

Prepared by:

Steven A. Meade, Esq.
VSB# 37150
CARNEY PATTERSON MEADE PLC
12350 Jefferson Avenue, Suite 370
Newport News, Virginia 23602

After recording return to:
Office of the City Attorney
22 Lincoln Street
Hampton, Va. 23669
(jek)

**LRSN: 2000218, 2000219, 2000220, 2000221, 2000222, 2000223, 2000224, 2000225,
20000226, 2000227**

PROFFER AGREEMENT

THIS PROFFER AGREEMENT (“Agreement”) made this 26th day of May, 2024 by and between **TRILOGY DEVELOPERS, LLC**, a Virginia limited liability company (the “Grantor”), with an address of 1439 N. Great Neck Road, Suite 201, Virginia Beach, Virginia 23454; and **THE CITY OF HAMPTON, VIRGINIA**, a municipal corporation of the Commonwealth of Virginia (the “Grantee” or the “City”), with an address of 22 Lincoln Street, Hampton City Hall, Hampton, Virginia 23669.

RECITALS

A. Trilogy Developers, LLC is the selected purchaser, as it is the successor and assignee of Axis Global Enterprises Inc. and Equity Development Corporation, Inc., and will become owner of certain parcels of property located in the City of Hampton, herein known as LRSN Numbers 2000218, 2000219, 2000220, 2000221, 2000222, 2000223, 2000224, 2000225, 20000226, 2000227 and more fully described on **Exhibit A** (the “Property”). The current owners of the Property are set forth in **Exhibit B**.

B. Grantor has initiated a conditional amendment to the zoning map of the City of Hampton, Virginia, by petition addressed to the Grantee so as to change the zoning classification of the Property from One Family Residential (R-11) District to Multifamily Residential (MD-4) and Neighborhood Commercial (C-1) Districts.

C. Grantor has requested approval of this Agreement.

D. Grantee's policy is to provide for the orderly development of land for various purposes, including commercial purposes, through zoning and other land development legislation.

E. Grantor desires to offer the City of Hampton certain conditions for the enhancement of the community and to provide for the highest quality and orderly development of the Property.

F. The conditions outlined in this Agreement have been proffered by Grantor and allowed and accepted by Grantee as a part of the amendment of the City Zoning Ordinance and the Zoning Map. These conditions shall continue in full force and effect until a subsequent amendment changes the zoning of the Property; provided, however, that such conditions shall continue if the subsequent amendment is part of the comprehensive implementation of a new or substantially revised zoning ordinance of Grantee.

NOW, THEREFORE, for and in consideration of the approval and acceptance by the City of this Agreement, Grantor agrees that it will meet and comply with all of the following conditions in developing the Property. In the event the requested change of zoning classification is not granted by the City, these Proffers shall thereupon become null and void. Grantor, its heirs, successors, assigns, grantees and other successors in title or interest to the Property, voluntarily and without any requirement by or exaction from Grantee or its governing body and without any element or compulsion or quid pro quo for zoning, rezoning, site plan, building permit or subdivision approval, makes the foregoing declaration of conditions

and restrictions governing the use and physical development and operation of the Property, and covenants and agrees that this declaration and the further terms of this Agreement shall constitute covenants running with the Property, which shall be binding upon the Property, and upon all persons and entities claiming under or through the Grantor, its heirs, successors and assigns, grantees, and other successors in interest or title to the Property; namely:

CONDITIONS

1. Permitted use of the Property

All permitted uses shall meet all applicable standards and conditions contained within the Zoning Ordinance. The location of uses shall be limited to those areas identified on the Conceptual Site Plan as defined below.

a. Permitted use of the portion of the Property zoned Neighborhood Commercial (C-

1) District shall be limited to the following:

- Day care 1 family;
- Day care 2 family;
- Day care 1, commercial with a zoning administrator permit;
- Day care 2, commercial with a use permit;
- Day spa;
- Office, general;
- Office, government;
- Office, medical;
- Print shop/private postal service, max. 500 sq.ft.;
- Restaurant 1;
- Restaurant 2 with a zoning administrator permit;
- Restaurant 3 with a use permit; and
- Retail sales, general.

