MAY 15, 2001  
JUNE 14, 2001  
JUNE 26, 2001  
JUNE 28, 2001  
JULY 17, 2001  
JULY 24, 2001  
JULY 26, 2001  
JULY 27, 2001  
AUGUST 2, 2001

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Board of Supervisors' approval of rezoning application RZ-2001-SU-003, as proposed, for rezoning from the R-1 and WS to the R-2, cluster, and WS Zoning Districts, the owners and Pulte Home Corporation (the "Applicant"), for themselves and their successors and assigns, hereby proffer that development of Tax Map Parcels 55-1-((7)) 27, 28, 29; 55-2-((2)) 12, 13, 14, 24, 25, 26; 55-2-((3)) F; 55-2-((4)) B containing approximately 44.45 acres and an approximately 29,148 square foot (0.66915 acre) portion of the public right-of-way of Steuben Pike to be vacated and/or abandoned (the "Property") shall be in accordance with the following proffered conditions:

1. Substantial Conformity. The Property shall be developed in substantial conformance with the Generalized Development Plan ("GDP") consisting of eight (8) sheets prepared by Dewberry & Davis, entitled Pulte Homes/Westbrook, dated December 6, 2000, revised through July 20, 2001 and as further modified by these proffered conditions.
2. Minor Modifications to Design. Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications from the approved GDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the GDP provided such changes are in substantial conformance with the approved GDP and proffers and do not increase the total number of units, decrease the minimum amount of open space, adversely impact the tree save areas or encroach into the minimum required yards.
3. Maximum Density. A maximum of 99 dwelling units shall be permitted on the Property, including up to eight (8) duplex affordable dwelling units ("ADUs"). The Applicant shall provide ADUs as required by Section 2-800 of the Zoning Ordinance, provided, however, that the Applicant shall be permitted to make a contribution to the Affordable Housing Trust Fund in lieu of constructing an odd-numbered (e.g., ninth) ADU in accordance with the approval of the ADU Advisory Board. The number of ADUs to be provided may be reduced based on the adoption of future amendments to the ADU ordinance, or commensurate with any reduction in the number of market rate units constructed on the

Property. The Applicant reserves the right to develop fewer than the maximum number of units referenced in this paragraph without the need for a Proffered Condition Amendment ("PCA").

4. Limits of Clearing and Grading. The Applicant shall strictly conform to the limits of clearing and grading shown on the GDP, as may be adjusted by the Urban Forester, subject only to the installation of the Noise Structure (as defined in Proffer 16B, below), utilities and/or trails, if necessary, as approved by the Department of Public Works and Environmental Services ("DPWES"). All limits of clearing and grading shall be protected by temporary fencing, a minimum of four feet in height. The temporary fencing shall be installed prior to any work being conducted on the site, and signage identifying "Keep Out - Do Not Disturb" shall be provided on the temporary fence and made clearly visible to all construction personnel. Any necessary disturbance for the Noise Structure, utilities and trails shall be accomplished in the least disruptive manner possible. All reasonable efforts will be made to ensure tree preservation opportunities. All tree save areas shall be protected during clearing, grading and construction by temporary fencing placed at the limits of clearing and grading adjacent to trees to be preserved. The temporary fencing shall be installed prior to any work being conducted on the site, and signage shall be securely attached to the protective fencing, identifying tree preservation areas and made clearly visible to all construction personnel. Signs shall measure a minimum of 10x12 inches and read: "TREE PRESERVATION AREA - KEEP OUT."

A. Utility/Trail Clearing and Grading. Any area located within the limits of clearing and grading that must be disturbed due to the installation of the trails and/or utilities shall be replanted with the application of straw, mulch, grass seed and/or a mix of native seedlings, as approved by the Urban Forester.

B. Noise Structure Clearing and Grading. Any area located within the limits of clearing and grading that must be disturbed for the installation of the Noise Structure shall be replanted with a mixture of large deciduous and evergreen trees, as approved by the Urban Forester. At the time of planting, the deciduous trees shall be a minimum of 2 to 2½ inches in caliper and the evergreens shall be a minimum of 8 feet in height. At least one tree shall be planted for each 250 square feet cleared.

