

AMELIA COUNTY ECONOMIC DEVELOPMENT AUTHORITY

August 8, 2023



ECONOMIC DEVELOPMENT AUTHORITY

Year		Year to be													
appointed	reappointed	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022	January 2023	February 2023	March 2023	April 2023	May 2023	June 2023		
								Meeting Canceled							
Eldon Dieffenbach	2021	2023		X	E	X	X		X	X	X	X	X	X	E
Dennis Tatum	2019	2023		X	X	E	E		X	E	E	X	X	E	X
Robert C. Smith	2021	2025		X	X	X	X		X	X	X	X	X	X	X
Robert Llewellyn	2022	2026		X	X	X	X		X	E	X	X	X	E- BA	X
Carly Bullock	2021	2025		X	X	X	X		X	E	X	X	E	X	X
Maudie Scott	2022	2026		X	X	X	E		X	X	E	X	X	E- BA	X
Winston Vaughn	2022	2026		X	E	X	X		X	X	X	X	X	X	E

ECONOMIC DEVELOPMENT AUTHORITY

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AGENDA
COUNTY OF AMELIA ECONOMIC DEVELOPMENT AUTHORITY
AMELIA COUNTY ADMINISTRATION BUILDING CONFERENCE ROOM
TUESDAY, AUGUST 8, 2023 AT 10:00 AM

REGULAR MEETING

- 1. CALL TO ORDER/DETERMINATION OF QUORUM-CHAIRMAN**
- 2. ROLL CALL**
- 3. INVOCATION AND PLEDGE OF ALLEGIANCE**
- 4. WELCOME**
- 5. COMMUNICATIONS FROM CITIZENS**
- 6. APPROVAL/ACCEPTANCE OF MINUTES AND FINANCIAL REPORTS**
 - A. Approval of Minutes
 - B. Acceptance of Treasurer's Reports
- 7. OLD/NEW BUSINESS**
 - A. Deed Restrictions
 - B. Staff (Daryl) Recommendations for Site Clean-up
 - C. Appraisal Update for Richardson Road
 - D. Richardson Road Tract Development- Neal Barber
Go Virginia Grant Application and Feedback for DHCD
State Budget- Issues for the site due to lack of a FY24 Budget
Site Signage
 - E. Guest Invites for Future Meeting
Stephen Versen- Tobacco Commission
Cliff Williamson- Agribusiness Council
- 8. COUNTY ADMINISTRATOR'S REPORT**
- 9. CLOSED MEETING**
- 10. MOTION TO ADJOURN OR CONTINUE MEETING**

MINUTES: AMELIA ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING HELD ON JULY 11 AT 10:00 A.M. AT
THE AMELIA COUNTY CONFERENCE ROOM

EDA MEMBERS PRESENT:

ELDON DIEFFENBACH
ROBERT C. SMITH
ROBERT LLEWELLYN
WINSTON VAUGHN
DENNIS TATUM
MAUDIE SCOTT

ALSO

PRESENT: A. TAYLOR HARVIE, County Administrator
ASHLEY GUNN, Administrative Assistant
JEFF GORE, County Attorney (virtually)

- The July 11, 2023 EDA meeting was called to order by Robert Smith.
- Roll Call was taken by Taylor Harvie.
- Robert Llewellyn offered the invocation.
- Everyone participated in the Pledge of Allegiance.

COMMUNICATION FROM CITIZENS

- No Communications from the citizens

ORGANIZATIONAL MEETING:

- On a motion by Eldon Dieffenbach and Maudie Scott second the motion, the EDA Committee unanimously approved Robert C. Smith to serve as Chairman for FY2024.
- Maudie Scott Made a motion to nominate Eldon Dieffenbach as Vice-Chairman. Eldon Dieffenbach politely declined.
- On a motion by Robert Llewellyn and Maudie Scott second the motion, the EDA Committee unanimously approved Winston Vaughn as Vice-Chairman.
- On a motion by Robert C. Smith and Eldon Dieffenbach second the motion, the EDA Committee unanimously approved the Chairman and Vice-Chairman to act as the executive committee.