2. The Property shall be developed in substantial conformance with the conceptual site plan entitled “Trilogy Phase 2- Hampton, VA”, dated 11.09.2023, prepared by Timmons Group (the “Conceptual Site Plan”) Exhibit C, a copy of which is on file with the Planning and Zoning Administration Division of the Community Development Department and has been

exhibited to the Planning Commission and the Hampton City Council for illustrative purposes and to provide justification for this re-zoning action. Minor changes may be made to accommodate environmental, engineering, architectural, topographic or other development conditions, or site plan approval requirements as required or allowed by law and subject to the approval of the Director of Community Development. A copy of the formal approved site plan shall be placed in the file with the Planning and Zoning Division of the Department of Community Development and shall supersede any previously filed Conceptual Site Plan.

- a. As depicted in the Conceptual Site Plan, a single commercial (C-1) lot shall be created separate from the fee-simple townhouse subdivision and any common property including, but not limited to, the stormwater BMP and private streets.
 - b. The development shall include sidewalks on both sides of the streets within the MD-4 section. Additionally, a defined pedestrian connection through the use of sidewalks, concrete, or stamped asphalt from the MD-4 section to the commercial building within the C-1 section shall be established.
3. The minimum number of fee simple lots with townhome units shall be 90 and the maximum number shall be 114. These units shall be fee simple units that will have a common HOA.
4. The buildings shall be constructed in substantial conformance with the Elevations entitled "Trilogy Phase II Elevations, prepared by RBA Architects dated 10.2.23 collectively known as "Trilogy Phase II Elevations" copies of which are on file with the Planning and Zoning Administration Division of the Community Development Department and have been exhibited to the Planning Commission and the Hampton City Council for illustrative purposes and to provide justification for this re-zoning action. Minor changes may

be made to accommodate environmental, engineering, architectural, topographic or other development conditions, or building plan approval requirements as required or allowed by law and subject to the approval of the Director of Community Development. A copy of the final approved elevations shall be placed in the file with the Planning and Zoning Administration Division of the Department of Community Development and shall supersede any previously filed elevations.

- a. As generally depicted on the elevations entitled collectively as “Trilogy Phase II Elevations”, the construction of all building elevations shall be as follows:
 - i. Primary and secondary building materials for the front, side, and rear elevations shall be either a brick, full-face brick veneer, premium, fade resistant vinyl with a .046" minimum thickness, precast or cut stone, engineered wood, wood or composite lap siding, metal or composite panel systems, and/or glass.
 - ii. Trim materials shall be engineered wood, composite wood, precast or cut stone, PVC, vinyl, and/or metal and aluminum.
 - iii. Roof materials shall be 30-year architectural asphalt composition shingles and/or standing seam metal construction.
 - iv. The townhouses shall be constructed with a minimum of an eighteen (18”) inch raised slab foundation or crawl space to necessitate a minimum of three steps to access the front porch/stoop or finished floor elevation of the unit.
 - v. Foundations shall be clad with full-face brick veneer brick skirting on all raised foundations extending at a minimum from the ground to 18”

in height.

vi. Each townhouse's primary front facade plane shall be set forward or setback of the adjacent unit's primary facade plane by a minimum of two (2) feet. No more than two adjacent units may have their primary front facades on the same plane.

vii. Any vinyl siding shall be a minimum of 0.046 inches of thickness and a minimum of five inches (5") in width.

b. Within the same building containing three or more townhome units, primary siding color shall vary for each individual unit, as generally represented on the Trilogy Phase II Elevations. Notwithstanding the above, the design shall not be limited to the specific colors, and order of the colors, depicted on the building elevations if provided.

c. All exterior lighting, both site and building, shall comply with the "City of Hampton Outdoor Lighting Policy and Procedures" and shall consist of full cut-off fixtures that are directed downward and inward to the site.

