

#040016900

OWNERS CERTIFICATE

THE SUBDIVISION OF THE LAND SHOWN ON THIS PLAT AND KNOWN AS SUBDIVISION OF LAKE POWELL FOREST, PHASE SIX IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

By [Signature] 6-8-04
OWNER: BOYD CORPORATION, A VIRGINIA CORPORATION
BY: DATE

STATE OF Virginia
CITY/COUNTY OF Virginia Beach, TO WIT:
I, Stephanie S. White, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE
AFORESAID, DO HEREBY CERTIFY THAT David S. Waiger WHOSE
NAME IS SIGNED TO THE FOREGOING WRITING, BEARING DATE ON THE 8 DAY OF June, 2004
HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AND STATE AFORESAID
GIVEN UNDER MY HAND THIS 8 DAY OF June, 2004.
SIGNED [Signature] MY COMMISSION EXPIRES August 31, 2007
NOTARY PUBLIC

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE OR BELIEF, THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY.

[Signature] 5/27/04
JOHN G. HORTON L.S. # 1422 DATE

CERTIFICATE OF SOURCE OF TITLE

THE PROPERTY SHOWN ON THIS PLAT WAS CONVEYED BY JOHN GRIER CONSTRUCTION COMPANY TO BOYD CORPORATION BY DEED DATED MARCH 13, 1996 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF JAMES CITY COUNTY IN DEED BOOK 777 PAGE 825.

CERTIFICATE OF APPROVAL

THIS SUBDIVISION IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

[Signature] 06/11/04
VIRGINIA DEPARTMENT OF TRANSPORTATION DATE

VIRGINIA DEPARTMENT OF HEALTH DATE

[Signature] 7/1/04
SUBDIVISION AGENT OF JAMES CITY COUNTY DATE

LEGEND

SMALL CIRCLES "o" DENOTES IRON PIN MARKERS.
SMALL CIRCLES "b" DENOTES IRON PIN IN CONCRETE MONUMENT.
THE PROPERTY ENCOMPASSED BY THIS SUBDIVISION IS ABOVE THE 100 YEAR FLOOD ZONE.

City of Williamsburg & County of James City
Circuit Court: This PLAT was recorded on
2 July 2004
at 10:04 AM/PM. PB - PGS 3
DOCUMENT # 040016900
BETSY B. WOOLRIDGE, CLERK

[Signature] Clerk

BY: SunTrust Bank
A. [Signature], SRP 6/8/04
TRUSTEE: DATE

STATE OF VA
CITY/COUNTY OF Chesapeake, TO WIT:
I, Gail M. McMillan, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE
AFORESAID, DO HEREBY CERTIFY THAT H. Mac Weaver, JR. WHOSE
NAME IS SIGNED TO THE FOREGOING WRITING, BEARING DATE ON THE 8 DAY OF June, 2004
HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AND STATE AFORESAID
GIVEN UNDER MY HAND THIS 8 DAY OF June, 2004.

SIGNED [Signature] MY COMMISSION EXPIRES 2-29-2008
NOTARY PUBLIC

AREA SUMMARY

TOTAL LOT AREA = 221,243 SQ. FT. OR 5.0791 ACRES
R/W DEDICATION = 69,500 SQ. FT. OR 1.5955 ACRES
NATURAL OPEN SPACE EASEMENT, CONSERVATION AREA
INCLUDING IMPOUNDMENT EASEMENT = 498,050 SQ. FT. OR 11.4336 ACRES
TOTAL SITE AREA = 788,793 SQ. FT. OR 18.1082 ACRES

NOTE:

ALL CONSTRUCTION OR LAND DEVELOPMENT ACTIVITIES SHALL BE SUBJECT TO THE REQUIREMENTS OF THE CHESAPEAKE BAY PRESERVATION AREA DESIGNATION AND MANAGEMENT REGULATIONS (VR-173-02-01) AND ANY LOCAL ORDINANCES ADOPTED PURSUANT THERETO. THESE REGULATIONS AND ORDINANCES MAY PLACE ADDITIONAL REQUIREMENTS ON LOTS RECORDED AFTER SEPTEMBER 30, 1989, AND MAY LIMIT DEVELOPMENT OF LOTS. OWNERS SHOULD FAMILIARIZE THEMSELVES WITH THE REGULATIONS AND ORDINANCES AND ARE ENCOURAGED TO CONTACT THE JAMES CITY COUNTY DIRECTOR OF CODE COMPLIANCE FOR MORE INFORMATION.

