

PROFFERS

SUNOCO, INC. (R&M)

PCA 88-S-026-03

September 5, 2013

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Sunoco, Inc. (R&M) (hereinafter referred to as the "Applicant") and Golden Brook, LLC (hereinafter referred to as the "Title Owner/Lessor") for themselves, successors and assigns in PCA 88-S-026-03, filed for property identified as Tax Map 44-1 ((1)) (9) E2 (part) and F2 (part) comprised of approximately 4.07 acres (hereinafter referred to as the "Application Property") hereby proffers that the development of the Application Property shall be in accordance with the following proffers, provided that the Board of Supervisors approves PCA 88-S-026-03 and SEA 88-S-077-06. All other existing proffers affecting the Application Property shall remain in full force and effect and are not modified by these proffers except where inconsistent, in which case these proffers shall supersede.

1. GENERALIZED DEVELOPMENT PLAN AND USES

- a. Subject to the provisions of 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the property subject to SEA 88-S-077-06 shall be in substantial conformance with the generalized development plan/special exception amendment plat ("GDP/SEA Plat") consisting of fourteen (14) sheets, prepared by Cornerstone Consulting dated March 30, 2012 and revised through August 26, 2013. The remainder of the Application Property shall be developed in substantial conformance with the Generalized Development Plan dated March 17, 1998 consisting of two (2) sheets prepared by Huntley, Nyce & Associates, P.C., approved with PCA 88-S-026-2 ("1998 GDP"). The Title Owner/Lessor reserves the right to relocate Building I within the land area of the Application Property that is not subject to SEA 88-S-077-06.
- b. Subject to the provisions of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP/SEA Plat and 1998 GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to modify the layout shown on the GDP/SEA Plat as to the property subject to SEA 88-S-077-06 and the Title Owner/Lessor reserves the same right as to the GDP/SEA Plat and 1998 GDP, 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 as shown on the GDP/SEA Plat and 1998 GDP.
- c. As shown on the GDP/SEA Plat, the area subject to SEA 88-S-077-06 shall be permitted to be developed with a service station, car wash, and quick service food store.

The following proffers shall hereby be deleted:

Proffer #5 and Proffer #22.

[SIGNATURES BEGIN ON NEXT PAGE]

APPLICANT/LESSEE OF TAX MAP
44-1 ((9)) F2 PT., E2 PT.

SUNOCO, INC. (R&M)

A handwritten signature in black ink, appearing to be 'AM Williams', written over a horizontal line.

By: Anthony M. Williams
Its: Real Estate Manager

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER/LESSOR OF
TAX MAP 44-1 ((9)) F2 PT., E2 PT.

GOLDEN BROOK, LLC



By: Robert Frank Pence
Its: Manager

[SIGNATURES END]