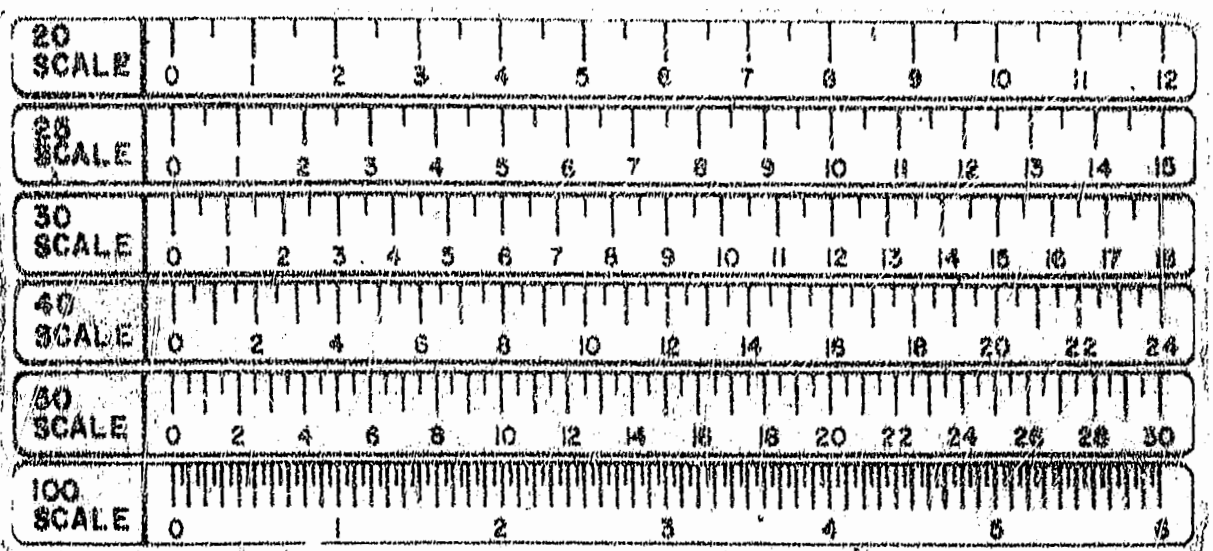
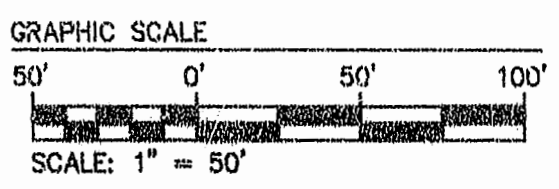




