

**VOLUNTARY PROFFER STATEMENT**

Applicant/Owner: JPI – Clift Farm, LLC (“*Applicant/Owner*”)  
1005 Sophia St., Fredericksburg, VA 22401

Agent: James E. Jarrell IV, Agent of JPI – Clift Farm, LLC

Project Name: “Clift Farm”

Property: Stafford County Tax Parcels 46-79, 46-79H, and 46-80, consisting of approximately 56.91 acres, mainly located on Leeland Drive and Clift Farm Road (collectively, the “*Property*”)

Date: January 5, 2021

GDP: Generalized Development Plan, entitled “Clift Farm”, prepared by Monteverde Engineering & Design Studio, dated **XXXX, XX, 202X**, attached hereto as Exhibit A (“*GDP*”)

Rezoning Request: From A-1 to R-2

Rezoning File No.: \_\_\_\_\_

---

**I. General Information**

The Applicant, its successors and assigns, hereby agrees that the development of the Property, subsequent to approval of the rezoning application to which these proffers are attached, will be in conformance with the GDP and the following proffered conditions (“*Proffers*”) pursuant to Sections 15.2-2303 and 15.2-2303.4, et al. of the Code of Virginia (1950, as amended), and Chapter 28, et al. of the Zoning Ordinance of Stafford County (1994, as amended). The Proffers are the only conditions offered in this rezoning application, and any prior proffers affecting the Property are hereby superseded by these Proffers. All previous proffers associated with the Property, whether of record or not, are hereby void and of no further force and effect. The Proffers will be enforceable only upon Stafford County’s (“*County*”) full and final approval of rezoning application \_\_\_\_\_ submitted by the Applicant to reclassify the Property from A-1 to R-2 to allow the development of no more than one hundred and forty-one (141) age-restricted single family detached units.

## II. Land Use

- A. **General Development.** The Property will be developed in conformance with the GDP. Notwithstanding the foregoing, all parcel lines, parcel sizes, building envelopes, building sizes, public road locations, private driveway and travelway locations, utility locations, trail and sidewalk locations and dimensions, recreational facilities and locations, waste management facilities, storm water management facilities, amenities and locations, and dimensions of undeveloped areas shown on the GDP may be reasonably adjusted for purposes of final site or subdivision plans to allow the Applicant to be fully compliant with the requirements of state and federal agency regulations including, but not limited to, DHR, VDOT, DEQ, DCR, Army Corps., etc., and the County's zoning ordinance, subdivision ordinance and design standards manual. Notwithstanding the foregoing, any said adjustments to the GDP shall be subject to the approval of the County's Zoning Administrator, and in no event shall approved adjustments to the GDP relieve the Applicant from providing any of the Proffers.
- B. **Use.** The Property shall be developed solely for no more than one hundred forty-one (141) residential age-restricted single family detached dwelling units (each individually, a "*Unit*", and collectively, the "*Units*") as shown on the GDP.

## III. Age Restricted Housing

The Applicant agrees to provide the following age restricted housing Proffers:

- A. The age restricted single family detached dwelling units will be subject to recordable covenants which run with the land. The covenants shall provide, at a minimum, that:
- (1) The housing shall be intended for persons age 55 or older; and
  - (2) At least 80 percent of the occupied units shall be occupied by at least one person who is 55 years of age or older in accordance with all applicable state and federal laws, regulations and requirements.

*[The remainder of this page is intentionally blank]*

### **III. Right of Way**

- A. The Applicant will dedicate to Stafford County the necessary land along the Project's frontage on Clift Farm Road, as necessary to achieve 25' on either side of the existing roadway centerline, as generally depicted on Sheet 3 of the GDP. The right-of-way will be dedicated at such time that any contiguous property is included in a record plat.

### **IV. Transportation**

- A. In accordance with the Traffic Impact Analysis performed by Ramey Kemp, dated July 9, 2020 The Applicant agrees to provide the following Transportation Proffers to be performed as part of the first phase of the development's site plan:
  - (1) The Applicant will stripe the intersection of Clift Farm Road and Leeland Road, and
  - (2) The Applicant will remove all vegetation in the north side of Leeland Road, east of Clift Farm Road 555' line of sight distance located on the property's Leeland Road frontage.