5. All commercial buildings and structures shall be constructed of permanent and durable building materials. Primary materials shall include tilt-up concrete panels, pre-cast concrete, steel and aluminum exposed framing, glass (both vision and obscure), EFIS (exterior finishing, insulated system with non-foam backing), cement fiber cement board, and/or pre-engineered metal. Secondary materials (constituting no more than 25%) may include corrugated metal.

6. Occupants of the Property shall have access to the dog park amenity to be developed on the eastern portion of LRSNs 2000235 and 2000239 and the western portion of LRSNs

2000404 and 2000403 pursuant to any cooperation agreement or joint development agreement regarding a shared amenity (the "Cooperation Agreement"), as required by the Purchase and Sale Agreement between Hampton Redevelopment and Housing Authority and Equity Development Corporation, Inc. dated June 27, 2022 (as amended), and the Purchase and Sale Agreement between Hampton Redevelopment and Housing Authority and MRKT Capital Acquisition, LLC dated July 5, 2022, neither agreement being of record in the office of the Clerk of the Hampton Circuit Court. Such Cooperation Agreement is subject to approval by the Director of Community Development or their designee.

7. The project will have resilient sustainability elements, such as residential buildings designed and constructed to meet the 110 mile per hour wind load design requirements of the applicable building code.
8. Prior to final site plan approval for development of the Property, a landscape plan, including street trees, that meets the requirements of the City of Hampton Landscape Guidelines shall be reviewed and approved by the Director of Community Development or their designee.
9. Acceptable fencing materials shall be PVC, wood or wood composite, and/or decorative aluminum pickets. Other suitable fencing materials complementary to the building architecture may be approved by the Director of Community Development or their designee.
10. It is understood that all phases of the proposed project shall comply with all ordinances of the Grantee.
11. Further lawful conditions or restrictions against the Property may be required by Grantee during the detailed Site Plan review and administration of applicable codes and regulations

of Grantee by all appropriate agencies and departments of Grantee, which shall be observed or performed by Grantor. Grantor acknowledges that additional further lawful conditions or restrictions may be imposed by Grantee as a condition of approvals, including but not limited to final site plan approval.

12. All references hereinabove to zoning districts and to regulations applicable thereto, refer to the City Zoning Ordinance of the City of Hampton, in force as of the date the conditional rezoning amendment is approved by the Grantee.

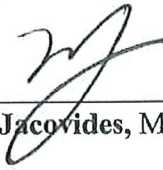
13. The Grantor covenants and agrees that (1) the Zoning Administrator of the City of Hampton, Virginia, shall be vested with all necessary authority on behalf of the governing body of the City of Hampton, Virginia, to administer and enforce the foregoing conditions and restrictions specified in this Agreement, including (i) the ordering in writing of the remedying of any noncompliance with such conditions, and (ii) the bringing of legal action or suit to ensure compliance with such conditions, including mandatory or prohibitory injunction, abatement, damages or other appropriate action, suit or proceedings; (2) the failure to meet all conditions shall constitute cause to deny the issuance of any of the required building or occupancy permits as may be appropriate; and (3) the Zoning Map shall show by an appropriate symbol on the Map the existence of conditions attaching to the zoning of the subject Property on the Map and that the ordinance and conditions may be made readily available and accessible for public inspection in the office of the Zoning Administrator and in the Department of Community Development and that this Agreement shall be recorded in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia and indexed in the name of the Grantor and Grantee.