APPROVAL/ACCEPTANCE OF MINUTES AND FINANCIAL REPORTS

- The June 13, 2023 minutes were approved with corrections.
- The June 2023 Treasurer's reports were accepted.

OLD/NEW BUSINESS

A. Richardson Road Project Update

- Neal Barber presented:
 - Discussed the potential Deed Restrictions for the property.
 - Discussed Marketing the site. This included the demolition of the structures on the site, creating a for sale sign, and deciding on sale price.
 - Board members discussed searching for financing for the current acquisition and/or applying for a grant for further development of the site. BEDP is dependent upon government budget approvals.
- Deed Restrictions:
 - Jeff Gore (Attorney) discussed with the board potential ideas for deed restrictions and what can be done to protect the use of the site. The board discussed modeling the deed restrictions on the Floyd County example.
- ❖ Bob Smith recommended naming the site Amelia Regional Business Park or Commerce Park.
 - Demolition:
 - County Administrator discussed with the board that after speaking with various staff, it's recommended that it needs to be a bid out for the job.
 - Board members discussed having the demolition done prior to putting a sign up.
 - Marketing:
 - Discussed a 4x8 sign at the "Cross-over" starting out.
 - Discussed the timeframe for the sign.
 - Purchase price of sign includes installation.
 - The board discussed what sale price should be agreed upon for the site.
 - Discussed listing the property at market value and selling it under market value so that the remaining money can be used as potential match funds for a grant.

County Administrator's Report

- County Administrator reiterated contacting an appraiser for the site.
- Discussed being in contact with Jim Engle from Richard Smith and seems pleased with the way things are going and with the current facility. Stated that they believe they should have occupants in all of his buildings by the end of the year.
- Discussed needing to work on putting the word out there in preparation of the site availability and being active on social media.

- Stated the County Seal is being upgraded by Kimberly Smith and Kent Emmerson at the Emergency Management to improve the definition of the Seal.
- ❖ Mr. Smith stated that he's pleased with the process of acquiring the site and now to work on getting the message out.
 - Ashley Gunn discussed that we need more of a presence in the local paper, social media, and other avenues to stay proactive and keep the messages active.
 - Brady Deal stated he believed the rezoning process went well and having the local government's approval and backing helps the progress of the site. Stated that we haven't gotten a lot of citizen communication for or against the project. He suggested to be mindful of the price because it will set the modern tone for other sites and sale prices. States that word of mouth can be a good source of marketing too.
 - Neal Barber suggested getting in contact with commercial brokers to utilize commercial real estate sales website for the project would be beneficial.

MOTION TO CONTINUE/ADJOURN

There being no further business, the July 11, 2023 EDA meeting was adjourned.

ATTEST

Minutes Approved August 8, 2023

A. Taylor Harvie, County Administrator

Robert Smith, Chairman

ACCOUNT #	DESCRIPTION	DATE	REFERENCE/PO#	CURRENT AMOUNT		YEAR-TO-DATE	\$ BUDGET \$
				DEBITS	CREDITS		
-----	-----	-----	-----	-----	-----	-----	-----
	** EDA FUND **		FUND#-501				
	ASSETS		MAJOR-000100				
000100-0100	Cash With Treasurer	7/03/2023	B.FWD.			.00	.00
	-TREASURER CASH REPORT 2023/07	7/17/2023	CS-000-20230717	10,552.96	.00		
	-TOTAL-			10,552.96	.00	10,552.96	
					10,552.96 *	10,552.96 *	10,552.96-
000100-0630	Buildings	7/03/2023	B.FWD.			.00	.00
	-TOTAL-			.00	.00	.00	
					.00 *	.00 *	.00
000100-0635	Accum Depreciation - Buildings	7/03/2023	B.FWD.			.00	.00
	-TOTAL-			.00	.00	.00	
					.00 *	.00 *	.00
000100-0640	Equipment	7/03/2023	B.FWD.			.00	.00
	-TOTAL-			.00	.00	.00	
					.00 *	.00 *	.00
000100-0645	Accum Depreciation - Equipment	7/03/2023	B.FWD.			.00	.00
	-TOTAL-			.00	.00	.00	
					.00 *	.00 *	.00
DEPT TOTAL.....	BALANCE FORWARD					.00	
	CURRENT MONTH					10552.96	
	ENCUMBRANCE					.00	
	YEAR TO DATE					10552.96	
	BUDGET BALANCE					10552.96-	
	Land		MAJOR-000110				
000110-0610	Land	7/03/2023	B.FWD.			.00	.00
	-TOTAL-			.00	.00	.00	
					.00 *	.00 *	.00
	FUND EQUITY		MAJOR-000300				
000300-0100	Fund Balance	7/03/2023	B.FWD.			.00	.00
	-TOTAL-			.00	.00	.00	
					.00 *	.00 *	.00
	Revenue From Use of Money		MAJOR-015010				
015010-0001	Interest Earned - Bank Deposits	7/03/2023	B.FWD.			.00	.00
	-TOTAL-			.00	.00	.00	
					.00 *	.00 *	.00