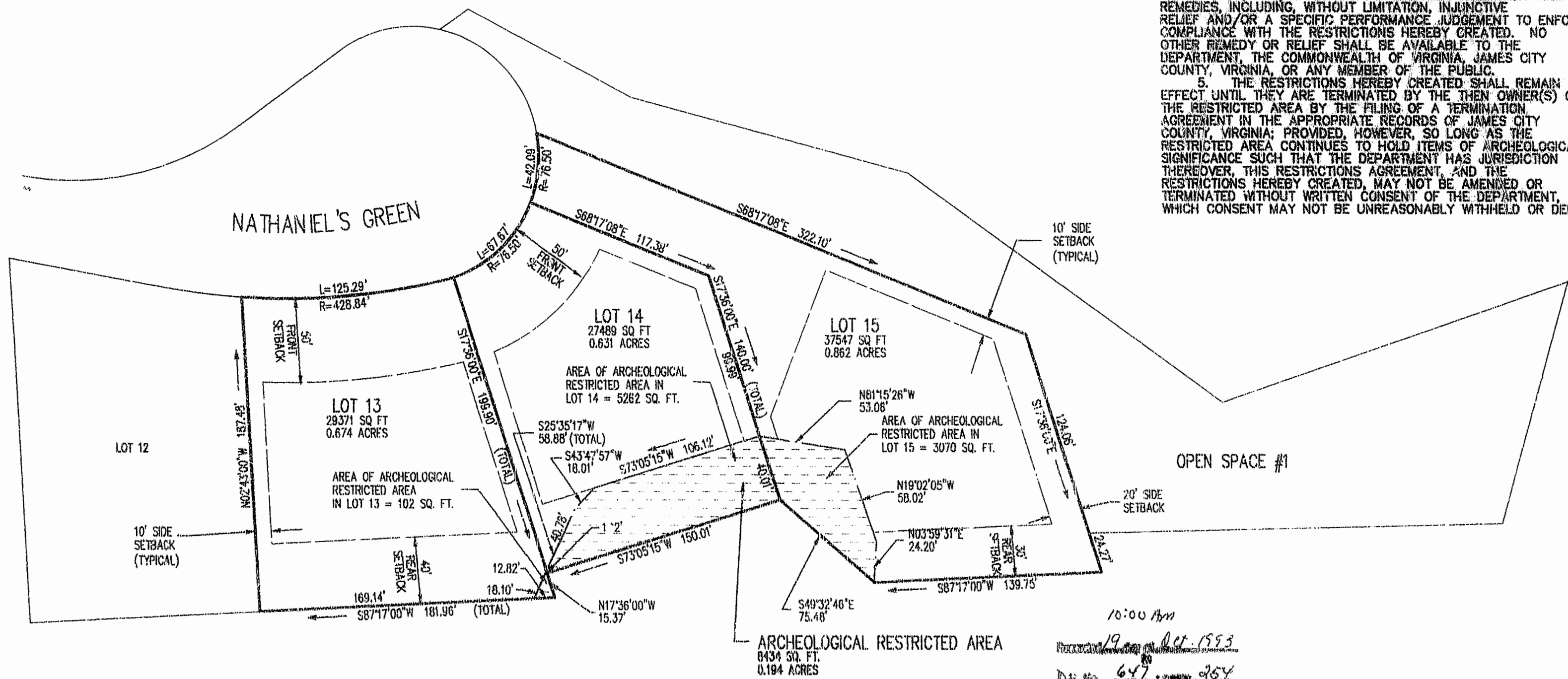
PB 53, PG 81-89



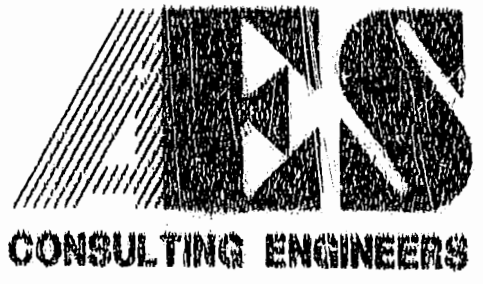
THE RESTRICTED AREA'S SUBSURFACE CONTAINS ARCHEOLOGICAL ELEMENTS THAT THE COMMONWEALTH OF VIRGINIA DESIRES TO HAVE PRESERVED, AND THE COMMONWEALTH OF VIRGINIA HAS REQUESTED THAT CERTAIN RESTRICTIONS BE PLACED UPON THE USE OF THE RESTRICTED AREA.

IN ORDER TO COMPLY WITH THE DESIRES OF THE COMMONWEALTH OF VIRGINIA AS TO RESTRICTIONS ON THE USE OF THE RESTRICTED AREA, THE OWNER HEREBY RESTRICTS THE USE OF THE AREA AS FOLLOWS:

