

#060004092

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PROPERTY DESCRIPTION - PARCEL 1

ALL OF THAT CERTAIN PARCEL OF LAND SITUATED ON INGRAM ROAD, STATE ROUTE #638 AND LOCATED WITHIN THE BERKELEY DISTRICT OF THE COUNTY OF JAMES CITY, VIRGINIA AND IDENTIFIED AS 24.521 AC. +/- AND BEING MORE FULLY DESCRIBED AS: BEGINNING AT AN IRON ROD FOUND, SAID POINT BEING THE POINT OF BEGINNING; THENCE N73°13'45"W, A DISTANCE OF 586.05' TO A POINT ON THE STREAM; THENCE ALONG THE STREAM THE FOLLOWING TIE LINES N56°48'45"W, A DISTANCE OF 25.00' TO A POINT; THENCE N32°53'26"E, A DISTANCE OF 184.80' TO A POINT; THENCE N35°54'34"W, A DISTANCE OF 312.40' TO A POINT; THENCE N14°56'34"W, A DISTANCE OF 245.00' TO A POINT; THENCE N43°01'26"E, A DISTANCE OF 322.30' TO A POINT; THENCE N28°36'26"E, A DISTANCE OF 284.50' TO AN IRON PIPE FOUND; THENCE LEAVING THE STREAM N54°09'36"E, A DISTANCE OF 334.85' TO AN IRON PIPE FOUND; THENCE S50°00'12"E, A DISTANCE OF 398.95' TO AN IRON PIPE FOUND, CORNER OF PARCEL 2; THENCE CONTINUING ALONG SAID LINE, A DISTANCE OF 41.05' TO A POINT BY AN IRON PIPE FOUND; THENCE S35°34'12"E, A DISTANCE OF 291.66' TO A POINT; THENCE S42°59'12"E, A DISTANCE OF 211.74' TO A POINT, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE #638, INGRAM ROAD; THENCE ALONG SAID LINE S69°35'01"W, A DISTANCE OF 11.38' TO A POINT; THENCE S62°11'52"W, A DISTANCE OF 54.18' TO A POINT; THENCE S27°48'08"E, A DISTANCE OF 15.00' TO A POINT, SAID POINT BEING AT THE CENTERLINE OF SAID ROAD AT THE END OF STATE MAINTENANCE; THENCE LEAVING SAID INGRAM ROAD S55°37'23"W, A DISTANCE OF 89.69' TO AN IRON PIPE FOUND; THENCE S44°20'18"W, A DISTANCE OF 274.20' TO AN IRON ROD FOUND; THENCE S45°17'30"W, A DISTANCE OF 100.00' TO AN IRON ROD FOUND; THENCE CONTINUING ALONG SAID LINE, A DISTANCE OF 58.50' TO AN IRON ROD FOUND; THENCE S27°45'30"W, A DISTANCE OF 138.57' TO AN IRON PIPE FOUND; THENCE S10°13'30"W, A DISTANCE OF 315.68' TO AN IRON ROD FOUND, THE SAID POINT OF BEGINNING AND CONTAINING 24.521 ACRES, MORE OR LESS.

PROPERTY DESCRIPTION - PARCEL 2

ALL OF THAT CERTAIN PARCEL OF LAND SITUATED ON INGRAM ROAD, STATE ROUTE #638 AND LOCATED WITHIN THE BERKELEY DISTRICT OF THE COUNTY OF JAMES CITY, VIRGINIA AND IDENTIFIED AS 4.272 AC. +/- AND BEING MORE FULLY DESCRIBED AS: BEGINNING AT AN IRON PIPE FOUND, SAID POINT BEING THE POINT OF BEGINNING AND A CORNER TO PARCEL 1; THENCE N70°03'55"E, A DISTANCE OF 520.43' TO AN IRON ROD FOUND; THENCE S00°50'44"E, A DISTANCE OF 235.55' TO AN IRON ROD FOUND, CORNER TO PARCEL 3; THENCE S11°19'43"E, A DISTANCE OF 82.89' TO A POINT; THENCE S15°30'53"E, A DISTANCE OF 211.88' TO A POINT BY AN IRON PIPE FOUND, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE #638, INGRAM ROAD; THENCE ALONG SAID LINE S72°42'58"W, A DISTANCE OF 119.56' TO A POINT; THENCE S69°35'01"W, A DISTANCE OF 113.16' TO A POINT, CORNER TO PARCEL 1; THENCE LEAVING SAID RIGHT-OF-WAY N42°59'12"W, A DISTANCE OF 211.74' TO A POINT; THENCE N35°34'12"W, A DISTANCE OF 291.66' TO A POINT BY AN IRON PIPE FOUND; THENCE N50°00'12"W, A DISTANCE OF 41.05' TO AN IRON PIPE FOUND, THE SAID POINT OF BEGINNING AND CONTAINING 4.272 ACRES, MORE OR LESS.