Signature Page to Proffers

WITNESS the following signature:

GRANTOR:

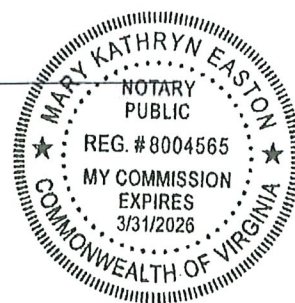
Trilogy Developers, LLC
a Virginia limited liability company



Nick Jacovides, Managing Partner

COMMONWEALTH OF VIRGINIA
CITY OF Virginia Beach to-wit:

I, Mary Kathryn Easton, the undersigned, a Notary Public in and for the City and State aforesaid, do hereby certify that **Nick Jacovides**, whose name is signed to the foregoing instrument as **Managing Partner** of Trilogy Developers, LLC, a Virginia limited liability company has sworn to, subscribed, and acknowledged the same before me in the City and State aforesaid, this 10 th day of January, 2024, on behalf of said Trilogy Developers, LLC. He is personally known to me or has produced _____ as identification.


Notary Public

My commission expires: 3/31/2026
Registration No. 8004565

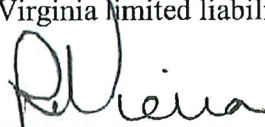
(Signatures continue on next page)

Signature Page to Proffers

WITNESS the following signature:

GRANTOR:

Trilogy Developers, LLC
a Virginia limited liability company




Ross D. Vierra, Managing Partner

COMMONWEALTH OF VIRGINIA

CITY OF Virginia Beach to-wit:

I, Stephanie Cloutier, the undersigned, a Notary Public in and for the City and State aforesaid, do hereby certify that **Ross D. Vierra**, whose name is signed to the foregoing instrument as **Managing Partner** of Trilogy Developers, LLC, a Virginia limited liability company has sworn to, subscribed, and acknowledged the same before me in the City and State aforesaid, this ___ th day of January, 2024, on behalf of said Trilogy Developers, LLC. He is personally known to me or has produced _____ as identification.


Notary Public

My commission expires: 9/30/27
Registration No. 337381



(Signatures continue on next page)

Signature Page to Proffers

WITNESS the following signature:

OWNER:

Westley Dana Brenton
Westley Dana Brenton

COMMONWEALTH OF VIRGINIA
CITY OF Virginia Beach, to-wit:

I, Stephanie Cloutier, the undersigned, a Notary Public in and for the City and State aforesaid, do hereby certify that **Westley Dana Brenton**, whose name is signed to the foregoing instrument has sworn to, subscribed, and acknowledged the same before me in the City and State aforesaid, this 2nd day of January, 2024. He is personally known to me or has produced _____ as identification.

Stephanie Cloutier
Notary Public

My commission expires: 9/30/27
Registration No. 337381



(Signatures continue on next page)

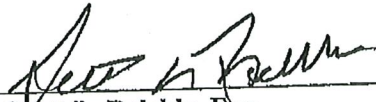
Signature Page to Proffers

WITNESS the following signature:

OWNER:

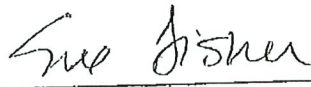
Faith Ann Reynolds, Wendy G. Friesz,
Caroline C. Gibson

By: Patten, Wornom, Hatten &
Diamonstein, LC

By: 
Scott L. Reichle, Esq.,
Special Commissioner

COMMONWEALTH OF VIRGINIA
CITY OF Newport News to-wit:

I, Sue Fisher, the undersigned, a Notary Public in and for the City and State aforesaid, do hereby certify that **Scott L. Reichle**, whose name is signed to the foregoing instrument as **Special Commissioner** for **Faith Ann Reynolds, Wendy G. Friesz and Caroline C. Gibson**, has sworn to, subscribed, and acknowledged the same before me in the City and State aforesaid, this 20th day of May, 2024. He is personally known to me or has produced _____ as identification.


Notary Public

My commission expires: 5-31-2027
Registration No. 213651

(Signatures continue on next page)



Signature Page to Proffers

WITNESS the following signature:

OWNER:

Dennie W. Taylor, III
Dennie W. Taylor, III

COMMONWEALTH OF VIRGINIA
CITY OF Virginia Beach, to-wit:

I, Mary Kathryn Easton, the undersigned, a Notary Public in and for the City and State aforesaid, do hereby certify that **Dennie W. Taylor, III**, whose name is signed to the foregoing instrument has sworn to, subscribed, and acknowledged the same before me in the City and State aforesaid, this 24 th day of January, 2024. He is personally known to me or has produced _____ as identification.