5. Tree Preservation. The Applicant shall utilize best faith efforts to maximize tree save opportunities. For the purposes of maximizing the preservation of trees in tree save areas, the Applicant shall prepare a tree preservation plan. The tree preservation plan shall be submitted to the Urban Forestry Branch of DPWES for review and approval as part of the first subdivision plan submission. The tree preservation plan shall be prepared by a certified arborist and coordinated with and approved by the Urban Forester and shall provide for preservation of, at a minimum, specific quality trees or stands of trees within the tree save areas depicted on the GDP to the maximum extent reasonably feasible, subject to installation of the Noise Structure, necessary utilities, utility lines, and/or trails, and to the maximum extent reasonably feasible without precluding the development of a unit typical to this project on each of the lots shown on the GDP. The Urban Forester may require modifications of such plans to the extent these modifications do not alter the

number of dwelling units shown on the GDP, reduce the size of the proposed units, significantly move their location on the lot, or require the installation of retaining walls greater than 2 feet in height and not to exceed 50 square feet of wall face for each such retaining wall. The tree preservation plan shall include a tree survey which identifies the species, size, and condition of all trees 12" and greater in diameter located within 20' of either side of the limits of clearing and grading in designated tree save areas. The conditions analysis shall be conducted by a certified arborist using methods outlined in the latest edition of the Guide for Plant Appraisal.

The documents for the Property's Homeowners Association ("HOA") shall require that no structures (other than the Noise Structure, utilities, utility lines, and/or trails as provided hereinabove) or fences shall be erected in tree save areas, and that trees in HOA open space areas and tree save areas will not be disturbed except for (i) the removal of diseased, dead, dying, or hazardous trees or parts thereof; and/or (ii) selective maintenance to remove noxious and poisonous weeds.

Further, the Applicant shall implement a tree maintenance program for the replanting areas adjacent to the Noise Structure to ensure that the plantings are established and maintained as determined by the Urban Forestry Division. This obligation shall include semi-annual site inspections with the Applicant/Developer and/or a representative of the HOA and the Urban Forester to verify that all installed landscaping remains viable. This obligation shall be transferred to the HOA at the time of bond release and shall terminate two years after planting; this obligation shall be set forth in the HOA documents.

6. Berkshire Woods Buffer. As shown on Sheet 5 of the GDP, the Applicant shall provide an open space buffer adjacent to Berkshire Woods along the Property's eastern boundary behind proposed lots 45-50, inclusive, and shall not construct any portion of any residential unit, or any addition thereto, on those lots within the distances dimensioned on the GDP between the proposed houses and the property line for each individual lot. No decks, patios or additions may extend into the dimensioned minimum distance. This restriction shall be included in the HOA documents and on record plats. The buffering adjacent to Berkshire Woods shall be as shown on the GDP, as approved by the Urban Forestry Division. The purpose of said buffer will be to conserve and preserve the natural vegetation now existing within the referenced area; to preclude the construction of fences or other structures therein except for necessary utilities as approved by DPWES; and to preclude other disturbances except for (a) removal of diseased, dead, dying, or hazardous trees or parts thereof; and (b) selected maintenance to remove noxious and poisonous weeds. These restrictions will be included in the HOA documents.