ACCOUNT #	DESCRIPTION	DATE	REFERENCE/PO#	CURRENT AMOUNT		YEAR-TO-DATE	\$ BUDGET \$
				DEBITS	CREDITS		
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	** EDA FUND **		FUND#-501				
015010-0001	Interest Earned - Bank Deposits						
	Rent of General Property		MAJOR-015020				
015020-0001	Rent of General Property	7/03/2023	B.FWD.			.00	.00
	-TREASURER CASH REPORT 2023/07	7/17/2023	CS-000-20230717 -	.00	10,552.96-		
	-TOTAL-			.00	10,552.96-	10,552.96-	
					10,552.96-*	10,552.96-*	10,552.96
DEPT TOTAL.....	BALANCE FORWARD					.00	
	CURRENT MONTH					10552.96-	
	ENCUMBRANCE					.00	
	YEAR TO DATE					10552.96-	
	BUDGET BALANCE					10552.96	
	All Expenditures		MAJOR-040000				
040000-9999	All Expenditures	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
	Trans to GF for EDA Expenses		MAJOR-995000				
995000-0100	Trans to GF for EDA Expenses	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
FUND TOTAL.....	A S S E T S		.00 10,552.96	10,552.96			
FUND TOTAL.....	L I A B I L I T Y		.00 .00	.00			
FUND TOTAL.....	R E V E N U E		.00 10,552.96-	10,552.96-			
FUND TOTAL.....	E X P E N S E		.00 .00	.00			
FUND TOTAL.....			.00 .00	.00			
FUND TOTAL.....	ENCUMBRANCE			.00			
COMPANY TOTAL.....	A S S E T S		.00 10,552.96	10,552.96			
COMPANY TOTAL.....	L I A B I L I T Y		.00 .00	.00			
COMPANY TOTAL.....	R E V E N U E		.00 10,552.96-	10,552.96-			
COMPANY TOTAL.....	E X P E N S E		.00 .00	.00			
COMPANY TOTAL.....			.00 .00	.00			
COMPANY TOTAL.....	ENCUMBRANCE			.00			

EXPENDITURE SUMMARY

--DETAIL--

7/01/2023 - 7/31/2023

--DETAIL--

FUND #-100 General Fund

MAJOR		BUDGET	APPR.	CURRENT	Y-T-D	ENCUMBRANCE	UNENCUMBERED	%
ACCT#	DESCRIPTION	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	BALANCE	REMAIN.
-----	-----	-----	-----	-----	-----	-----	-----	-----
81500	**ECONOMIC DEVELOPMENT**							
3160	Professional Services	17,250.00	17,250.00	4,592.00	56,964.26	.00	39,714.26-	230.22-
3173	GBC Renovations	.00	.00	.00	625.00	.00	625.00-	100.00-
3310	Repairs & Maintenance	5,000.00	5,000.00	.00	.00	.00	5,000.00	100.00
3600	Advertising	400.00	400.00	.00	.00	.00	400.00	100.00
5110	Electrical Services	1,600.00	1,600.00	152.50	1,618.95	.00	18.95-	1.18-
5230	Telecommunications	450.00	450.00	80.04	356.38	.00	93.62	20.80
5308	General Liability Ins.	1,800.00	1,800.00	1,728.37	7,054.42	.00	5,254.42-	291.91-
5540	Travel-Convention/Education	500.00	500.00	.00	425.00	.00	75.00	15.00
5810	Dues/Association Memberships	250.00	250.00	.00	.00	.00	250.00	100.00
6001	Office Supplies	.00	.00	.00	130.89	.00	130.89-	100.00-
6007	Repairs & Maintenance Supplies	.00	.00	.00	78.01	.00	78.01-	100.00-
8299	Purchase of Real Estate	.00	.00	.00	1,330.00	.00	1,330.00-	100.00-
	ECONOMIC DEVELOPMENT	27,250.00	27,250.00	6,552.91	68,582.91	.00	41,332.91-	151.68-
		-----	-----	-----	-----	-----	-----	-----
	ECONOMIC DEVELOPMENT	27,250.00	27,250.00	6,552.91	68,582.91	.00	41,332.91-	151.68-
	--FUND TOTAL--	27,250.00	27,250.00	6,552.91	68,582.91	.00	41,332.91-	151.68-