M. Easton
Notary Public

My commission expires: 3/31/2026
Registration No. 8004565

(Signatures continue on next page)




Signature Page to Proffers

WITNESS the following signature:

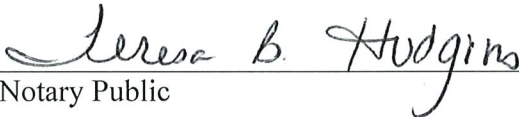
OWNER:

Hampton Redevelopment and Housing Authority

By: 
Aaru Ma'at, Executive Director

COMMONWEALTH OF VIRGINIA
CITY OF Hampton -wit:


I, Teresa B. Hudgins, the undersigned, a Notary Public in and for the City and State aforesaid, do hereby certify that **Aaru Ma'at**, whose name is signed to the foregoing instrument as **Executive Director of Hampton Redevelopment Housing Authority** has sworn to, subscribed, and acknowledged the same before me in the City and State aforesaid, this 2nd day of July, 2024. He is personally known to me or has produced _____ as identification.


Notary Public

My commission expires: May 31 2025
Registration No. 201790

Teresa B. Hudgins
Notary Public
Commonwealth of Virginia
Registration #201790

Approved as to form:


Raymond H. Suttle, Jr.
HRHA Counsel

Dated: 7/8/24

Exhibit A
Legal Description

Parcel 2000218

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and described as "Parcel 2, LRSN: 2000218, 0.4995 acres (21,785 S.F.) #218 Bush Lane, D.B. 125, P.G. 428" as shown on that certain plat entitled "Plat of the property of Legal Heirs of the Estate of John S. Bush care of Anne A. Brenton four parcels of land containing 6.5979 acres (total), City of Hampton, Virginia" made by Davis & Associates, P.C., Surveyors-Planners, dated March 20, 2013, a copy of which is recorded in the Clerk's Office of the Circuit Court for Hampton, Virginia in Misc. Plat Book 4, Page 94, Instrument Numbers 140012545 and 140012546 to which Plat reference is here made.

It being the same property conveyed to Westley Dana Brenton by Special Commissioner's Deed from D. Wayne Moore, Special Commissioner, dated 11/06/2014 and recorded 11/17/2014 as Instrument Number 140013543.

Parcel 2000219

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and described as "Parcel 3, LRSN: 2000219, 0.5021 acres (21,872 S.F.) # 219 Bush Lane, D.B. 379, P.G. 289" as shown on that certain plat entitled "Plat of the Property of Legal Heirs of the Estate of John S. Bush c/o Anne A. Brenton, Four parcels of land containing 6.5979 acres (total), City of Hampton, Virginia" made by Davis & Associates, P.C., Surveyors-Planners, dated March 20, 2013, a copy of which is recorded in the Clerk's Office of the Circuit Court of Hampton, Virginia, in Misc. Plat Book 4, Page 94, to which plat reference is here made.

It being the same property conveyed to Dennie W. Taylor, III, by Deed from Westley Dana Brenton, dated November 14, 2014 and duly recorded December 3, 2014 as Instrument Number 140014243.

Parcel 2000220

All that certain lot, piece, portion or parcel of land, situate, lying and being in formerly Wythe Magisterial District, now City of Hampton, Virginia, containing one-fourth (1/4) acre, and being bounded on its northerly side by the property now or formerly belonging to the John S. Bush Estate, on its easterly side by what is known as Ely Road, on its south side by the property of John D. Christian; and on its westerly side by property of Anne Bush Brenton.