7. Recreation Facilities. The Applicant shall provide a tot lot, gazebo, picnic area, four (4) benches and a four (4) foot wide asphalt trail for use by community residents, in the common open space area located generally in the area shown on the GDP. The Applicant shall also provide sidewalks and trails as generally depicted on the GDP. In addition, a bench and trash receptacle shall be added at each entrance to the community, generally as shown on the GDP, or in a location determined by DPWES.
8. Landscaping and Design Amenities. Landscaping shall be consistent with the quality, quantity and the locations shown on Sheet 5 of the GDP. Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans submitted for review and approval by the County Urban Forester and DPWES at the time of subdivision plan review. Site amenities such as entry signs, light posts, and benches shall be of a quality consistent with that depicted on Sheet 7 of 8.
9. Fairfax Center Area Roadway Contribution. The Applicant shall contribute to the Fairfax Center Area Road Fund in accordance with the "Procedural Guidelines" adopted by the Board of Supervisors (the "Board") on November 22, 1982, as amended, subject to credit for all creditable expenses, as determined by the Fairfax County Department of Transportation and DPWES.
10. Westbrook Drive. In accordance with the GDP, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to 26 feet from the centerline of the Westbrook Drive frontage and shall widen, or escrow the funds to widen if approved by DPWES and in an amount determined by DPWES, Westbrook Drive along the Property's frontage, to a pavement width of 19 feet as shown on the GDP, unless a reduced pavement width is approved by the Virginia Department of Transportation ("VDOT"). All dedications shall occur at the time of final subdivision plan approval or upon demand by Fairfax County, whichever occurs first, and shall be subject to Proffer 17 regarding reservation of development density to the residue of the subject Property.
11. Eminent Domain. The Applicant shall diligently pursue acquisition of any necessary off-site R-O-W and/or temporary or permanent easements, to construct the connection to Collin Chase Place. If the R-O-W and/or temporary or permanent easements are unavailable, the Applicant shall request Fairfax County to acquire necessary R-O-W and/or temporary or permanent easements through its powers of eminent domain, at the Applicant's expense. The Applicant's request will not be considered until it is forwarded, in writing, to the Director of Property Management accompanied by:
  - a) Plans and profiles showing the necessary R-O-W and/or temporary or permanent easements;
  - b) An independent appraisal, by an appraiser who is not employed by the County, of the value of the land taken and damages, if any, to the residue of the affected property;
  - c) A sixty (60) year title search certificate of the R-O-W and/or temporary or permanent easements to be acquired; and

- d) A Letter of Credit in an amount equal to the appraised value of the property to be acquired and of all damages to the residue which can be drawn upon by Fairfax County. It is also understood that in the event the property owner of the R-O-W and/or temporary or permanent easements to be acquired is awarded more than the appraised value of the property and of the damages to the residue in a condemnation suit, the amount of the award shall be paid to Fairfax County by the Applicant within five (5) days of said award. It is further understood that all other costs incurred by Fairfax County in acquiring the R-O-W and/or temporary or permanent easements shall be paid to Fairfax County by the Applicant upon demand.
12. I-66 Ramp. In accordance with the GDP, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors an additional 12 feet of right-of-way adjacent to the I-66 ramp to the Fairfax County Parkway in the northeast corner of the site. All dedications shall occur at the time of final subdivision plan approval or upon demand by Fairfax County, whichever occurs first, and shall be subject to Proffer 17 regarding reservation of development density to the residue of the subject Property.
13. Vacation/Abandonment of a Portion of Steuben Pike. Prior to approval of (i) any plan, plat, or permit authorizing development activity within the area impacted by the area of Steuben Pike proposed for vacation/abandonment (lots 56 through 64 and 74 through 77, inclusive), or (ii) the first final subdivision plat for recordation for any portion of the remainder of the Property, whichever first occurs, the Applicant shall obtain vacation and/or abandonment of the approximately 29,148 square foot (0.66915 acre) portion of the right-of-way of Steuben Pike shown on the Vacation Plat dated November, 2000, prepared by Dewberry & Davis, on which it is identified as "Steuben Pike 30' R/W 29,148 OR 0.66915 AC. HEREBY VACATED." In the event the Board of Supervisors does not approve the vacation and/or abandonment of this portion of right-of-way of Steuben Pike, and failure to obtain such approval precludes development in substantial conformance with the GDP, the Applicant shall obtain a Proffered Condition Amendment to the extent necessary to develop the Property. The Applicant acknowledges that failure to obtain vacation and/or abandonment approval may result in a loss of developable lots, and hereby waives any right to claim or assert (i) any 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.
14. Stormwater Management. The Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property as determined by DPWES. The Applicant shall apply for a waiver of the requirement to provide on-site Stormwater Management/Best Management Practices ("SWM/BMP") in order to utilize off-site facilities, including Regional Ponds R-9 and R-17. In the event the waiver is not approved by DPWES, a Proffered Condition Amendment ("PCA") application may be required if the provision of on-site SWM/BMPs results in the layout

not being in substantial conformance with the GDP. If the waiver has been approved by DPWES but R-17 is not available to receive stormwater runoff at the time of issuance of the RUP for the initial residential unit in the area of the Property whose stormwater runoff is to be served by R-17, one or more temporary stormwater detention facilities may be provided on site, but only in areas outside the limits of clearing and grading; any temporary SWM/BMP facility(ies) which are constructed on the Property may be eliminated at such time as Regional Pond R-17 is determined by DPWES to be available to receive such stormwater runoff, and single-family detached homes may be developed in general conformance with the GDP.

