

PROFFERS

BEYER I LIMITED LIABILITY COMPANY

RZ 2015-PR-016

December 29, 2015

Pursuant to Va. Code Ann. § 15.2-2303 (a) and subject to the Board of Supervisors approving a rezoning of the property identified as Tax Map 40-3 ((12)) 8A (hereinafter referred to as the "Application Property") from the I-5 District to the C-8 District, Beyer I Limited Liability Company (hereinafter referred to as the "Applicant"), for the owner, itself, and its successors and assigns, hereby proffers to the following conditions. If accepted, these proffers shall replace and supersede any previous proffers approved on the Application Property.

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of § 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the generalized development plan/special exception plat ("GDP/SE Plat") consisting of eight sheets, prepared by Walter L. Phillips, Inc., dated October 10, 2013 and revised through December 21, 2015.
- b. Minor modifications to the GDP/SE Plat may be permitted as determined by the Zoning Administrator in accordance with the provisions of § 18-204 of the Zoning Ordinance. The Applicant reserves the right to modify the layout shown on the GDP/SE Plat at time of site plan based on final engineering and design provided that there is no decrease in the amount or location of open space or landscaping, or distances to peripheral lot lines, or increases in limits of clearing and grading as shown on the GDP/SE Plat.

2. TRANSPORTATION

Density credit is reserved consistent with § 2-308 of the Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or the Virginia Department of Transportation ("VDOT") pursuant to the Public Facilities Manual ("PFM"), at or prior to time of site plan approval.

3. SUCCESSORS AND ASSIGNS

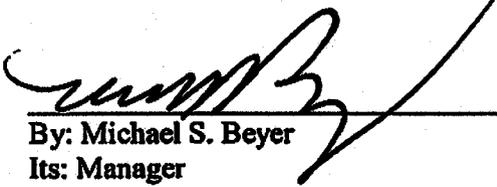
These proffers will bind and inure to the benefit of the Applicant and its successors and assigns.

4. COUNTERPARTS

These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one in the same instrument.

APPLICANT/AGENT FOR TITLE OWNER

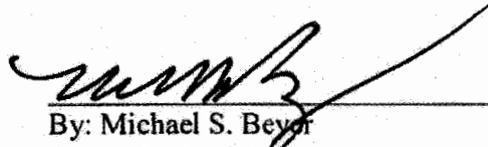
BEYER I LIMITED LIABILITY COMPANY


By: Michael S. Beyer
Its: Manager

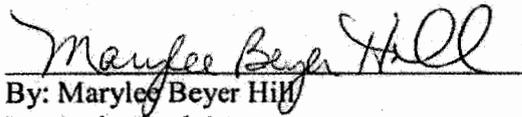
[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 40-3 ((12)) 8A

BEYER II LIMITED LIABILITY COMPANY

A handwritten signature in cursive script, appearing to read "msb", written over a horizontal line.

By: Michael S. Beyer
Its: Authorized Agent

A handwritten signature in cursive script, appearing to read "Marylee Beyer Hill", written over a horizontal line.

By: Marylee Beyer Hill
Its: Authorized Agent

[SIGNATURES END]