ACCOUNT #	DESCRIPTION	DATE	REFERENCE/PO#	CURRENT AMOUNT		YEAR-TO-DATE	\$ BUDGET \$
				DEBITS	CREDITS		
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	ECONOMIC DEVELOPMENT		FUND#-100				
	ECONOMIC DEVELOPMENT		MAJOR-081500				
081500-3160	Professional Services	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-3173	GBC Renovations	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-3310	Repairs & Maintenance	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-3600	Advertising	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-5110	Electrical Services	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-5230	Telecommunications	7/03/2023	B.FWD.			.00	.00
	VERIZON WIRELESS B 2023/07	7/14/2023	AP-000-9936943038 -	40.01	.00		
	-TOTAL EXPENDITURE-			40.01	.00	40.01	
					40.01 *	40.01 *	40.01-
081500-5308	General Liability Ins.	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-5540	Travel-Convention/Education	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-5810	Dues/Association Memberships	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-6001	Office Supplies	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
081500-6007	Repairs & Maintenance Supplies	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00

ACCOUNT #	DESCRIPTION	DATE	REFERENCE/PO#	CURRENT AMOUNT		YEAR-TO-DATE	\$ BUDGET \$
				DEBITS	CREDITS		
	ECONOMIC DEVELOPMENT		FUND#-100				
	ECONOMIC DEVELOPMENT		MAJOR-081500				
081500-6007	Repairs & Maintenance Supplies						
081500-8299	Purchase of Real Estate	7/03/2023	B.FWD.			.00	.00
	-TOTAL EXPENDITURE-			.00	.00	.00	
					.00 *	.00 *	.00
DEPT TOTAL.....	BALANCE FORWARD					.00	
	CURRENT MONTH					40.01	
	ENCUMBRANCE					.00	
	YEAR TO DATE					40.01	
	BUDGET BALANCE					40.01-	
FUND TOTAL.....	A S S E T S	.00	.00	.00			
FUND TOTAL.....	L I A B I L I T Y	.00	.00	.00			
FUND TOTAL.....	R E V E N U E	.00	.00	.00			
FUND TOTAL.....	E X P E N S E	.00	40.01	40.01			
FUND TOTAL.....		.00	40.01	40.01			
FUND TOTAL.....	ENCUMBRANCE			.00			
COMPANY TOTAL.....	A S S E T S	.00	.00	.00			
COMPANY TOTAL.....	L I A B I L I T Y	.00	.00	.00			
COMPANY TOTAL.....	R E V E N U E	.00	.00	.00			
COMPANY TOTAL.....	E X P E N S E	.00	40.01	40.01			
COMPANY TOTAL.....		.00	40.01	40.01			
COMPANY TOTAL.....	ENCUMBRANCE			.00			

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Tax Map No. 13-92, 93, 94, 96, 97 Exempt from Taxation Pursuant to Va. Code §§ 58.1-811(A)(3) and 58.1-811(C)(4)

DEED OF DEDICATION
AND RESTRICTIONS
FLOYD COUNTY REGIONAL COMMERCE CENTER

THIS DEED OF DEDICATION AND RESTRICTIONS is made and entered into this 3rd, day of August, 2009 by the Economic Development Authority of Floyd, County, Virginia.