15. Architectural Elevations and Typical Landscaping. The proposed units, including the duplex ADUs, shall be generally in character with the conceptual elevations shown on Sheet 8 of the GDP as determined by DPWES.
16. Residential Noise Attenuation. To address potential noise impacts from Interstate 66, the Applicant shall:
  - A. Use building materials with the following characteristics pursuant to commonly accepted industry standards to achieve a maximum interior noise level of approximately 45 dBA Ldn as follows:
    1. All residential units within 560 feet of the presently existing centerline of I-66 which are impacted by highway noise levels of between 70 and 75 dBA Ldn and not otherwise shielded by structures or topography shall have the following acoustical attributes: Exterior walls shall have a laboratory STC rating of at least 45; doors and glazing shall have a laboratory STC rating of at least 37. If glazing constitutes more than twenty percent (20%) of any facade, it should have the same laboratory STC as walls. Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
    2. All residential units within 1,200 feet of the presently existing centerline of I-66 which are impacted by highway noise levels of between the 65 and 70 dBA Ldn and not otherwise shielded by structures or topography shall have the following acoustical attributes: Exterior walls shall have a laboratory STC rating of at least 39; and doors and glazing shall have a laboratory STC rating of at least 28. If glazing constitutes more than twenty percent (20%) of any facade, it should have the same laboratory STC as walls. Measures to seal and caulk between exterior wall surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.
  - B. To achieve a maximum exterior noise level of (i) 65 dBA Ldn for privacy yards and outdoor recreational areas exposed to noise levels from I-66 in excess of 65 dBA Ldn, and (ii) 75 dBA Ldn for residential units, or upper levels thereof, exposed to noise levels from I-66, as specified in the noise analyses prepared by

Polysonics, dated January 16, 2001, and March 21, 2001, as may be modified pursuant to Paragraph C, below (the "Noise Analysis") the Applicant shall construct a noise attenuation structure within the I-66 right-of-way, subject to VDOT approval. Said noise attenuation structure shall include acoustical walls, earthen berms and/or combinations thereof (the "Noise Structure"), which meet VDOT noise barrier standards and can be accepted into the VDOT system for maintenance. The Noise Structure shall be constructed along the Property's I-66 frontage as shown on the GDP, shall be flush to the ground and architecturally solid from ground up with no gaps or openings. Unless otherwise modified pursuant to Paragraph 16(C) below, the height of the Noise Structure shall vary from a height of approximately 8 feet at its lowest to a maximum height of approximately 18 feet. Applicant shall not construct residential units whose ground or upper-story living areas would fall within areas impacted by highway noise levels in excess of 75 dBA Ldn, unless appropriate noise mitigation measures to achieve interior levels of 45 dBA or less such as the Noise Structure are provided as approved by DPWES. Neither the Applicant nor the HOA shall be responsible for restoration, removal, relocation or reconstruction of said noise barriers if such noise barriers are removed or otherwise altered in conjunction with future improvements to I-66. The Noise Analysis shall be submitted to DPWES with the first submission of the subdivision plan.

- C. As an alternative to preceding subparagraph "A," and to preceding subparagraph "B" as it relates to the anticipated height of the Noise Structure, the Applicant may elect to have a refined acoustical analysis performed, subject to approval of DPWES, to verify or amend the noise levels and impact areas set forth above and/or to determine which units may have sufficient shielding from vegetation and other structures to permit a reduction in the mitigation measures prescribed above; or to determine minimum STC ratings for exterior walls, windows, and doors.
- D. Noise measurements shall be taken in two locations on the property of the adjacent Berkshire Woods community (Tax Map Reference 55-2-((8))) immediately prior to and immediately after the clearing of the site. The locations and timing of the noise measurements shall be determined by the Applicant in consultation with the Board of Directors of Berkshire Woods. The noise measurements shall be taken using the same instruments and shall be performed in the same location on the same day of the week and at the same time of day. In the event that the noise measurements show a difference of 5 dBA or greater between the pre- and post-clearing conditions, the Noise Structure shall be constructed parallel to the cleared area prior to the issuance of the first Residential Use Permit ("RUP"). In the event that the noise measurements show less than a 5 dBA increase, the Applicant shall be authorized to phase construction of the Noise Structure as necessary to provide noise attenuation to the extent required by this Proffer for the issuance of the RUP for each respective residential unit.

