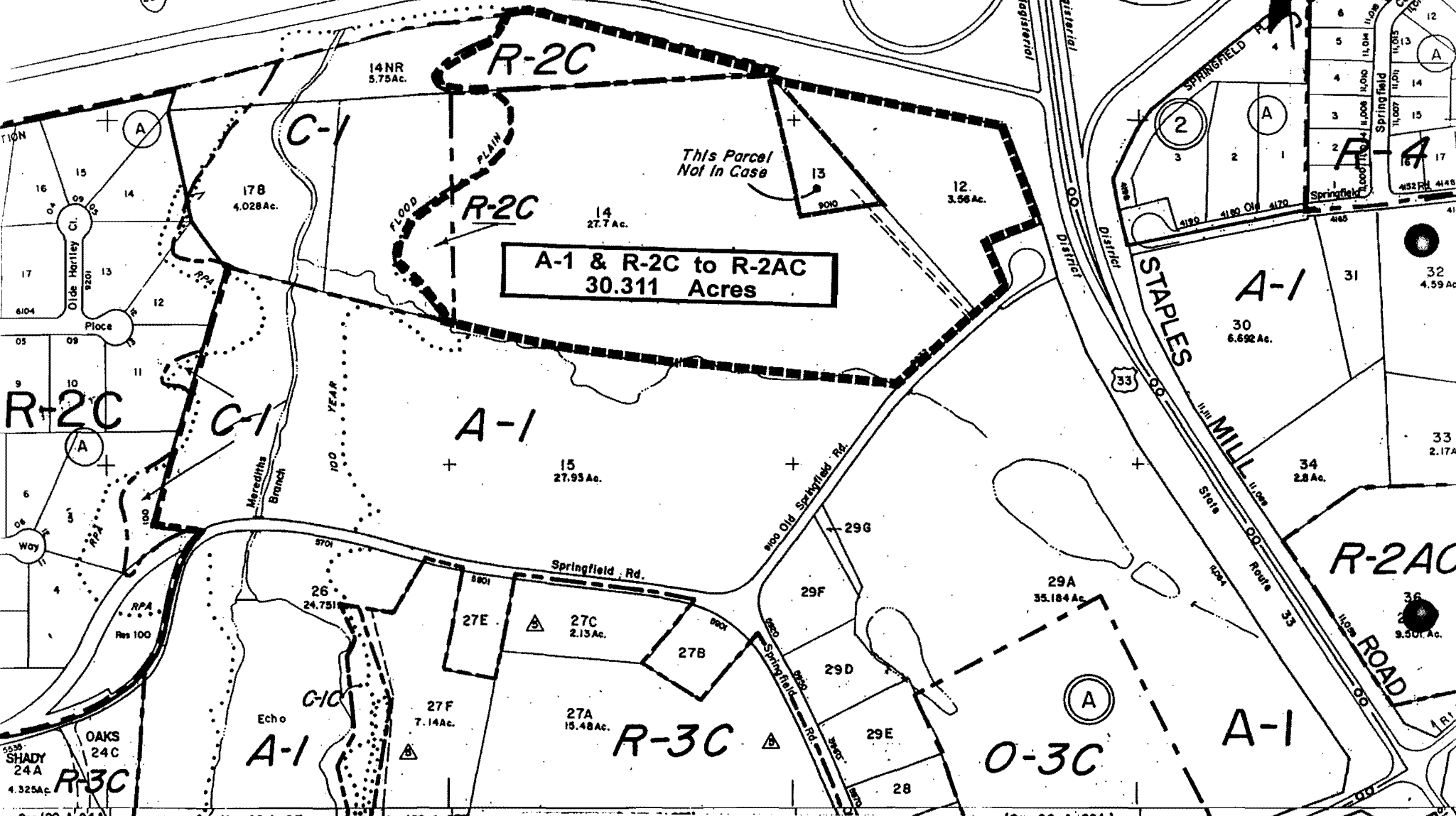


INTERSTATE 295

A-1



A-1 & R-2C to R-2AC
30.311 Acres

SINGLE - FAMILY RESIDENTIAL

20-A-12 Pts. of 14 & 14NR
THREE CHOPT DISTRICT

C-32C-99

0 200' 400'



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

September 21, 1999

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-32C-99

Mr. Russell H. Malone, L.C.
Duma & Associates, L.C.
3524 Mayland Ct.
Richmond, VA, 23233

Dear Mr. Malone:

The Board of Supervisors at its meeting on September 14, 1999, granted your request to conditionally rezone property from A-1 Agricultural District and R-2C One Family Residence District (Conditional) to R-2AC One Family Residence District (Conditional), Parcel 20-A-12, and part of Parcels 20-A-14 and 14NR, described as follows:

Beginning at a point 1134.00' west of the western line of Staples Mill Road on the northern line of relocated Springfield Road; thence N. 76° 03' 00" E., 241.07' to point; thence N. 68° 42' 45" E., 258.88' to a point; thence S. 46° 38' 13" E., 39.28' to a point; thence N. 76° 03' 00" E., 376.96' to a point on a curve; thence along said curve to the left having a radius of 1392.39', and an arc length of 173.45' to a point; thence N. 15° 16' 25" E., 89.09' to the western line of Staples Mill Road; thence N. 27° 40' 30" E., 349.50' to a point; thence N. 27° 11' 51" W., 751.32' to a point on a curve; thence along said curve to the right, having a radius of 2044.86', arc length of 319.52' and a chord bearing and chord distance of N. 22° 52' 25" W., 319.20' to a point; thence N. 15° 17' 30" W., 114.50' to a point; thence N. 45° 19' 00" W., 79.43' to a point; thence N. 85° 40' 50" W., 100.82' to a point on the southern line of Old Springfield Road; thence S. 56° 22' 40" W., 49.30' to a point; thence N. 33° 37' 20" W., 10.00' to a point; thence along a curve to the left having a radius of 3826.03', arc length of 100.39' and chord bearing and chord distance of S. 57° 07' 48" W., 100.38' to a point; thence S. 57° 52' 54" W., 55.02' to a point on a curve; thence along said curve to the left having a radius of 1356.52', arc length of 363.77' to a point; thence S. 42° 31' 01" W., 263.35' to a point; thence S. 19° 39' 21" E., 269.26' to a point; thence S. 26° 36' 58" W., 56.67' to a point; thence S. 06° 02' 00" W., 88.72' to a point; thence S. 27° 15' 05" E., 76.96' to a point; thence N. 66° 06' 30" E., 14.57' to a point; thence S. 45° 13' 00" E., 126.80' to a point; thence S. 19° 39' 21" E., 228.00' to a point; thence S. 13° 23' 09" W., 526.61' to the point of beginning, containing 30.311 acres, more or less.

The Board of Supervisors accepted the following proffered conditions, dated July 21, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Foundations. The exposed exterior portions of exterior foundations shall be constructed of brick or natural stone; however, the exposed exterior portions of exterior foundations may be constructed of exterior insulating finish systems (E.I.F.S.) if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in E.I.F.S.
2. Chimneys. No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick, stone or, if the dwelling is primarily sided with exterior insulating finishing systems ("E.I.F.S."), then E.I.F.S. This proffer shall not apply to appliance vents. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
3. Protective Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.
4. Minimum House Sizes. Residences shall have a minimum of 2,400 square feet of finished floor area.
5. Minimum Lot Width. Lots shall have a minimum lot width of ninety (90) feet.
6. Clearing Limitation. When practicable, the clearing of trees shall be limited to that necessary for dwellings, road improvements, driveways, utilities, signage, customary accessory uses and wetland mitigation areas or when necessary for common areas.
7. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
8. Buffer. A natural and/or landscaped buffer, supplemented as needed to provide additional screening, shall be provided a minimum of twenty-five (25) feet in width adjacent to Interstate 295, fifteen (15) feet of which shall be exclusive of any yard requirements, except to the extent necessary or allowed for utility easements and other purposes requested and specifically permitted, or if required, at the time of subdivision review. Any utility easements (other than existing utility easements) permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted or if required by the County at the time of subdivision review. This area will be designated on the subdivision plat as a Planting Strip Easement. The subdivision plat will also note that this easement is for the purposes of maintaining a buffer between the dwellings and Interstate 295.

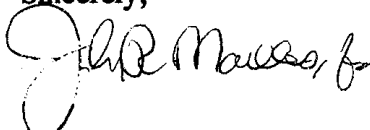
Mr. Russell H. Malone, L.C.
Duma & Associates, L.C.
September 21, 1999

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9. Access. The Developer agrees to provide a stub road connection to Henrico County Tax Parcel No. 20-A-13 if required by the Planning Commission at the time of subdivision plan approval and if consented to by the owner of said Tax Parcel No. 20-A-13.
10. Garages. There shall be no front-facing garages for any residence on the Property.
11. Driveways. All driveways for individual dwellings shall be paved and shall not utilize surface-treated gravel.
12. Sodding; Irrigation. All front lawns shall initially be sodded and shall be serviced by an irrigation system.
13. Layout Plan. The Property shall be developed in substantial conformance with the layout plan attached hereto as Exhibit A, unless otherwise specifically approved at the time of Subdivision review.

The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,



Virgil R. Hazelett, P.E.,
County Manager

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. James W. Theobald, Esquire
Ms. Irene Carnes Wright
FSN Realty, Inc.