1. EXCEPT AS OTHERWISE PROVIDED IN THIS AGREEMENT, THE PORTION OF THE RESTRICTED AREA SITUATED BELOW THE SURFACE OF THE GROUND SHALL NOT BE DISTURBED OR AFFECTED IN ANY MATERIAL WAY WITHOUT THE CONSENT OF THE DEPARTMENT OF HISTORICAL RESOURCES OF THE COMMONWEALTH OF VIRGINIA (THE "DEPARTMENT").
2. THE SURFACE AND THE AREA ABOVE THE SURFACE OF THE RESTRICTED AREA MAY BE IMPROVED WITH DRIVEWAYS, LAWNS AND LANDSCAPING, AND OTHER IMPROVEMENTS SO LONG AS SUCH OTHER IMPROVEMENTS ARE NOT OF SUCH A WEIGHT AS TO COMPRESS THE PORTIONS OF THE RESTRICTED AREA BELOW THE SURFACE OF THE GROUND IN A MANNER THAT WILL DAMAGE ANY ARCHEOLOGICAL ASPECTS THEREIN. WITHOUT LIMITATION OF THE FOREGOING, THE SURFACE OF THE RESTRICTED AREA MAY BE CLEARED (ALTHOUGH STUMPS MAY NOT BE GRUBBED BUT MAY BE CHIPPED) AND CAN BE COVERED WITH TOP SOIL.
3. EXCEPT FOR THE RIGHT TO ENFORCE THESE RESTRICTIONS AS HEREINAFTER DESCRIBED, NO RIGHTS ARE HEREBY CREATED IN THE DEPARTMENT, ANY OTHER INSTRUMENTALITY OF THE COMMONWEALTH OF VIRGINIA OR JAMES CITY COUNTY, VIRGINIA OR THE PUBLIC IN GENERAL IN AND UNTO THE RESTRICTED AREA, AND WITHOUT LIMITATION OF THE GENERALITY OF THE FOREGOING, NO RIGHTS OF USE IN ANY SUCH PERSON OR ENTITY ARE HEREBY CREATED.
4. IF A VIOLATION OF THE RESTRICTIONS HEREIN CONTAINED SHALL OCCUR, OWNER, ANY SUCCESSOR OR ASSIGN OF OWNER IN REGARD TO OWNER'S RIGHTS HEREUNDER, AS EVIDENCED BY A WRITTEN AGREEMENT EXECUTED BY OWNER AND SO ASSIGNING SUCH RIGHTS, AND/OR THE DEPARTMENT MAY SEEK EQUITABLE REMEDIES, INCLUDING, WITHOUT LIMITATION, INJUNCTIVE RELIEF AND/OR A SPECIFIC PERFORMANCE JUDGEMENT TO ENFORCE COMPLIANCE WITH THE RESTRICTIONS HEREBY CREATED. NO OTHER REMEDY OR RELIEF SHALL BE AVAILABLE TO THE DEPARTMENT, THE COMMONWEALTH OF VIRGINIA, JAMES CITY COUNTY, VIRGINIA, OR ANY MEMBER OF THE PUBLIC.
5. THE RESTRICTIONS HEREBY CREATED SHALL REMAIN IN EFFECT UNTIL THEY ARE TERMINATED BY THE THEN OWNER(S) OF THE RESTRICTED AREA BY THE FILING OF A TERMINATION AGREEMENT IN THE APPROPRIATE RECORDS OF JAMES CITY COUNTY, VIRGINIA; PROVIDED, HOWEVER, SO LONG AS THE RESTRICTED AREA CONTINUES TO HOLD ITEMS OF ARCHEOLOGICAL SIGNIFICANCE SUCH THAT THE DEPARTMENT HAS JURISDICTION THEREOVER, THIS RESTRICTIONS AGREEMENT, AND THE RESTRICTIONS HEREBY CREATED, MAY NOT BE AMENDED OR TERMINATED WITHOUT WRITTEN CONSENT OF THE DEPARTMENT, WHICH CONSENT MAY NOT BE UNREASONABLY WITHHELD OR DELAYED

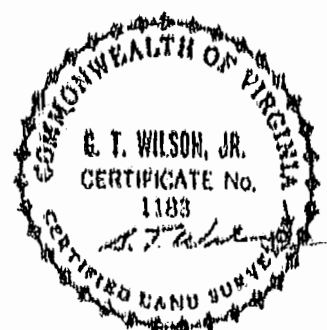


10:00 AM  
 Received 19 Oct 1993  
 Dis. No. 647  
 William R. Ward



5248 Old Towne Road, Suite 1  
 Williamsburg, Virginia 23188  
 (804) 253-0040  
 Fax (804) 220-8904

ARCHEOLOGICAL RESTRICTED AREA  
 LOTS 13, 14, & 15  
 NATHANIEL'S GREEN, BLOCK "B"  
 THE GOVERNOR'S LAND  
 At Two Rivers  
 POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA



No.	DATE	REVISION / COMMENT / NOTE	BY

Designed VMB	Drawn VMB
Scale 1" = 50'	Date SEPT., 1993
Project No. 7173	
Drawing No. 1 of 1	