WITNESSETH:

WHEREAS, the Economic Development Authority of Floyd County, Virginia (hereinafter, the "Owner" or the "EDA") owns certain real property located in the Floyd County Regional Commerce Center (the "Property"), as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

WHEREAS, the Owner desires to dedicate the Property for use as a regional commerce center and to establish a general plan for the orderly, consistent and compatible improvement, development and use of the Property, to protect and enhance long-term property values, protect owners and lessees in the Property against improper and incompatible uses within the Property, provide pleasant and productive working environments, to ensure the construction and maintenance of high-quality buildings integrated into an attractively landscaped environment, and to promote development of the community and enhancement of the region.

[Y0190247.1 005093-034403]

Prepared by:

Reverie:

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(540) 443-9800

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mailed
8-4-09

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NOW, THEREFORE, the Economic Development Authority of Floyd County, Virginia does hereby dedicates the Property for use as a regional commerce center and does hereby freely and voluntarily declare that the following protective covenants, restrictions, conditions and limitations shall apply to the Property.

1. PURPOSE.

The Covenants, contained herein are intended to run with the land and each and every part thereof, insofar as federal, state, and local laws permit, and are intended to ensure proper use and appropriate development and improvement of the Property so as to:

1. Protect the owners and tenants of parcels located in the regional commerce center against such improper development and use of surrounding parcels as will depreciate value and use.
2. Prevent the erection of structures constructed of improper or unsuitable materials or with improper quality and methods of construction.
3. Ensure reasonably consistent development of the Property in keeping with the overall goals of Floyd County Regional Commerce Center to promote quality development.
4. Encourage and ensure the erection of attractively designed, permanent improvements appropriately located within the Property in order to achieve harmonious appearance and function.
5. Ensure the construction of adequate off-street parking and loading facilities.
6. Establish and preserve public open spaces for the enjoyment and benefit of occupants, tenants, owners, and the public.

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7. Promote the compatibility of the development and use of parcels within the Property with the integrity, beauty, character and preservation of the environment and water resources.
8. Generally promote the welfare and safety of occupants, tenants, owners of parcels within the Property, and the community.
9. Promote economic development, job creation and the expansion of the county tax base.

2. APPLICABILITY AND EFFECT.

These Covenants shall be applicable to all parcels now held by the EDA and located within Floyd County, and commonly known as the Floyd County Regional Commerce Center, and shall become effective upon recordation in the Floyd County Circuit Court Clerk's Office.

3. DEFINITIONS:

The terms indicated on boldface type below shall have the accompanying meaning for purposes of the Covenants.

Aggressive Non-Native Species shall mean those species of plants which are not indigenous to Floyd County and which, when planted in the County, can be expected to spread quickly beyond their immediate location (e.g., by rapid growth, excessive sucker growth, allelopathy, out-competing native species, profile reproduction, or wide dissemination of seeds).

Greenspace Areas shall mean natural or naturalized areas. Maintenance of these areas may include being mowed or "bush-hogged" only occasionally (e.g., twice per year).

Landscaped Area shall mean all parts of the site which are not covered by buildings or paving, and which are not being set aside as greenspace areas as defined in Site Plan.

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Nuisance Non-Native Species shall mean those species of plants which are not indigenous to Floyd County and which, when planted here, can be expected to produce unpleasant odors, prolific fruit seeds, excessive trash or twig drop, or other hazards to the general public, such as skin irritation.

Property shall mean any and all real property owned by the Economic Development Authority of Floyd County, Virginia located within the Floyd County Regional Commerce Center.

Parcel shall mean any lot within the Property, or any area within the Property designated on the approved site plan for development, excluding publicly owned greenspace, preservation, and other common areas, and roads, within the Property.

Site Plan shall mean a detailed description of how a Parcel, or portion thereof, is to be developed. It shall include, but is not limited to, construction schedule; building design and location; roof design; accessory structures; outdoor equipment location; outdoor storage areas; parking plan; setback areas; loading areas, signage plan; exterior lighting plan; utility plan; vegetative screening and/or fencing plan; contour lines; storm water management plan; greenspace areas; and landscape installation and maintenance plan.