### **V. Cash Proffers**

- A. The Applicant will provide the following cash Proffers to mitigate the project's impacts. The total development proffers for the project is \$62,519.10 as set forth in the Proffer Justification Narrative by MuniCap, Inc. dated November 2, 2020. Cash Proffers are applicable to all Units and will be paid on a per Unit basis of \$443.40 ("**Cash Contributions**"). Payment of the Cash Contributions shall be made after the final inspection and before the County's approval of any certificate of occupancy for each Unit.

*[The remainder of this page is intentionally blank]*

CASH PROFFERS					
		SF Detached			TOTAL
Per Unit Cash Proffer		\$443.4 x141			
<b>TOTAL</b>		\$62,519.10			\$62,519.10

LUMP SUM CONTRIBUTIONS		
PUBLIC FACILITY CATEGORY		TOTAL VALUE
Schools	\$0.00 cash per Unit to Schools	\$0.00
Public Safety	\$443.40 cash per Unit to Public Safety	\$62,519.10
Transportation	\$0.00 cash per Unit to Transportation	\$0.00
Parks & Rec.	\$0.00 cash per Unit to Parks & Rec.	\$0.00
<b>TOTAL CASH PROFFER VALUE</b>		\$62,519.10

PROFFERED PHASING AND TIMING	
Phase or Contribution/Dedication	Timing
<i>Cash Contributions to Public Safety</i>	After the final inspection and before the County's approval of any certificate of occupancy for each Unit

- B. Escalation Clause. Commencing five (5) years after the approval of this rezoning application, the cash Proffers for each single family attached residential Unit shall be adjusted annually on January 1 to reflect any increase for the preceding year in the Consumer Price Index, U.S. City Average, All Urban Consumers (the "*CPI-U*") prepared and reported monthly by the U.S. Bureau of Labor Statistics of the United States Department of Labor. The adjustment shall be made by multiplying the Cash Contributions for the preceding year by the CPI-U as of December 1st in the preceding year. If the CPI-U is discontinued by the United States Department of Labor, the Marshall and Swift Building Cost Index formula shall be used as defined by Section 15.2.2303.3b of the Code of Virginia.

**VI. Additional Proffers**

A. Amenities.

1. Community Center

- a. The Applicant will construct a Community Center for use by the residents as shown on Sheet 3 of the GDP. The community center will have, at minimum, one restroom, and a multi-purpose room. The Community Center shall be substantially completed prior to the issuance of the 100th residential building permit.

2. Outdoor Recreation Areas

- a. The Applicant will construct, within the Project, a minimum of two (2) bocce ball courts, two (2) tennis courts with pickleball marking, and a community garden area bordered with a garden fence. The Outdoor Recreation Areas shall be substantially completed prior to the issuance of the 100th residential building permit.

[AUTHORIZED SIGNATURES TO FOLLOW]

The Applicant/Owner and Owner make these Proffers voluntarily, in support of their rezoning application and by our signatures deem them reasonable and appropriate as set out in Virginia Code Section 15.2-2303.4 A.D.1.

WITNESS the following signatures:

**APPLICANT/OWNER:**

**JPI-Clift Farm, LLC.,** a  
Virginia limited liability company

By:

\_\_\_\_\_  
James E. Jarrell III, Operating Manager

Date: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_

The foregoing was subscribed, sworn to and acknowledged before me this \_\_\_day of \_\_\_\_\_, 2021, by James E. Jarrell III, Operating Manager of JPI-Clift Farm, LLC, a Virginia limited liability company, on behalf of said company.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Registration No. \_\_\_\_\_

[SEAL]

**OWNER:**

**Lilian G. Flippo**

\_\_\_\_\_

Date: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_

The foregoing was subscribed, sworn to and acknowledged before me this \_\_\_\_day  
of \_\_\_\_\_, 2021, by Lillian G. Flippo.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Registration No. \_\_\_\_\_  
[SEAL]

**EXHIBIT A**

Generalized Development Plan