

Pursuant to Section 15.2-2309(A), Code of Virginia, 1950 edition as amended, Jade Dunn Loring Metro, L.L.C., the "Applicant" in PCA 84-P-129-5 filed for property identified as Tax Map 49-2 (377) C1, D2, E, and F1 (hereinafter referred to as the "Application Property"), for itself, its successors and assigns, reaffirms the previous proffer for PCA 84-P-129-5 dated May 3, 1999, and previous proffers for PCA 84-P-129-5 dated July 13, 1990, and previous proffer for PCA 84-P-129-4 dated February 6, 1997 which shall remain in full force and effect, except as specifically amended herein.

1. Revise Proffer 1 in Proffers dated February 6, 1997 as follows:

Development of Parcels C1, D2, E, and F1 shall be in substantial conformance with the Conceptual Development Plan Amendment/Plan Development Plan Amendment (CDP/ADP/A) prepared by Greenhome and O'Mara consisting of 5 sheets, dated June 1998, and revised through January 7, 1999. It shall be understood that the CDP/ADP/A affecting Parcels C1, D2, E and F1 shall be the master plan relative to the point of access, the total number and types of units, amount and general location of the open space, and distance to peripheral facilities. The Applicant has the option to request a Final Development Plan Amendment (FDPA) for elements other than CDP/A elements from the Planning Commission for all or a portion of the CDP/ADP/A affecting Parcels C1, D2, E and F1 in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance, if in conformance with the approved CDP/A and proffer.

Development of Parcels G1 and H1 shall be in substantial conformance with the Conceptual Development Plan Amendment/Plan Development Plan Amendment (CDP/ADP/A), prepared by Greenhome and O'Mara consisting of 4 sheets, dated June 20, 1998, and revised through January 7, 1999. The Applicant has the option to request a Final Development Plan Amendment (FDPA) for elements other than CDP/A elements from the Planning Commission for all or a portion of the CDP/ADP/A affecting Parcels G1, D2, E and F1 in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance, if in conformance with the approved CDP/A and proffer.

2. Retained. (See Proffer dated May 3, 1989).

3. Retained. (See Proffer dated February 6, 1997).

4. Retained. (See Proffer dated May 3, 1989).

5. Retained. (See Proffer dated May 3, 1989).

6. Retained. (See Proffer dated May 3, 1989).

7. Retained. (See Proffer dated May 3, 1989).

8. Retained. (See Proffer dated February 6, 1997 as follows:

The Developer of Parcels F1 and G1 shall offer two (2) one-bedroom units to the Fairfax County Housing Authority ("Authority") upon commencement of construction of the buildings within which those units are located. Selection of those units shall be made in the sole discretion of the Developer. Said offer, or offers if construction is commenced on the buildings in which the units are located at different times, shall be in writing and the Authority shall have ninety (90) days to accept the said offer or offers in writing. The sales price of each unit shall be \$65,000, or reflect a discount of \$13,000 from the market rate sales price of that unit at Metro Place, whichever is lower. Each such unit shall provide all standard items which are offered in the market rate units. The Authority must purchase each of the units offered within thirty (30) days of the issuance of the Residential Use Permit for that unit, but no sooner than one hundred twenty (120) days from the date of the offer of the unit to the Authority. It is hereby understood that any and all owners of these two (2) units shall have all of the responsibilities required of other condominium owners at Metro Place. In the event that the Authority does not provide timely acceptance or purchase as set forth above, the Developer or Parcel F1 and G1 shall have no further obligations under this proffer.

In addition to the two (2) units to be offered to the Authority as described in the above paragraph, the Applicant shall provide suitable dwelling units on the Application Property in accordance with Section 2409 of the Fairfax County Zoning Ordinance. The commitment to provide these two (2) suitable dwelling units shall remain regardless of any potential future amendment to the ADU Ordinance or any statement on the CDP/ADP/A to the contrary.

9. Retained. (See Proffer 3 of Proffers dated February 6, 1997).

10. Retained. (See Proffer 9 of Proffers dated February 6, 1997).

11. Revise Proffer 11 of Proffers dated February 6, 1997 as follows:

Height of the residential buildings for Parcels C1, D2, D3, E, F1 and G1 shall be in accordance with the building heights as shown on the respective CDP/ADP/A's. Height of the buildings on Parcels A and B shall be in accordance with the building heights as shown on the CDP/A prepared by HOK, architect and planner, dated June 11, 1997, and revised through July 12, 1990.

12. Retained. (See Proffers dated May 3, 1989).

13. Retained. (See Proffers dated May 3, 1989).

14. Retained. (See Proffers dated May 3, 1989).

15. Retained. (See Proffers dated May 3, 1989).

16. Deleted by Proffer dated February 6, 1997.

17. Retained. (See Proffers dated May 3, 1989).

18. Deleted by Proffer dated February 6, 1997.

19. Deleted by Proffer dated February 6, 1997.

20. Retained. (See Proffer dated May 3, 1989 as follows:

The Applicant agrees to expend at least \$955.00 per unit for each unit on Parcels C1, D2, E and F1, and at least \$300.00 for each unit on Parcel G1, for developed recreational amenities on site, including the cost of a swimming pool complex and community center.

