

**PROFFER STATEMENT FOR THE APPLICATION OF
JJB PROPERTIES LLC
Dated: October 31, 2022**

Pursuant to Virginia Code § 15.2-2298 and Blacksburg Zoning Ordinance § 1160, JJB Properties LLC, the owner(s) of the property, that is the subject of this Application (Tax Parcel # 197-1 50A, 51C, 5; 197-1 51B, 52B, 5; 197-1 51A, 52A, 5; 167-24 53A and 197-1 46A), state that this property will be developed in accordance with the following voluntarily proffered conditions.

1. The property shall be developed in substantial conformance, as determined by the Zoning Administrator, with the submitted rezoning application entitled Whipple Drive Townhomes Planned Residential Development (the "Application") dated June 1, 2022 and revised October 4, 2022.
2. Each new townhome unit shall have a photo voltaic solar power system installed at the time of construction. The combined system will have a total capacity of 115 kilowatts confirmed on the day of commissioning of the system with the electrical power distributed to the townhomes as evenly as possible. The solar power systems shall be maintained in perpetuity by the Homeowners Association.
3. JJB Properties LLC will retain ownership and management of the townhome units for a minimum of 5 years, beginning at the time of issuance of the first certificate of occupancy.
4. All townhomes shall be rented/leased by the unit. No by the bedroom leases will be permitted. This requirement shall be included as part of the Homeowners Association documents and will remain in place for all units whether rented or sold.
5. Property owner shall issue parking permits/stickers to residents and residents shall abide by the written parking policy as determined and provided by the Homeowners Association.
6. All new townhome units shall be built to achieve a minimum HERS rating of 55. Documentation of the HERS rating will be provided by a certified third-party inspector; this documentation must be provided before certificates of occupancy are issued. To satisfy this requirement, a minimum number of six (6) townhomes must be certified.
7. JJB Properties LLC has entered into an agreement with Ratcliff Corner, LLC, the owner of adjoining property designated as Parcel Number 015625 and Tax Map Number 167-24-50, for Ratcliff Corner, LLC to dedicate to the Town of Blacksburg a 10' wide public utility easement along the boundary of its property as shown on Sheet Z6 of the Application. If, as part of acting upon this Application, the Town Council grants to JJB Properties LLC the requested variance to the requirement for the width of the public utility easements (from 15' to 10'), Ratcliff Corner, LLC, by its signature hereto, agrees to dedicate the easement shown on Sheet Z6 as part of the subsequent site plan approval process. If the Application is approved, but the requested variance is not granted, or the Application is otherwise not approved, then Proffer 7 shall not be effective.
8. JJB Properties LLC has entered into an agreement with Ratcliff Corner, LLC, the owner of adjoining property designated as Parcel Number 015612 and Tax Map Number 164-24-48 49, for Ratcliff Corner, LLC to dedicate to the Town of Blacksburg a 10' wide

public utility easement along the boundary of its property as shown on Sheet Z6 of the Application. If, as part of acting upon this Application, the Town Council grants to JJB Properties LLC the requested variance to the requirement for the width of the public utility easements (from 15' to 10'), Ratcliff Corner, LLC, by its signature hereto, agrees to dedicate the easement shown on Sheet Z6 as part of the subsequent site plan approval process. If the Application is approved, but the requested variance is not granted, or the Application is otherwise not approved, then Proffer 8 shall not be effective.

9. JJB Properties LLC has entered into an agreement with Gilmer Properties, LLC, the owner of adjoining property designated as Parcel Number 120122 and Tax Map Number 167-24-47, for Gilmer Properties, LLC to dedicate to the Town of Blacksburg a 10' wide public utility easement along the boundary of its property as shown on Sheet Z6 of the Application. If, as part of acting upon this Application, the Town Council grants to JJB Properties LLC the requested variance to the requirement for the width of the public utility easements (from 15' to 10'), Gilmer Properties, LLC, by its signature hereto, agrees to dedicate the easement shown on Sheet Z6 as part of the subsequent site plan approval process. If the Application is approved, but the requested variance is not granted, or the Application is otherwise not approved, then Proffer 9 shall not be effective.
10. JJB Properties has entered into an agreement with RMP Investments, LLC, the owner of adjoining property designated as Parcel Number 130408 and Tax Map Number 164-24-46A, for RMP Investments, LLC to convey to JJB Properties LLC, and to subsequent owners of the units in the Whipple Townhomes PRD, a private trail easement connecting the subject property to the public trail in Givens Lane. The trail easement shall be generally located along the eastern property line of Parcel Number 130408. During the site planning process, the exact location of the easement will be determined, and an easement exhibit or plat shall be submitted. If the Application is approved, RMP Investments, LLC, by its signature hereto, agrees to convey the easement as part of the subsequent site plan approval process. If the Application is not approved, then Proffer 10 shall not be effective.

