

PCA C-403-02

WASHINGTON SQUARE HOMES ASSOC

PROFFERS

July 31, 2006

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950, as amended, Washington Square Homes Association (hereinafter referred to as the "Applicant"), for the owners, themselves, successors and assigns in Proffered Condition Amendment Application PCA C-403-02 (the "Application"), proffers, for the property identified as Tax Map Reference No. 108-1 ((8)) A pt. (hereinafter referred to as the "Property"), the following items, provided that the Fairfax County Board of Supervisors approves the Application. All proffers associated with RZ C-403 dated March 25, 1976, shall remain in full force and effect, except that upon the approval of PCA C-403-02, the following revised Proffer #4 shall replace the existing Proffer #4 associated with RZ C-403 dated March 25, 1976, the development of the subject property, Tax Map No. 108-1((8)) Parcel A, shall be subject to the following commitments:

4. The general open space system shall be developed with a Community Recreational Facility consisting of One (1) Tennis Court and One (1) Multi-Purpose Court.
 - A. For the first three (3) years from the date of approval of this PCA the Multi-Purpose Court shall consist of one (1) basketball hoop and backboard located at the north end of the multi-purpose court, and one (1) combination tennis court/volleyball court. Use of the basketball hoop and backboard shall only be for residents of the Washington Square community. No guests shall be permitted to use the basketball hoop and backboard. Anytime after the initial three (3) year period, the HOA may file an administrative request for review by the Zoning Administrator to expand the usage of the multi-purpose court to consist of no more than two (2) basketball hoops and backboards and one (1) combination tennis court/volleyball court. Prior to filing the request to expand the usage of the multi-purpose court the HOA shall provide written notification to homeowners located adjacent to the community recreational facility to the north, east, and west. The written notification shall inform homeowners of the HOA request and provide the contact information for the Zoning Administration Division of the Department of Planning & Zoning if they have any concerns with the request. The determination of the Zoning Administrator shall be made in concurrence with the Mount Vernon District Supervisor's Office, based upon the applicant's compliance with this proffer during the initial three (3) year period as evidenced by

issuance of a notice of violation of this proffer. If a notice of violation of this proffer has been issued the request to expand the usage shall be denied.

- B. Signage prohibiting the use of profanity shall be posted at the site of the community recreational facility.

- C. Maintenance of the Community Recreational Facility shall be provided by the homeowners association for the community. The homeowners association shall amend the homeowners' association documents to improve the monitoring and policing of the recreational courts, to enforce the rules, and reduce the improper use or abuse of that privilege, within forty five days of the acceptance of the proffer.

Washington Square Homes Association

By: _____

Name: Anthony Bennett

Title: Vice-President