

**APPENDIX I- DULLES GREEN PROFFER
STATEMENT**

Proffers for Athletic Facility for
Land Bay 5.
November 17, 1998

PROFFERS

RZ 89-D-060

ALAN I. KAY

October 7, 1992

- Revised: (1) October 30, 1992
(2) November 21, 1992
(3) November 10, 1992
(4) April 1, 1993
(5) April 12, 1993

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950 edition as amended, and approval by the Board of Supervisors of application CDPA/FDPA 89-D-060 to permit the development of up to 866 multiple family units; possible retail/office in the ground floor of residential structures, only if approved by a subsequent Final Development Plan Amendment. Transportation Facility, and a child care center, in accordance with the provisions of the PDH-20 District and the Conceptual/Final Development Plan dated October 6, 1992 and revised October 30, 1992 and revised November 10, 1992 and again revised April 1, 1993, prepared by Dewberry & Davis; and further, upon approval of the CDPA/FDPA to RZ 89-D-060, dated March 6, 1998, and revised through October 15, 1998, prepared by christopher consultants, ltd., which provides for a temporary athletic field on Land Bay 5, the undersigned hereby proffers the following conditions:

PROFFERS

PCA 89-D-060-2

November 1, 1999

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950 edition as amended, and approval by the Board of Supervisors of application RZ 89-D-060 to permit the development of up to 866 multiple family units; possible retail/office in the ground floor of residential structures, only if approved by a subsequent Final Development Plan Amendment, Transportation Facility, and a child care center, in accordance with the provisions of the PDH-20 District and the Conceptual/Final Development Plan dated October 6, 1992 and revised October 30, 1992 and revised November 10, 1992 and again revised April 1, 1993, prepared by Dewberry & Davis; and approval of PCA 89-D-060, which provides for a temporary athletic field on Land Bay 5 and further, upon approval of PCA 89-D-060-2, as proffered herein, the undersigned hereby proffers the following conditions:

Except as modified herein, the subject property is governed by the Proffers in RZ 89-D-060, dated April 12, 1993, and the proffers in PCA 89-D-060 dated November 17, 1998 and said proffers are hereby reaffirmed. Several of these proffered conditions have already been fulfilled.

E. At the time of construction set forth in Proffers 13A, B and C, Applicant will construct Projects 0-1 and 0-3 as delineated on the County's Master Drainage Plan.

14. No later than the site plan approval for the southern entrance to Land Bay 2, Applicant will construct Dulles Greens Drive from its intersection with Innovative Avenue to a point south of the entrance to Land Bay 2 as shown on the CDP/FDP which is approximately two hundred fifty (250) feet east of the intersection, as a four (4) lane undivided roadway to VDOT standards as depicted on the CDP/FDP.

15. A. Dedication.

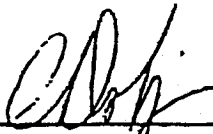
Applicant will dedicate and convey in fee simple Land Bay 5, in the southeastern portion of the Property, as more particularly depicted on the CDP/FDP, to Fairfax County or its designee for use as a temporary athletic field and/or as a public transportation destination station, Kiss & Ride lot, Park and Ride facility, rail/bus transit station or other public transportation facility (herein referred to a "Transportation Facility"). At the time of dedication necessary easements shall be granted or assigned (at no cost to the County) by Applicant.

The following associated and/or ancillary uses, not to exceed a total of 2,500 square feet may be included as an integral component of a structure/facility that provides any of the uses set forth above:

1. Ticket sales for public transportation facilities
2. Office for administration of the Park and Ride facility

DULLES GREENE. L.P., a Virginia limited partnership

By: DG Development, Inc., a Delaware corporation, general partner

By:  _____

Name: CORY DESPAIN
VICE PRESIDENT
(PRINT)

Title: _____
(PRINT)

facilities shown on the CDP/FDP. All lighting of active recreation facilities shall be shielded and directed on site so as to keep glare from projecting off-site or into on-site residential areas.

All waste water resulting from the cleaning and draining of the pool located on the site shall contain a minimum dissolved oxygen concentration of 4.0 milligrams per liter prior to discharge. The Applicant shall neutralize pool waters to a pH from 6.0 to 9.0 prior to discharge. Sufficient amounts of lime or soda ash shall be added to achieve a pH approximately equal to that of the receiving stream.

If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.

This proffer #17 shall not apply to the proposed temporary athletic facility located in Land Bay 5.

18. Land Bay 5 shall be developed as a temporary athletic facility in accordance with CDPA/FDPA 89-D-060. Applicant's/Profferor's cost to complete this facility in accordance with CDPA/FDPA 89-D-060 shall not exceed the sum of \$191,742.00, plus adjustments for inflation from September 10, 1992 until the date of completion of the facilities, or the date of full expenditure of said fund after adjustment for inflation, whichever event first occurs. This athletic facility will terminate at such time as a Transportation Facility is under construction for utilization on the site.