ALL LOTS IN THIS SUBDIVISION SHALL BE SERVED BY PUBLIC SEWER AND WATER SYSTEMS.

\*RIGHT OF WAY HEREBY DEDICATED FOR PUBLIC STREET PURPOSES
\*VDOT SHALL BE SAVED HARMLESS FROM ANY MAINTENANCE RESPONSIBILITY OR LIABILITY ASSOCIATED WITH THE RETENTION BASIN OR IT'S STRUCTURES.

REFERENCES

A SURVEY OF PART OF THE STEERS TRACT, P.B. 52 PG. 87
BOZARTH-MAHONE SUBDIVISION, SECTION 2, P.B. 13 PG. 33
PLAT SHOWING SURVEY OF A PARCEL FOR D. A. POWERS, P.B. 10 PG. 27
D.B. 67 PG. 573
SUBDIVISION OF LAKE POWELL POINTE PHASE ONE (P.B. 71, PG. 69 & 70)
SUBDIVISION OF LAKE POWELL POINTE PHASE THREE (P.B. 74, PG. 98 & 99)
SUBDIVISION OF LAKE POWELL FOREST PHASE ONE (P.B. 71, PG. 33 & 34)
SUBDIVISION OF LAKE POWELL FOREST PHASE TWO (P.B. 76, PG. 77 & 78)
SUBDIVISION OF LAKE POWELL FOREST PHASE THREE (P.B. 83, PG. 78 & 80)
SUBDIVISION OF LAKE POWELL FOREST PHASE FOUR (P.B. 89, PG. 14, 15 & 16)
SUBDIVISION OF LAKE POWELL FOREST PHASE FIVE (P.B. 90, PG. 39 & 40)
EASEMENT FOR NATURAL OPEN SPACE AND CONSERVATION AREA (P.B. 89, PG 27 & 28)

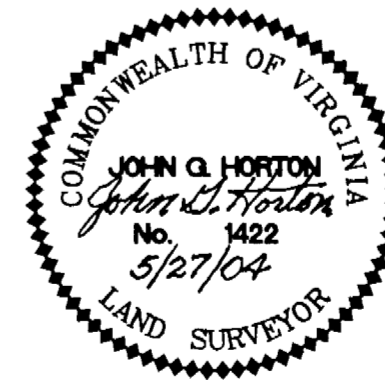
THIS SUBDIVISION IS COMPRISED OF A PORTION OF THE PROPERTY AS SHOWN ON PLAT ENTITLED "A SURVEY OF PART OF THE STEERS TRACT" RECORDED IN PLAT BOOK 52 PAGE 87 AND LOTS 34, 35 & 36 AS SHOWN ON PLAT ENTITLED "SURVEY OF SECTION NO.2, BOZAETH-MAHONE SUBDIVISION", RECORDED IN P.B.13 PG.33.

BUILDING RESTRICTIONS

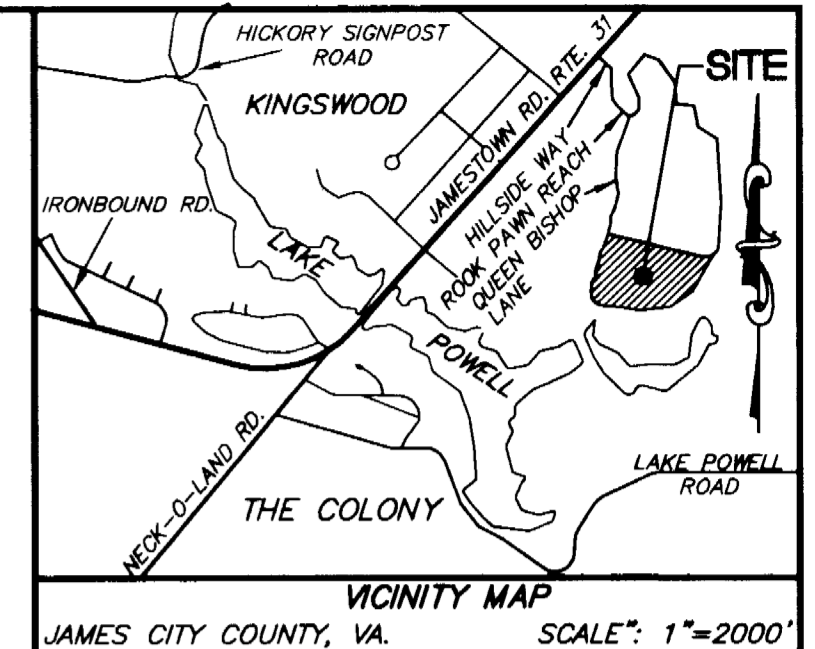
-PROPERTY PRESENTLY ZONED LIMITED RESIDENTIAL DISTRICT, R-1.
-MINIMUM LOT SIZE ALLOWABLE: 5,000 SQ. FT.