Floyd County or County shall mean Floyd County, Virginia, an independent political subdivision of the Commonwealth of Virginia.

Economic Development Authority (EDA). The EDA, or its designee, is the acting authority in relation to these Protective Covenants and Restrictions.

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4. PERMITTED AND PROHIBITED USES.

4.1 PERMITTED USES

The Property and any improvements thereon, and any Parcels divided from the Property may only be used for manufacturing, warehousing, distribution, office or other industrial related purposes; research and development facilities; distribution centers; regional service centers, data storage facilities; technology facilities; multi-state, regional or national headquarters offices or operational centers; facilities for use by a locality, the Commonwealth and its agencies, or other governmental organizations; public recreational facilities or such other uses as the Economic Development Authority of Floyd County may permit on the adjacent properties in the Floyd County Commerce Center; and, such other facilities or improvements used for infrastructure necessary to support such improvements and facilities.

4.2 PROHIBITED USES

Any and all uses not specifically permitted in Section 4.1 shall be prohibited. Without limiting the generality of the foregoing, no residential uses or structures of any kind shall be permitted, including but not limited to residential dwellings, apartments, boarding houses, group homes, adult homes, residential care or assisted living facilities or similar facilities providing residential accommodations to individuals or families. Notwithstanding the foregoing, accessory overnight lodging facilities may be incorporated into any use permitted under Section 4.1 for use by persons employed thereon in providing necessary maintenance, support, or security for such permitted use.

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5. DEVELOPMENT STANDARDS

5.1 General

A variety of architectural design and materials shall be permitted, however the architecture shall be compatible with other uses located in the commerce center and must reflect a high-quality corporate image.

5.1.1 Site Plan Requirement

A site plan detailing planned improvements, including proposed contour lines, shall be prepared by the purchaser of any Parcel prior to initiation of construction addressing the standards enumerated in Sections 5 through 12 herein and submitted for approval of the EDA, which reserves the right to require that all or selected portions of any plan be prepared by a licensed engineer(s) or other appropriate professionals. The site plan shall include a proposed construction schedule; building design and location; roof design; accessory structures; outdoor equipment location; outdoor storage areas; setback areas; loading areas; utility plan; vegetative screening and/or fencing plan; contour lines; and greenspace areas. The site plan shall likewise include a landscape installation and maintenance plan, signage plan, storm water management plan, parking plan and exterior lighting plan.

The approved site plan shall be retained by the County and shall be compared to the construction plans submitted as part of any request for a building permit. The final Site Plan shall be submitted to the EDA within six months after transfer of any Parcel. Under no circumstances shall construction begin prior to approval of the site plan by the EDA. Any variations, expansions, renovations or redirected use of a Parcel must be reviewed and approved by the EDA prior to the issuance of a building permit.

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5.1.2 Subdivision of Parcels

No Parcel shall be subdivided without the written consent of the EDA. Requests to subdivide Parcels shall be submitted to the EDA in writing. Notwithstanding the foregoing, the EDA reserves the right to subdivide any and all Parcels owned by the EDA.

5.1.3 Inspection

The EDA may from time to time at any reasonable hour or hours enter and inspect any Parcel (excluding improvements) to ascertain compliance with these Covenants. Any plan, reflecting the approved Site Plan, submitted for permitting shall be copied to the EDA.

5.2 Materials

The exterior construction of the front side of buildings within the Property shall be of stone, brick, timber frame, architectural block, concrete (reinforced, precast, poured in place, Hardie board or tilt-up), split-faced units, glass, Exterior Insulation Finish System (EIFS) (e.g., DRYVIT), or a combination of any of these materials or of any of these materials with metal or otherwise approved by the site plan. The exterior construction of sides other than the front may be of the above materials or of metal or faced (e.g., stuccoed) concrete masonry units. The front side of the building shall generally mean that side seen when entering the Parcel. If the side seen when entering the Parcel is other than the side facing the main public road, the EDA shall determine which side is considered the front for purposes of this paragraph 5.2.

5.3 Accessory Structures

The site plan shall control the development of Parcels within the Property. No additional or accessory buildings or structures may be constructed which are not identified on the approved Site Plan without approval of the EDA. Additional buildings and enclosures shall be of similar design

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and materials as the principal buildings, and shall comply in all respects with the provisions of Paragraph 5.2 unless waived by the EDA in writing.