- 17. Density Credit. All intensity of use attributable to land areas dedicated and conveyed to the Board pursuant to these proffers shall be subject to the provisions of Paragraph 4 of

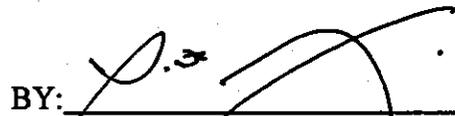
Section 2-308 of the Zoning Ordinance and is hereby reserved to the residue of the subject Property.

18. Construction Traffic. All construction traffic and personnel will be instructed to access the site from the western entrance. The eastern entrance of the site will be barricaded until the heavy construction is complete. No heavy construction equipment shall be transported onto the site or off the site between the hours of 6:45 a.m. and 8:15 a.m. and the hours of 2:00 p.m. and 3:30 p.m. on school days.
19. Archeology. Prior to any construction or grading activity, the Applicant shall perform a phase I archeological survey on the three areas identified in the staff referral dated March 2, 2001. The central area identified in the referral shall be subject to a tight interval (25 feet) phase I survey. The Applicant shall notify Fairfax County Archeology Services ("FCAS") at least thirty (30) days prior to initial clearing, to provide an opportunity for FCAS to monitor the clearing and recover any additional artifacts and features which may be exposed, provided that such recovery does not unreasonably interfere with or delay the Applicant's construction schedule.
20. Energy Efficiency. All homes constructed on the Property shall meet the thermal standards of the Virginia Power Energy Saver Program for energy efficient homes, or its equivalent, as determined by DPWES, for either electric or gas energy systems.
21. Northern Boundary Landscaping. Consistent with Proffers 4 and 5, and subject to VDOT approval, the Applicant shall use its best faith efforts to utilize the VDOT right-of-way for the construction of the Noise Structure in order to preserve the existing vegetation. The Applicant may clear up to, but no more than, ten (10) feet from the right-of-way toward the southern boundary for the installation of the Noise Structure. In the event that any portion of the tree save area beyond the permitted 10 feet is cleared in order to install the Noise Structure, that portion shall be replanted as detailed in Proffer 4, above and evergreen trees, a minimum of eight feet (8') in height, shall be planted 20 feet on center in the area that was denuded. Irrespective of what is shown on the GDP, in the areas where tree save is accomplished along the northern boundary between the proposed lots and the Noise Structure, the obligation to replant as detailed in this proffer shall be null and void as to the lots behind which, or on which, existing trees are preserved.
22. Fair Lakes Cove Landscaping. Subject to final engineering and approval by DPWES of the proposed stormwater management pond at the western end of the Property, the Applicant shall construct such stormwater management pond in the location and configuration shown on the GDP so as to achieve the tree save shown on the GDP except to the extent grading for such pond and pond outfall may require clearing in such tree save area, as approved by DPWES and the Urban Forester. Landscaping shall be provided as shown on the GDP between the ADU units and the northern boundary of Fair Lakes Cove. Any area located within the limits of clearing and grading that must be disturbed due to construction of the pond and/or pond outfall shall be replanted with a mixture of large (as defined in Proffer 4(B) above) deciduous and evergreen trees, as approved by the Urban Forester.