21. Retained. (See Proffer dated May 3, 1989). (This improvement has been completed.)

22. Retained. (See Proffers dated February 6, 1997).

23. Revise Proffer 23 dated May 3, 1989 as follows:

The residential buildings shall be conceptually as shown on the elevations provided on sheets 3, 4, and 4A of the CDP/ADP/A. The elevations are illustrative only and are presented to

illustrate the general character and architectural theme of the proposed buildings. The elevations may be refined and are subject to modifications at time of final engineering and design.

The rear elevations of the multi-family residential buildings adjacent to the Merrifield Village Apartments shall be consistent in building materials and design with the front elevations of said buildings, provided, however, that specific design details may vary.

24. Retained. (See Proffers dated May 3, 1989).

25. Retained. (See Proffers dated May 3, 1989).

26. Retained. (See Proffer dated May 3, 1989).

27. Revise Proffer 27 dated February 6, 1997 as follows:

As shown on the CDP/ADP/A, the Applicant shall provide on-site pedestrian access from the east between Parcels C1 and D2 and through Parcel E.

The Applicant shall construct a sidewalk along the western side of the entrance road between Parcels E and F1. The Applicant shall provide a crosswalk linking this sidewalk with the sidewalk south of the rear loaded units on Parcel E.

28. Replace Proffer 28 dated May 3, 1989 as follows: The Applicant shall enclose any trash containers along the southern and eastern property lines with landscaping and six (6) foot high screening fences or walls.

29. Retained. (See Proffers dated May 3, 1989).

30. Retained. (See Proffers dated May 3, 1989).

31. Retained. (See Proffers dated May 3, 1989 and February 6, 1997).

32. Retained. (See Proffers dated February 6, 1997).

33. Retained. (See Proffers dated February 6, 1997).

(SIGNATURES BEGIN ON NEXT PAGE)

APPLICANT/CONTRACT PURCHASER OF  
TAX MAP 49-2 (377) C1, D2, E  
JADE DUNN LORING METRO, L.L.C.

By: Jade Dunn Loring  
Her Managing Member

TITLE OWNER OF TAXMAP 49-2 (377) F1  
JADE VFW L.L.C.

By: Jon D. Lura  
Her Managing Member

PLANNING • SITE ENGINEERING • TRANSPORTATION • ENVIRONMENTAL • SURVEYING/MAPPING

Greenhome & O'Mara, Inc.  
11211 MAPLES MILL ROAD  
FAIRFAX, VIRGINIA 22030  
(703) 385-9800

ANNAPOLIS, MD • ATLANTA, GA • FREDERICKSBURG, VA • GREENBELT, MD  
MECHANICSBURG, PA • ROSELIN, NC • ROCKVILLE, MD • TAMPA, FL • WEST PALM BEACH, FL

PROFFERS - JANUARY 7, 1999 AND ADU AFFIDAVIT  
METRO PLACE AT DUNN LORING  
PARCEL C1 (PROPOSED PARCEL L)

DESIGN	SCALE	N/A
SUB DRAWN		
CHECKED		
MP		
SHEET		
28 OF		
35		
DATE	PROJ. NO.	FILE NO.
8/99	31691ADE	PP-805

Ms. Michelle Bricker, Acting Director  
Office of Site Development Services  
County of Fairfax  
12055 Government Center Parkway, Suite 507  
Fairfax, Virginia 22035  
Re: METRO PLACE AT DUNN LORING  
PCA 84-P-129-5

Dear Ms. Bricker:  
In accordance with Section 101-2-5(1) of the Fairfax County Code, Jade Dunn Loring Metro, LLC certifies that it is the owner of Parcel L, METRO PLACE AT DUNN LORING (approximately 2.6489 acres), and Jade VFW, L.L.C. certifies that it is the owner of Parcel J, METRO PLACE AT DUNN LORING (approximately 1.2279 acres) collectively, the "Property". The Property is shown on Fairfax County assessment map 49-2(377) as Parcels L and J, and is zoned PDH-40. The required ADUs for the Property will be located on Parcel L.

Sincerely,  
Jade Dunn Loring Metro, LLC  
COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX, Va-will:  
The foregoing instrument was acknowledged before me this 28th day of August 1999 by Jade VFW, L.L.C. as Manager of Jade Dunn Loring Metro, LLC on behalf of the company.  
My commission expires 8/27/2003  
The foregoing instrument was acknowledged before me this 28th day of August 1999 by Jade VFW, L.L.C. on behalf of the company.  
My commission expires: Notary Public