5.4 Equipment

Transformers or similar above-ground equipment shall be screened to soften the lines of the object.

Dumpsters, recycling equipment and containers, compactors, bailers and other waste management equipment and waste containers shall be located on grade at the rear of the building unless otherwise approved by the EDA in writing. All such containers and equipment shall be screened so as to not be visible from any public roadway or right-of-way, adjoining Parcel, greenspace, lake or pond area. A year-round, continuous visual screen of the area shall be maintained by the owner or tenant of the Parcel.

To the extent that such screening interferes with their normal operation, screening will not be required for antennas, satellite downlink and uplink facilities, or microwave installations, provided, however, that all service connections to such facilities and devices shall be underground unless a part of a structure. Placement of such facilities shall be indicated on the site plan.

5.5 Roofs

All roofing surfaces contained on a particular Parcel shall be of a consistent design and material and shall be addressed in the Site Plan.

5.6 Fencing

The use of fencing on any Parcel, other than for required screening of equipment or outdoor storage areas, is not permitted without written approval of the EDA.

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5.7 Outdoor Storage

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All outdoor storage areas or facilities shall be included in the Site Plan and should be designed, located, or screened such that they are not visible from any adjoining Parcel or publicly maintained roadway. This may be accomplished by a landscape berm and/or continuous evergreen buffer. All Screening plantings must be of a size and density at the time of planting sufficient to provide a continuous visual screen of the area. Vinyl-coated chain link fencing with vinyl slats may be used to screen outdoor storage areas provided that the exterior perimeter of the fence is extensively landscaped with, at least, evergreen plantings and trees. Temporary storage that would be visible from any public roadway may be permitted on a temporary basis upon written approval of the EDA.

Accumulation of unusable equipment, damaged finished materials and products, and any other materials, substances, machinery, and parts may be permitted on a temporary basis and upon written approval of the EDA.

5.8 Maintenance

Each owner, tenant, or occupant of any Parcel shall maintain the buildings, grounds, and improvements in a safe, neat, clean, and maintained condition and shall comply in all respects with all governmental statutes, ordinances, and regulations.

Each owner, tenant, or occupant shall remove, at their own expense, any rubbish or trash which may accumulate on their Parcel. Rubbish, trash, garbage, or other waste shall be kept only in sanitary containers. All equipment for the storage or disposal of such materials shall be kept in a clean, neat, and sanitary condition. Rubbish and trash shall not be disposed of on the premises by burying or burning.

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The EDA shall have the right to remove, or have removed, any rubbish, trash, garbage, waste or other items accumulated on any Parcel after (10) days written notice to the owner of such Parcel. If the owner of the Parcel has failed to remove such rubbish, trash, garbage waste or other accumulated items within 10 days of such notice, the EDA shall have the right to remove and dispose of such items in any manner that the EDA sees fit, and the owner or lessee of such Parcel shall be solely responsible for the cost of removal and any accompanying environmental remediation required as a result of the owner or lessee's failure to remove such rubbish, trash, garbage, waste or other items accumulated upon such Parcel.

6. REGULATION OF IMPROVEMENTS

No improvements shall be constructed, erected, placed, altered, maintained, or permitted on any Parcel unless in conformity with the required site plan and these Covenants.

6.1 Setbacks

Minimum setbacks shall be as required by the approved site plan

The EDA reserves the right to dedicate and construct utility and drainage easements within the setback area as shown upon the approved site plan.

6.2 Utilities

All utility services, except those in existence at the time of recordation of these Covenants, including power, natural gas, telephone, fiber optic, sanitary sewer, or water lines shall be installed underground with the exception of overhead lines which may be located along interior lot lines after approval by the EDA. Gas storage tanks and transformers required to be placed above ground shall be screened to the greatest extent possible.

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6.3 Grading

Cut slopes and fill slopes shall have rounded edges or as approved in the Floyd County Erosion and Sediment Control Plan. Modifying the surface to simulate the natural landforms or existing terrain, for the purpose of blending the slope into its surroundings and minimizing the artificial look is encouraged, as is the use of tree plantings and other landscaping to further obscure the visual impact of the slope. The preservation of the existing natural environment is encouraged whenever possible, and shall be considered for purposes of site plan review.