PROPERTY DESCRIPTION - PARCEL 3

ALL OF THAT CERTAIN PARCEL OF LAND SITUATED ON INGRAM ROAD, STATE ROUTE #638 AND LOCATED WITHIN THE BERKELEY DISTRICT OF THE COUNTY OF JAMES CITY, VIRGINIA AND IDENTIFIED AS 0.941 AC. +/- AND BEING MORE FULLY DESCRIBED AS: BEGINNING AT AN IRON ROD FOUND, SAID POINT BEING THE POINT OF BEGINNING AND A CORNER TO PARCEL 2; THENCE N85°46'05"E, A DISTANCE OF 161.73' TO A POINT BY AN IRON PIPE FOUND, CORNER TO PARCEL 4; THENCE S07°43'13"E, A DISTANCE OF 266.28' TO A POINT BY AN IRON PIPE FOUND, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE #638, INGRAM ROAD; THENCE ALONG SAID LINE S75°43'03"W, A DISTANCE OF 93.31' TO A POINT; THENCE S72°42'58"W, A DISTANCE OF 35.26' TO A POINT BY AN IRON PIPE FOUND, CORNER TO PARCEL 2; THENCE LEAVING SAID RIGHT-OF-WAY N15°30'53"W, A DISTANCE OF 211.88' TO A POINT; THENCE N11°19'43"W, A DISTANCE OF 82.89' TO AN IRON ROD FOUND, THE SAID POINT OF BEGINNING AND CONTAINING 0.941 ACRES, MORE OR LESS.

PROPERTY DESCRIPTION - PARCEL 4

ALL OF THAT CERTAIN PARCEL OF LAND SITUATED ON INGRAM ROAD, STATE ROUTE #638 AND LOCATED WITHIN THE BERKELEY DISTRICT OF THE COUNTY OF JAMES CITY, VIRGINIA AND IDENTIFIED AS 0.864 AC. +/- AND BEING MORE FULLY DESCRIBED AS: BEGINNING AT AN IRON PIPE FOUND, SAID POINT BEING THE POINT OF BEGINNING; THENCE S19°00'42"E, A DISTANCE OF 241.19' TO A POINT, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE #638, INGRAM ROAD; THENCE ALONG SAID LINE S74°55'06"W, A DISTANCE OF 161.44' TO A POINT; THENCE S75°43'03"W, A DISTANCE OF 12.55' TO A POINT BY AN IRON PIPE FOUND, CORNER TO PARCEL 3; THENCE LEAVING SAID RIGHT-OF-WAY N07°43'13"W, A DISTANCE OF 266.28' TO A POINT BY AN IRON PIPE FOUND, CORNER TO PARCEL 3; THENCE N85°46'05"E, A DISTANCE OF 125.57' TO AN IRON PIPE FOUND THE SAID POINT OF BEGINNING AND CONTAINING 0.864 ACRES, MORE OR LESS.

SURVEYORS CERTIFICATION :