Together with 20' Non-Exclusive Access Easement known as Benton Lane (sometimes referred to as Ely Road) conveyed and described in Deed of Confirmation recorded May 23, 2024 as Instrument No. 240005900.

It Being a portion of the same property conveyed to John D. Christian, Jr. by Deed from Robert A. Wright and Dorothy F. Wright, husband and wife, and Bruce Lamar Frost, Executor Under the Will of Lawrence Y. Frost, Sr., deceased, and Helen M. Frost, widow, dated 03/16/2000 and duly recorded 05/08/2000 as Instrument Number 000007014 in Book 1328, page 51. John D. Christian, Jr. departed this life intestate on 03/28/2011, as evidenced by the Real Estate Affidavit filed as part of Court File No. 2011-334 recorded as Instrument Number 110008778, page 329 and by List of Heirs recorded as Instrument Number 110001348, naming Faith Ann Reynolds and Wendy G. Friesz as his surviving heirs.

Parcel 2000221

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and described as "Parcel 1, LRSN: 2000221, 4.5959 acres (200,196 S.F.) #221 Bush Lane, D.B. 519, P.G. 283" as shown on that certain plat entitled "Plat of the property of Legal Heirs of the Estate of John S. Bush care of Anne A. Brenton four parcels of land containing 6.5979 acres (total), City of Hampton, Virginia" made by Davis & Associates, P.C., Surveyors-Planners, dated March 20, 2013, a copy of which is recorded in the Clerk's Office of the Circuit Court for Hampton, Virginia in Misc. Plat Book 4, Page 94, Instrument Numbers 140012545 and 140012546 to which Plat reference is here made.

It being the same property conveyed to Westley Dana Brenton by Special Commissioner's Deed from D. Wayne Moore, Special Commissioner, dated 11/06/2014 and recorded 11/17/2014 as Instrument Number 140013543.

Parcel 2000222

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and described as "Parcel 4, LRSN: 2000222, 1.005 acres (43,581 S.F.) #222 Bush Lane, D.B. 408, P.G. 39" as shown on that certain plat entitled "Plat of the Property of Legal Heirs of the Estate of John S. Bush care of Anne A. Brenton four parcels of land containing 6.5979 acres (total), City of Hampton, Virginia" made by Davis & Associates, P.C., Surveyors-Planners, dated March 20, 2013, a copy of which is recorded in the Clerk's Office of the Circuit Court for Hampton, Virginia in Misc. Plat Book 4, Page 94, to which Plat reference is here made.

It being the same property conveyed to Westley Dana Brenton by Quit-Claim Deed from Westley H. Brenton, dated 09/16/2013 and recorded 11/21/2013 as Instrument Number 130018098.

Parcel 2000223

All that certain lot, piece or parcel of land located in the City of Hampton (formerly Wythe Magisterial District, Elizabeth City County), Virginia, containing one (1) acre and bounded on the North by the land of John D. Bush, senior; on the East by a twenty (20) foot lane; on the South by the land of John D. Christian; and on the West by land of John S. Bush, senior.

And further described as:

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and described as Parcel of Land 43,591 Sq. Ft. 1.0007 acres as shown on that certain plat entitled "PHYSICAL SURVEY OF THE PROPERTY OF HAMPTON REDEVELOPMENT & HOUSING AUTHORITY A PARCEL OF LAND CONTAINING 1.0007 ACRES, HAMPTON, VIRGINIA" which Plat is dated 10/31/2019, Rev. 11/07/2019 and prepared by A.D. Potts & Associates, Inc., a copy of which is attached to Deed recorded 01/28/2000 as Instrument Number 200001170.

It being the same property conveyed to Hampton Redevelopment and Housing Authority by Deed of Gift from John Smith Bush, III, dated 11/24/2020 and recorded 01/28/2020 as Instrument Number 200001170.

