

TAX MAP NO.: \_\_\_\_\_

This document prepared by:  
(NAME AND ADDRESS): \_\_\_\_\_

Return to: Office of Community Development  
21 South Bruffey Street  
Salem, Virginia 24153

\_\_\_\_\_  
\_\_\_\_\_

## PROFFER STATEMENT

WHEREAS, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
("the Owner(s)") is/are the owner(s) of certain real property known as  
\_\_\_\_\_ *(property description/location)* ("the Property") totaling approximately  
\_\_\_\_\_ acres, located in the City of Salem, Virginia which is more particularly described as follows:

\_\_\_\_\_  
\_\_\_\_\_ *(legal description or an attachment containing a legal description. Also include tax map #); and*

WHEREAS, the Owner(s) has/have filed an application to rezone the Property from current zoning of \_\_\_\_\_ *(current zoning)* to \_\_\_\_\_ *(proposed zoning)*, conditional, pursuant to the City of Salem Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, the Owner desires to proffer to the City of Salem (the "City") certain conditions in connection with the development of the Property that will protect the City and its citizens, provide for the orderly development of the Property, and offset the impacts of development; and

WHEREAS, the below-listed proffers are designed and intended to mitigate impacts that have been identified; and

WHEREAS, the Owner certifies that all below-listed proffers are voluntary, reasonable, and directly related to the rezoning applied for; and

WHEREAS, the City is authorized to accept these proffers pursuant to the Code of Virginia, and the Zoning Ordinance; and

WHEREAS, in the event that there is any conflict between these proffers and the Zoning Ordinance, the conflict shall be resolved by the City's Zoning Administrator, subject to appeal to the Board of Zoning Appeals and the courts as provided by law; and

WHEREAS, these proffers shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and assigns; and

WHEREAS, the Owner(s) acknowledges that impacts of development not offset by the below-listed proffers may be cause for denial of the rezoning request.

NOW, THEREFORE, the Owner(s) agrees to meet and comply with the following proffers in connection with the development of the Property should the Owner's application to rezone the property be approved:

**PROFFERS**

1. (proffer 1)
2. (proffer 2)
3. (proffer 3)
4. etc.

(Indicate if you intend the proffers to be offered as a group (i.e. "all or nothing". Otherwise, each will be considered to be individually offered for separate consideration by the City. The City does not have to accept proffers that are offered)

Once proffered and accepted as part of an amendment to the zoning ordinance, these conditions shall continue in full force and effect until a subsequent amendment changes the zoning on the property covered by these conditions; provided, however, that such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

WITNESS the following signature and seal:

By: \_\_\_\_\_  
Owner

COMMONWEALTH OF VIRGINIA CITY OF SALEM, to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

by \_\_\_\_\_  
Owner

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

WITNESS the following signature and seal:

By: \_\_\_\_\_  
Contract purchaser

COMMONWEALTH OF VIRGINIA CITY OF SALEM, to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

by \_\_\_\_\_  
Contract purchaser

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_