23. Illegal Signs. 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 at the Applicant's direction to assist in the initial sale of homes on the Property. Furthermore, the Applicant shall direct its agents and employees involved in the marketing and sale of the residential units on the Property to adhere to this Proffer.
24. Blasting. In the event blasting is necessary, before any blasting occurs on the Property the Applicant shall: (i) ensure that the Fairfax County Fire Marshal has reviewed the blasting plans; (ii) follow all safety recommendations made by the Fire Marshal; and (iii) provide independent qualified inspectors approved by DPWES to inspect wells, serving residences on properties whose owners permit such inspections, located on Tax Map Parcels 55-1-((8)) H, 55-2 ((3)) E1, E2, G-1, G-2, N-1, N-2 and R-3 (the "Inspected Wells"). The inspector shall check the flow rate for each of the Inspected Wells immediately before and immediately after blasting. If allowed by County or State regulations, the Applicant shall either (i) expeditiously repair any damage to, or at its sole discretion, may expeditiously replace the Inspected Well(s) determined by the inspector to have been damaged as a result of blasting on the Property, or (ii) pay for hook-up of public water to serve any house whose well has been damaged by blasting on the Property.
25. Fence. The Applicant shall construct a six-foot (6') black vinyl coated chain link fence on the south side of the Property adjacent to Tax Map Parcels 55-1-((8)) H, 55-2-((3)) G1, G2, E1 and E-2 and along the eastern and western boundaries of the Property, adjacent to Parcels 55-2-((3)) Parcel E1 and G2. In the alternative, at the time of subdivision plan approval, the Applicant may provide DPWES with letters of agreement from any or all of the owner(s) of the aforesaid lots relieving the Applicant of the obligation to construct the portion of the fence adjacent to or on their respective lot(s).
26. Successors and Assigns. Each reference to "Applicant" in this Proffer Statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.
27. Counterparts. To facilitate this execution, this Proffer Statement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of all the parties to the Proffer Statement appear on each counterpart of this Proffer Statement. All counterparts of this Proffer Statement shall collectively constitute a single instrument.

[SIGNATURES ON FOLLOWING PAGES]

PULTE HOME CORPORATION  
*Applicant*

BY: 

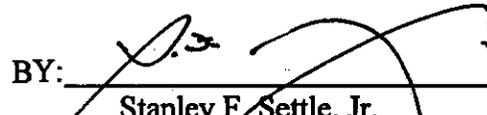
Stanley F. Settle, Jr.

Agent and Attorney-in-Fact

*PULTE HOME CORPORATION, BY STANLEY F. SETTLE, JR.  
ITS AGENT AND ATTORNEY IN FACT*

METRO PLACE HOLDINGS, LLC

Title Owner of Parcels 55-1-((7))-27, 28, 29;  
55-2-((2))-13, 14, 24, 25, 26; 55-2-((3))-F

BY: 

Stanley F. Settle, Jr.

Agent and Attorney-in-Fact

*METRO PLACE HOLDINGS LLC BY STANLEY F. SETTLE, JR.  
ITS AGENT AND ATTORNEY IN FACT*

PERCH ASSOCIATES LIMITED PARTNERSHIP

Title Owner of Parcel 55-2-((2))-12

BY: \_\_\_\_\_

John T. Hazel, Jr.

General Partner

VICTOR LIMITED PARTNERSHIP

Title Owner of Parcel 55-2-((4))-B

BY: \_\_\_\_\_

Milton V. Peterson

General Partner

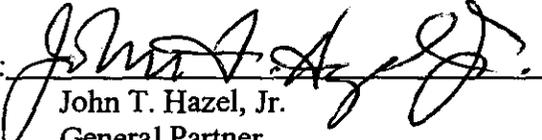
PULTE HOME CORPORATION  
*Applicant*

BY: \_\_\_\_\_  
Stanley F. Settle, Jr.  
Agent and Attorney-in-Fact

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BY: \_\_\_\_\_  
Stanley F. Settle, Jr.  
Agent and Attorney-in-Fact

PERCH ASSOCIATES LIMITED PARTNERSHIP  
*Title Owner of Parcel 55-2-((2))-12*

BY:   
John T. Hazel, Jr.  
General Partner

VICTOR LIMITED PARTNERSHIP  
*Title Owner of Parcel 55-2-((4))-B*

BY: \_\_\_\_\_  
Milton V. Peterson  
General Partner

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BY: \_\_\_\_\_  
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BY: \_\_\_\_\_  
  
Milton V. Peterson  
General Partner