Parcel 2000224

All that certain piece or parcel of land, containing two acres, and located in Wythe District, Elizabeth City County (now City of Hampton), Virginia and bounded on the North by the land now or formerly owned by E. B. Bush; on the East by a lane; on the South by the land of John D. Christian, Jr., and on the West by the land now or formerly owned by John S. Bush, or as more particularly shown on the map of "John D. Christian's Property" as recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia in Deed of Trust Book 90, Page 272.

Together with 20' Non-Exclusive Access Easement known as Benton Lane (sometimes referred to as Ely Road) conveyed and described in Deed of Confirmation recorded May 23, 2024 as Instrument No. 240005900.

It Being a portion of the same property conveyed to John D. Christian, Jr. by Deed from Robert A. Wright and Dorothy F. Wright, husband and wife, and Bruce Lamar Frost, Executor Under the Will of Lawrence Y. Frost, Sr., deceased, and Helen M. Frost, widow, dated 03/16/2000 and duly recorded 05/08/2000 as Instrument Number 000007014 in Book 1328, page 51. John D. Christian, Jr. departed this life intestate on 03/28/2011, as evidenced by the Real Estate Affidavit filed as part of Court File No. 2011-334 recorded as Instrument Number 110008779, page 330 and by List of Heirs recorded as Instrument Number 110001348, naming Faith Ann Reynolds and Wendy G. Friesz as his surviving heirs.

Parcel 2000225

All that certain piece or parcel of land containing about *three acres and sold in gross and not by the acre together with the improvements, appurtenances and privileges thereunto belonging, located in Wythe District, Elizabeth City Co., Va. And bounded on the North by the land of Mrs. E. B. Bush – on the East by a Lane adjoining the land of Freeman, on the South by the Main or County Road and the West by the Lane adjoining the land of Jesse Waldon.

*PLEASE NOTE: THERE IS A DIFFERENCE OF APPROXIMATELY 2 ACRES BETWEEN ABOVE DESCRIPTION, CITY ESTIMATION AND PURCHASE CONTRACT

Together with 20' Non-Exclusive Access Easement known as Benton Lane (sometimes referred to as Ely Road) conveyed and described in Deed of Confirmation recorded May 23, 2024 as Instrument No. 240005900.

It Being the property conveyed to John D. Christian, Jr. by Deed from Elizabeth B. Bush and George Bush, dated 08/12/1915 and recorded 08/12/1915 in Book 58, page 157. John D. Christian, Jr. departed this life testate 12/13/1971, as evidenced by his Last Will and Testament recorded 06/27/1972 in Book 27, page 712, devising the property to his wife Crystel McB. Christian. Crystel McB. Christian departed this life testate on 10/05/1986, as evidenced by her Last Will and Testament recorded 10/17/1986 in Book 42, page 175, devising the property to her son J. D. Christian, Jr.. J. (John) D. Christian, Jr. departed this life intestate on 03/28/2011, as evidenced by the Real Estate Affidavit filed as part of Court File No. 2011-334 recorded as Instrument Number 110008780, page 331 and by List of Heirs recorded as Instrument Number 110001348, naming Faith Ann Reynolds and Wendy G. Friesz as his surviving heirs.

Parcel 2000226

All that certain lot, piece or parcel of land, .situate and being in the City of Hampton, Virginia, containing approximately One (1) Acre, and being part of the property which John D. Christian, Jr., acquired in Deed recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia in Deed Book

58 at Page 157, and being more particularly described as follows: Beginning at a point marked by a pipe on the Westerly side of a private road distant in a northerly direction approximately 475 feet from the northwest intersection of said private road and West Queen Street, and from the point of beginning thus established running thence S 73° 7' W 196.1 feet to a pipe on the easterly line of a 20 foot right of way; thence N 16° 53' W 216 feet along the Easterly line of the said 20 foot right of way to a point marked by a pipe; thence N 79° 41' E 244.92 feet to a point marked by a pipe in the Westerly right of way line of the aforesaid private road; thence S 6° 16' E 81 feet to a point marked by a pipe in the westerly line of the aforesaid private road; thence S 0° 54' 'W 1 15.89 feet along the Westerly line of the said private road to the point or place of beginning.

