

Parcel ID Number: _____

Board of Supervisors Ordinance No: _____

This document prepared by: Martin M. McMahon, County Attorney

755 Roanoke Street, Suite 2E _____

Christiansburg, VA 24073 _____

Exempted from recordation taxes and fees under Sections 58.1-811, 17.1-279(E)

Voluntary Proffer Statement Form

Date (include revision dates): March 31, 2025, Revised October 8, 2026

Applicant Name: STATESON HOMES

Owner(s) Name: FOTHERINGAY, LLC

Applicant Address: 618 NORTH MAIN ST.

Owner Address: PO BOX 2662

BLACKSBURG, VA 24060

SALEM, VA 24153

Project Name: FOTHERINGAY SUBDIVISION Property Description: ALL OR A PORTION OF SIX PARCELS EAST OF ROANOKE ROAD AND ADJACENT TO EASTERN MONTGOMERY ELEMENTARY SCHOOL AND EASTERN MONTGOMERY HIGH SCHOOL. CURRENTLY USED FOR AGRICULTURAL PURPOSES AND TWO SINGLE FAMILY RENTAL HOMES EXIST ON THE PROPERTY.

Magisterial District: SHAWSVILLE Parcel ID Number(s): 023523*, 013681, 013682,

Current Zoning District: A1 013683*, 013684*, 013680* (* Portion of)

Requested Zoning District(s): PUD-RES

The applicants and owners voluntarily and without any requirement by or exaction from Montgomery County or its governing body, hereby proffer the following conditions, acknowledging that the proposed proffers are voluntary, reasonable, specifically attributable to the proposed new residential development or other residential use (including applications for new residential rezoning with a residential component of a mixed use zoning):

- 1) *Property shall be developed in general conformance with the rezoning narrative and the master plan drawings by Westwood Professional Services. depicted on Sheets Z1-Z8 dated September 23, 2026.*
- 2) *An active amenity area will be provided for the residents of Fotheringay Subdivision. The applicant will determine final amenity package during the site plan process. This area will be provided during the development of the Phase II area as shown on the master plan.*
- 3) *The Property shall be served by Montgomery County Public Service Authority public water and sanitary sewer. The owner/applicant shall coordinate with the PSA during the site plan process to determine final impacts and/or required improvements to the existing accepting sanitary sewer system infrastructure that would be directly attributable to the proposed development as noted within the Elliston Sewer Model report from Hurt & Proffitt dated November 11, 2025. Improvements required due to the proposed development shall be constructed at the Applicant's expense.*
- 4) *The homeowner's association shall maintain all community owned grounds, including but not limited to landscaped areas, recreational areas, parking and paved areas, walking trails, sidewalks located outside of the public right of way and stormwater management areas.*
- 5) *Road improvements will be designed per VDOT and/or County requirements. The roads through the Property shall be built and dedicated as public roads. The alleys will be built and maintained as private roads. All public road cul-de-sacs shall be built with a minimum 45-ft. radius to the edge of pavement.*
- 6) *One reservation of land has been shown on the Conceptual masterplan to provide future inter-parcel connections. This will be dedicated to the County at the time of Recordation of the subdivision plat for that phase of development. Specific area is the southern extension of Road F to a remaining parcel of Fotheringay LLC. This is provided for construction of future transportation needs such as vehicular, pedestrian, and bikeway needs. Road F extension shall be constructed as part of the road network and shall be publicly dedicated.*
- 7) *Should the property be developed as shown on the masterplan, no more than 349 residential units (1.32 units per acre) shall be constructed on the subject properties.*
- 8) *All road improvements required for Route 11/460 Roanoke Road as determined by VDOT during the site plan process that are directly attributable to the project shall be constructed during Phase I of the development at the Applicant's expense.*

9) *Construction traffic shall be prohibited from using Eastern Montgomery Lane during MCPS designated school hours.*

The applicants and owners hereby affirm and acknowledge the following:

- This proffer statement supersedes any and all previously submitted proffers.
- All such conditions are in conformity with the County's Comprehensive Plan.
- Neither the County staff, the Planning Commission, the Board of Supervisors, nor any of its officers, employees, or agents suggested, requested or accepted an unreasonable proffer as defined by state law.
- Montgomery County is in no way obligated to rezone the subject property; however, in the event the property is rezoned, the conditions proffered shall continue in full force and effect unless or until they are modified by subsequent amendment to the zoning ordinance; and that the applicants and owners, their heirs, personal representatives, assigns, grantees, and other successors in interest or title, shall not be released from the responsibility of fulfilling each of the enumerated conditions by virtue of any variance or other change in or to the zoning ordinance.
- If any proffer attached to this rezoning is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such proffer shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining proffers in this rezoning, it being the intent that this proffer statement shall stand, notwithstanding the invalidity of any proffer hereof.

WITNESS the following signature(s):

Applicant/Owner Name: STATESON HOMES LLC

Title and/or Company: Stateson Homes LLC

Signature: [Signature]

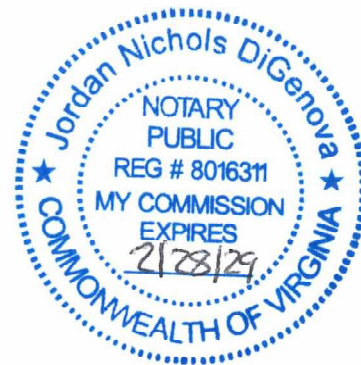
State of Virginia County of Montgomery

"The foregoing instrument was acknowledged before me this 8 day of October, 2026 by

Jordan DiGenova

[Signature]
Notary Public

My Commission Expires: 2/28/29



Applicant/Owner Name: FOTHERINGAY, LLC

Title and/or Company: Manager Fotheringay, LLC

Signature: Sarah Dabney Jacobs

State of LOUISIANA County of ORLEANS PARISH

"The foregoing instrument was acknowledged before me this 9 day of OCTOBER, 2026 by

SARAH DABNEY JACOBS"

MarieLou T Ray
Notary Public

My Commission Expires: LIFE