The undersigned hereby warrants that all of the owners of a legal interest in the subject property have signed this proffer statement, that they have full authority to bind the property to these conditions, that the proffers contained in this statement are not "unreasonable" as that term is defined by Virginia Code § 15.2-2303.4, and that the proffers are entered into voluntarily.

Should any provision of this proffer statement be determined to be invalid by a court of competent jurisdiction, that determination shall not affect the validity of the remainder of the provisions in this document.

JJB PROPERTIES, LLC

By: [Signature]

Printed Name: JASON BOYLE

Title: OWNER

STATE OF Virginia
COUNTY OF Montgomery

Acknowledged before me this 2nd day of November, 2022

[Signature]

My Commission Expires: 10-31-26

Registration No.: 7771342



RATCLIFF CORNER, LLC

By: [Signature]

Printed Name: Timothy A. Lawrence

Title: Member

(As to Proffers 7 and 8 only)

STATE OF Virginia
COUNTY OF Montgomery

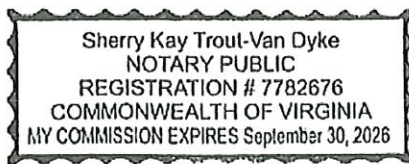
Acknowledged before me this 2nd day of November, 2022

[Signature]

Notary Public

My Commission Expires: 09/30/2026

Registration No.: 778 2674



GILMER PROPERTIES, LLC

Name: [Signature]

By: _____

Printed Name: Lindsey Gilmer

Title: Managing Member
(As to Proffer 9 only)

STATE OF Virginia
COUNTY OF Montgomery

Acknowledged before me this 4th day of November, 2022.

[Signature]

My Commission Expires: 10-31-26

Registration No.: 7771342



RMP INVESTMENTS, LLC

By: [Signature]

Printed Name: Lindsey Gilmer

Title: Managing Member
(As to Proffer 10 only)

STATE OF Virginia
COUNTY OF Montgomery

Acknowledged before me this 4th day of November, 2022.

[Signature]

My Commission Expires: 10-31-22

Registration No.: 7771342



**PROFFER STATEMENT FOR THE APPLICATION OF
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EXHIBIT A

Proffer #1: The masterplan and accompanying rezoning documents contain the details of the application. This proffer provides assurance to the Applicant and the Town that the project will be developed in accordance with these documents.

Proffer #2: The large 115 kW solar system provides a level of sustainability never proffered before in a PRD submission in Blacksburg. This commitment further advances the sustainability goals as listed in the comprehensive plan and is a significant part of the justification for rezoning this parcel to a PRD.

Proffer #3: Maintaining ownership for a minimum of 5 years will allow JJB Properties to establish a strong HOA and ensure that the type of community they are envisioning is created.

Proffer #4: Unit leases rather than bedroom leases will be attractive to a wide range of residents such as young professionals, families, empty nesters and seniors. Along with the other proposed occupancy strategies listed within the application, this will help promote a vibrant and diverse community with a variety of demographics.

Proffer #5: The project is proposing a parking ratio slightly below the standard town requirement of 1.1 spaces per bedroom. In order to effectively manage and monitor parking on the property, a permit policy will be incorporated to ensure only residents and guests are parking onsite.

Proffer #6: A low HERS rating will ensure the development is environmentally responsible beyond what is required by building code.

Proffer #7: The offsite easement will provide additional area for future utility extensions.

Proffer #8: The offsite easement will provide additional area for future utility extensions.

Proffer #9: The offsite easement will provide additional area for future utility extensions.

Proffer #10: The private trail easement will provide pedestrian access to Givens Lane.