Together with 20' Non-Exclusive Access Easement known as Benton Lane (sometimes referred to as Ely Road) conveyed and described in Deed of Confirmation recorded May 23, 2024 as Instrument No. 240005900.

It Being a portion of the same property conveyed to John D. Christian, Jr. by Deed from Robert A. Wright and Dorothy F. Wright, husband and wife, and Bruce Lamar Frost, Executor Under the Will of Lawrence Y. Frost, Sr., deceased, and Helen M. Frost, widow, dated 03/16/2000 and duly recorded 05/08/2000 as Instrument Number 000007014 in Book 1328, page 51. John D. Christian, Jr. departed this life intestate on 03/28/2011, as evidenced by the Real Estate Affidavit filed as part of Court File No. 2011-334 recorded as Instrument Number 110008781, page 332 and by List of Heirs recorded as Instrument Number 110001348, naming Faith Ann Reynolds and Wendy G. Friesz as his surviving heirs.

Parcel 2000227

All that certain piece or parcel of land containing four-tenths (4/10) of an acre, located in Wythe Magisterial District, Elizabeth City County, Virginia, and bounded on the North, East and South by the land of John D. Christian and on the West by the Lane of Jesse Waldon, together with all the privileges and appurtenances thereunto belonging, or in anywise appertaining.

Together with 20' Non-Exclusive Access Easement known as Benton Lane (sometimes referred to as Ely Road) conveyed and described in Deed of Confirmation recorded May 23, 2024 as Instrument No. 240005900.

It Being the property conveyed to John D. Christian by Deed from Noel B. Bush, dated 03/06/1945 and recorded in Book 125, page 431. John D. Christian, Jr. departed this life testate 12/13/1971, as evidenced by his Last Will and Testament recorded 06/27/1972 in Book 27, page 712, devising the property to his wife Crystel McB. Christian. Crystel McB. Christian departed this life testate on 10/05/1986, as evidenced by her Last Will and Testament recorded 10/17/1986 in Book 42, page 175, devising the property to her daughter Caroline C. Gibson under the "THIRD" statement in her Will. J. (John) D. Christian, Jr. departed this life intestate on 03/28/2011, as evidenced by the Real Estate Affidavit filed as part of Court File No. 2011-334 recorded as Instrument Number 110008782, page 333 and by List of Heirs recorded as Instrument Number 110001348, naming Faith Ann Reynolds and Wendy G. Friesz as his surviving heirs.

Exhibit B

Current Property Owners Information

Parcel(s) 2000218; 2000221; 2000222

Westley Dana Brenton
12915 Scotts Ridge Road
Montgomery, Texas 77356
wdb@consolidated.net
(832) 483-3935

Parcel(s) 2000220; 2000224; 2000225; 2000226; 2000227

Scott L. Reichle, Special Commissioner

For: Faith Ann Reynolds, Wendy G. Friesz, Caroline C. Gibson

Scott L. Reichle, Esq.

PATTEN, WORNOM, HATTEN & DIAMONSTEIN, L.C.
12350 Jefferson Avenue, Suite 300
Newport News, Virginia 23602
Main: 757-223-4500
Direct: 757 223-4566
Cell: 757-879-5442
Email: sreichle@pwd.com
Website: www.pwhd.com
(757) 879-5442

Parcel(s) 2000219

Dennie W. Taylor, III
219 Bush Lane
Hampton, Virginia

Parcel(s) 2000223

Hampton Redevelopment and Housing Authority
Aaru Ma'at
Executive Director
Hampton Redevelopment and Housing Authority
1 Franklin Street, Suite 603
Hampton VA 23669
Email: amaat@hamptonrha.com
Cell Phone 757.879.3566

Exhibit C

Plan-Conceptual Master Plan



TRILOGY PHASE 2 - HAMPTON, VA
Conceptual Development Plan - November 9, 2023