1. THE SUBDIVISION OF THIS PROPERTY AS A RESIDENTIAL CLUSTER HAS BEEN APPROVED BY THE BOARD OF SUPERVISORS ON JANUARY 14, 1997 AS CASE NO. SUP-27-96, LAKE POWELL FOREST, WITH CONDITIONS.

2. ALL PROPOSED UTILITIES SHALL BE PLACED UNDERGROUND.



TAX MAP NUMBER (47-4)(1-8)



- 3. OUTDOOR SIGNS ON THE PROPERTY WITHIN THE DISTRICT SHALL COMPLY WITH THE REGULATION FOR EXTERIOR SIGNS IN ARTICLE II, DIVISION 3 OF THE JAMES CITY COUNTY ZONING ORDINANCE.
4. REAR AND SIDE YARDS MAY BE REDUCED TO ZERO PROVIDED THAT EASEMENTS OR COVENANTS ESTABLISH THE RIGHTS OF TWO ABUTTING PROPERTIES WHERE MAIN BUILDINGS ARE TO BE CONSTRUCTED ON OR WITHIN FIVE FEET OF A PROPERTY LINE. REDUCTIONS OF REAR OR SIDE YARDS ALSO SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS:
A. THE MINIMUM DISTANCE BETWEEN ANY TWO BUILDINGS WITHIN THE RESIDENTIAL CLUSTER DEVELOPMENT SHALL BE GOVERNED BY THE STATE OF VIRGINIA BUILDING CODE.
B. NO BUILDING IN A RESIDENTIAL CLUSTER DEVELOPMENT IN A R-1 DISTRICT SHALL BE CLOSER THAN 35 FEET TO PROPERTY OUTSIDE THE RESIDENTIAL CLUSTER DEVELOPMENT.
5. WETLANDS AND LANDS WITHIN RESOURCE PROTECTION AREAS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES PERMITTED BY SECTION 23-7(C)(1) OF THE JAMES CITY COUNTY CODE.
6. NATURAL OPEN SPACE EASEMENTS SHALL REMAIN IN A NATURAL UNDISTURBED STATE EXCEPT FOR THOSE ACTIVITIES REFERENCED ON THE DEED OF EASEMENT.
7. UNLESS OTHERWISE NOTED, ALL DRAINAGE EASEMENT DESIGNATED ON THIS PLAT SHALL REMAIN PRIVATE.
8. EASEMENTS DENOTED AS "JCSA UTILITY EASEMENTS" ARE FOR THE EXCLUSIVE USE OF THE JAMES CITY SERVICE AUTHORITY AND THE PROPERTY OWNER. OTHER UTILITY SERVICE PROVIDERS DESIRING TO USE THESE EASEMENTS WITH THE EXCEPTION OF PERPENDICULAR UTILITY CROSSINGS MUST OBTAIN AUTHORIZATION FOR ACCESS AND USE FROM JCSA AND THE PROPERTY OWNER. ADDITIONALLY, JCSA SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO IMPROVEMENTS WITHIN THIS EASEMENT, FROM ANY CAUSE.
9. ALL MONUMENTS SHALL BE PLACED IN ACCORDANCE WITH SECTION 19-34 THROUGH 19-36 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
10. ANY EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.

SUBDIVISION OF LAKE POWELL FOREST PHASE SIX
JAMESTOWN MAGISTERIAL DISTRICT
JAMES CITY COUNTY, VIRGINIA
SCALE: 1"= 60' DECEMBER 2, 2003
HORTON & DODD, P.C.
SURVEYORS, ENGINEERS & PLANNERS
300 GEORGE WASHINGTON HIGHWAY N.
CHESAPEAKE VIRGINIA 23323
(757) 487-4535