TO : VILLAS AT FIVE FORKS, LLC; RBC CENTURA BANK
11011 RICHMOND AVE., SUITE 850
HOUSTON, TX 77042

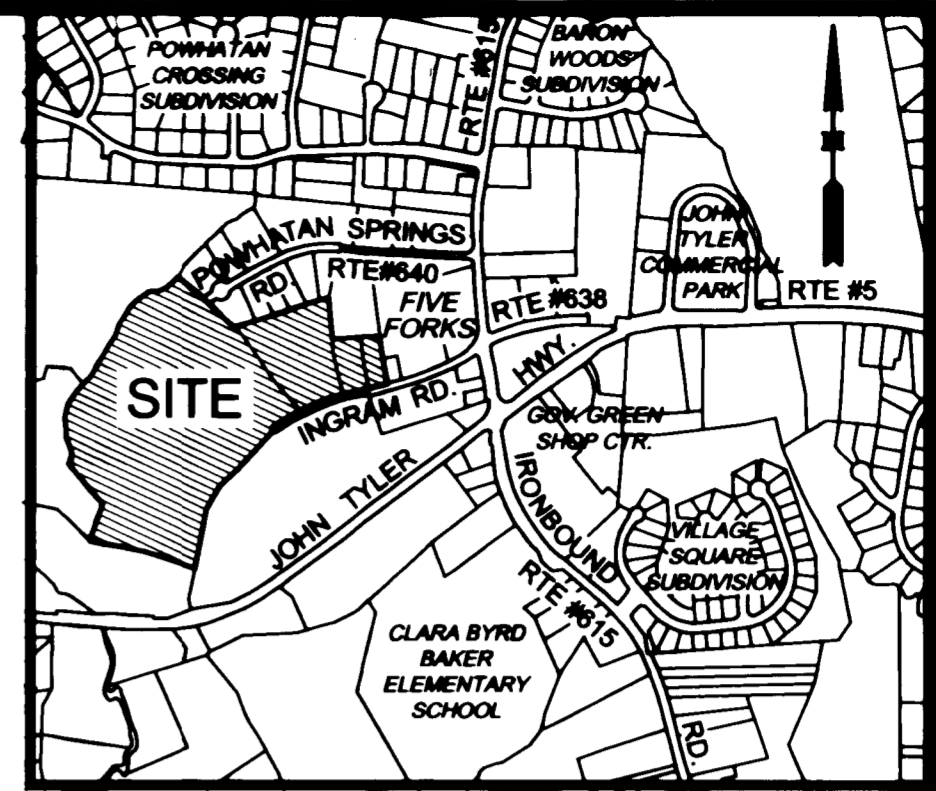
AND FIDELITY NATIONAL TITLE INSURANCE COMPANY
RE: COMMITMENT NUMBER: PRO 13946

I HEREBY CERTIFY THAT ON THE 14TH DAY OF FEBRUARY, 2006 THE FOLLOWING IS TRUE:

- A. I AM A REGISTERED LAND SURVEYOR AND THIS SURVEY WAS PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY OF THE REAL PROPERTY SHOWN HEREON CONDUCTED BY ME OR UNDER MY SUPERVISION.
B. THIS SURVEY CORRECTLY SHOWS (i) THE BOUNDARIES OF THE SUBJECT PROPERTY AND THEIR DIMENSIONS AND DIRECTION, AND THE AREAS OF THE SUBJECT PROPERTY; (ii) THE LOT AND BLOCK DESIGNATION OF ANY RECORDED SUBDIVISION OR ADDITION IN WHICH THE SUBJECT PROPERTY IS LOCATED AND THE RECORDING INFORMATION WITH RESPECT THERETO; (iii) THE SIZE, LOCATION AND TYPE OF ALL BUILDINGS AND IMPROVEMENTS LOCATED THEREON AND THE DISTANCE FROM ANY SUCH BUILDINGS OR IMPROVEMENTS TO THE NEAREST FACING PROPERTY LINE (SEE NOTE #5); (iv) ALL BUILDING OR IMPROVEMENT SETBACK REQUIREMENTS (SEE PROFFERS FOR ADDITIONAL SETBACK REQUIREMENTS); (v) THE LOCATION OF ALL EASEMENTS, RIGHTS-OF-WAY AND ANY OTHER MATTERS OF RECORD OR OF WHICH I HAVE KNOWLEDGE WHICH AFFECT THE SUBJECT PROPERTY INCLUDING ANY APPURTENANT EASEMENTS; (vi) THE LOCATION OF ALL DRIVES, PARKING AREAS, ALLEYS, STREETS AND ROADS ON THE SUBJECT PROPERTY, INCLUDING THE NUMBER OF PARKING SPACES PROVIDED THEREBY; (vii) ALL ABUTTING DEDICATED PUBLIC STREETS PROVIDING ACCESS TO THE SUBJECT PROPERTY TOGETHER WITH THE WIDTH AND NAME THEREOF; (viii) THE DISTANCE FROM THE NEAREST INTERSECTING STREETS OR ROADS; (ix) THE LOCATION, SIZE AND TYPE OF ALL MONUMENTS REFERRED TO HEREIN; AND (x) ALL OTHER SIGNIFICANT ITEMS ON THE SUBJECT PROPERTY INCLUDING BUT NOT LIMITED TO RIVERS, CREEKS, STREAMS AND LAKES.
C. EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO (i) ENCROACHMENTS ON THE SUBJECT PROPERTY BY IMPROVEMENTS LOCATED ON ADJACENT PROPERTY OR BY STREETS OR ALLEYS; (ii) PROTRUSIONS BY IMPROVEMENTS LOCATED ON THE SUBJECT PROPERTY ONTO ADJACENT PROPERTY OR STREETS OR ALLEYS (SEE NOTE #5); (iii) VISIBLE OR APPARENT EASEMENTS OR RIGHTS-OF-WAY; (iv) PARTY WALLS; OR (v) VISIBLE DISCREPANCIES, CONFLICTS OR BOUNDARY LINE DISPUTES.
D. THE SUBJECT PROPERTY HAS ADEQUATE INGRESS AND EGRESS PROVIDED BY PAVED AND DEDICATED PUBLIC STREETS MAINTAINED BY THE APPROPRIATE CITY OR COUNTY GOVERNMENTAL AUTHORITY INCLUDE ACCESS VIA INGRAM ROAD, STATE ROUTE #638.
E. EXCEPT AS SPECIFICALLY NOTED ON THE SURVEY, NO PART OF THE SUBJECT PROPERTY LIES WITHIN ANY AREA DESIGNATED AS A "FLOOD PRONE AREA" OR 100-YEAR FLOOD PLAIN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE UNITED STATES ARMY CORPS OF ENGINEERS, THE STATE, COUNTY OR CITY IN WHICH THE SUBJECT PROPERTY IS LOCATED OR ANY OTHER GOVERNMENTAL AGENCY OR AUTHORITY HAVING JURISDICTION OVER THE SUBJECT PROPERTY NOR IS ANY PORTION OF THE SUBJECT PROPERTY LOCATED WITHIN ANY LAKE OR ANY CREEK, STREAM, RIVER OR OTHER WATERCOURSE REQUIRED TO BE UNDISTURBED BY AN APPROPRIATE GOVERNMENTAL AGENCY OR AUTHORITY.
F. THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THE PARTIES TO WHOM THIS CERTIFICATION IS ADDRESSED WILL BE RELYING UPON THIS CERTIFICATION IN PURCHASING THE PROPERTY, BORROWING AND LENDING MONEY TO BE SECURED BY THE PROPERTY AND ISSUING TITLE INSURANCE WITH RESPECT TO THE SUBJECT PROPERTY AND THE SURVEY HAS BEEN PREPARED FOR THEIR RESPECTIVE BENEFITS IN ANTICIPATION OF THEIR RELIANCE THEREON.

G.T. Wilson, Jr., L.S.
VIRGINIA LICENSED LAND SURVEYOR #1183

2 Large/Small Plat(s) Recorded herewith as # 060004092



VICINITY MAP SCALE: 1" = 1000'

GENERAL NOTES:

- 1. THIS PLAT IS BASED ON A CURRENT FIELD BOUNDARY SURVEY, FOUND MARKERS AS NOTED, RECORD AND OTHER AVAILABLE INFORMATION. EASEMENTS OR ENCUMBRANCES OTHER THAN NOTED MAY AFFECT THIS PROPERTY; OTHER THAN SHOWN NO UNDERGROUND UTILITIES WERE LOCATED BY THIS SURVEY, ONLY UTILITIES AS EVIDENT FROM A PHYSICAL INSPECTION ARE SHOWN.
THIS SURVEY INCLUDES ALL OF TAX ASSESSOR'S PARCELS (46-2)(1-15); (46-2)(1-11); (46-2)(1-10) & (46-2)(1-19).
2. PARCEL 1 IS ALL OF TAX ASSESSOR'S PARCEL (46-2)(1-15); STREET ADDRESS: #248 INGRAM ROAD. TITLE IS VESTED IN THE NAME OF SPENCER BROTHERS BUILDERS, INC. PER INSTRUMENT #010008471.
PARCEL 2 IS ALL OF TAX ASSESSOR'S PARCEL (46-2)(1-11); STREET ADDRESS: #238 INGRAM ROAD. TITLE IS VESTED IN THE NAME OF SPENCER BROTHERS BUILDERS, INC. PER INSTRUMENT #020024985.
PARCEL 3 IS ALL OF TAX ASSESSOR'S PARCEL (46-2)(1-10); STREET ADDRESS: #230 INGRAM ROAD. TITLE IS VESTED IN THE NAME OF VILLA DEVELOPMENT, LLC PER INSTRUMENT #040012780.
PARCEL 4 IS ALL OF TAX ASSESSOR'S PARCEL (46-2)(1-19); STREET ADDRESS: #226 INGRAM ROAD, TITLE IS VESTED IN THE NAME OF VILLA DEVELOPMENT, LLC PER INSTRUMENT #050016146.
3. TOTAL AREA OF ALL PARCELS = 30.598 ACRES± (COMPUTED TO SURVEY TIE LINES).
4. BOUNDARY FIELDWORK & LOCATION COMPLETED DURING NOVEMBER AND DECEMBER 2004. BOUNDARY COMPUTATIONS AND PRELIMINARY PLAT COMPLETED DURING JANUARY 2005, FINAL PLAT FEBRUARY 14, 2006.
5. IMPROVEMENTS SHOWN ARE TAKEN FROM THE AERIAL SURVEY AND HAVE NOT BEEN VERIFIED BY THIS SURVEY.
6. ALL OF TAX PARCELS (46-2)(1-11), (46-2)(1-10) AND (46-2)(1-19) APPEARS TO LIE IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN PER F.I.R.M. #510201 0045B, DATED 2/6/1991.
PORTIONS OF TAX PARCEL (46-2)(1-15) APPEARS TO LIE IN ZONE "AE", BASE FLOOD ELEVATION DETERMINED, ELEV=19± AND IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN PER F.I.R.M. #510201 0035 AND #510201 0045B DATED 2/6/1991.
7. PROPERTY IS SUBJECT TO PROFFERS RECORDED IN INSTRUMENT #050015238 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF JAMES CITY COUNTY.
8. PROPERTY IS CURRENTLY ZONED R2 CLUSTER WITH PROFFERS REFERENCING JCC CASE NO. Z-15-04, MP-11-04 AND SP-34-04 APPROVED BY THE BOARD OF SUPERVISORS ON JUNE 28, 2005.
9. PROPERTY IS TO BE DEVELOPED IN GENERAL ACCORDANCE WITH THE MASTER PLAN (MP-11-04) PREVIOUSLY SUBMITTED AND APPROVED BY THE BOARD OF SUPERVISORS ON JUNE 28, 2005. REFER TO PLANS PREPARED BY AES CONSULTING ENGINEERS, DATED JANUARY 24, 2006 FOR SPECIFIC BUILDING SETBACK RESTRICTIONS.



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8994

ALTA/ACSM LAND TITLE SURVEY ON 4 PARCELS OF LAND OWNED BY: SPENCER BROTHERS BUILDERS, INC. AND VILLA DEVELOPMENT, LLC. BERKELEY DISTRICT JAMES CITY COUNTY VIRGINIA

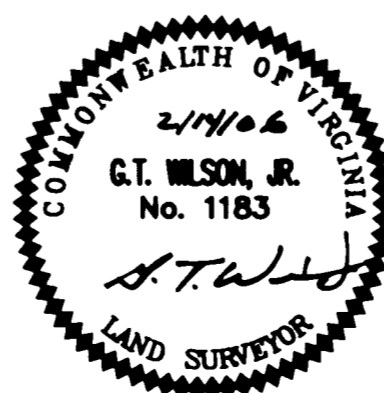


Table with columns: No., DATE, REVISION / COMMENT / NOTE, REVISED BY, REVIEWED BY. Includes recording information for City of Williamsburg & County of James City Circuit Court, recorded on 2/14/06 at 11:03 AM, document # 060004092.

Table with columns: Designed AES, Drawn AES, Scale, Date, Project No. 9444, Drawing No. 1 OF 2.