7. PARKING STANDARDS

7.1 General

Each Parcel shall contain all required parking for ultimate buildout within the Parcel and shall be appropriately documented in the site plan. Off-site parking shall not be permitted. Parking shall not be permitted on any street or roadway within or adjacent to the Property. Owners of Parcels and their tenants shall be responsible for communicating this requirement to their employees and visitors. On-street parking shall result in the vehicles being towed, and it shall be the responsibility of the vehicle owner to recover the car and pay all towing and storage costs. EDA shall not be liable for any damages as a result of towing of vehicles parked on-street.

7.2 Required Parking

A parking plan shall be included in the site plan, and shall address the operational realities of the business, including, but not limited to, the number of employees the building will accommodate, the number of shifts anticipated, and the number of anticipated visitors and deliveries to the site.

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7.3 Location

Parking areas may be constructed on any part of a Parcel as delineated in the site plan except the required setback areas.

7.4 Access and Parking

All access and parking areas shall be constructed with a suitable material to provide a smooth, even surface as approved in the site plan. All vehicle parking shall be confined to these areas.

7.5 Landscaping

The Site Plan shall include any proposed landscaping within parking lots.

7.6 Off-Street Loading Areas

The site plan shall include provisions for accommodating all truck service entirely within the Parcel. No on-street loading areas shall be permitted. No off-street loading areas shall be located within the required setback adjoining any boundary.

Loading areas shall be designed and located so that they are not a visual distraction when viewed from public roadways. The use of earthen berms, structures and/or landscape screening shall be employed to screen loading areas to the extent possible and shall be included in the Site Plan.

8. SIGN STANDARDS

8.1 General

A signage plan shall be a part of the site plan for the Parcel. Signs shall relate only to organizations, goods, services, or activities located on the Parcel upon which the sign is located. No billboards or outdoor advertising shall be permitted.

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No moving signs or flashing lights, roof-top signs, or pole-mounted signs shall be permitted.

All signage on a Parcel shall be uniform in appearance and design. Signage shall be uniform in materials, color scheme, lettering style and proportional to the lot and building

Departure from the signage plan contained in the site plan must be resubmitted for approval prior to any erection, construction or placement of signage.

8.2 Signage Guidelines

- Business signs can only be freestanding or wall-mounted.
- The maximum total square footage for all business signs, wall-mounted and freestanding, on a Parcel is 100 square feet, unless an exception is granted by the EDA.
- Wall-mounted signs shall not project more than 12 inches from the wall surface, shall be single-sided, shall be mounted so that the back of the sign is flush with the wall surface, and shall not project above the eave line.
- No freestanding sign shall exceed 10 feet in height.
- Freestanding signs shall not exceed 80 square feet.
- Informational signs shall be limited to the smallest number possible to convey the necessary information.
- Temporary signage is limited to sale or lease signs and construction signs and may not exceed 32 square feet and 10 feet in overall height.
- Maintenance of all signs shall be required of all owners, tenants, and occupants. Signs shall be kept cleaned and maintained so as to preserve the state of quality that existed at the time of installation.

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9. LANDSCAPING STANDARDS

9.1 General

The site plan for each Parcel shall include the landscape design for the site and a plan for maintenance of landscaped areas.

All open areas on each Parcel not left in their undisturbed natural state or occupied by buildings, structures, outdoor storage areas, paved areas, parking areas, loading areas, driveways, or walkways shall be suitably graded and drained and shall be landscaped with lawns, trees, shrubs, or suitable ground cover as soon as is practicable during construction. A reasonable proportion of the landscape area, as determined by the EDA in the site plan review process, shall be landscaped with trees, shrubs or other such landscaping that is more substantial than open lawn space. Such reasonable proportion of landscaping area to be dedicated to trees, shrubs or other more substantial landscaping shall not to be less than 15% of the total landscape area of the Parcel.

All landscaping required hereunder or otherwise to be provided on any Parcel shall be completed within 60 days after the substantial completion of any buildings to be constructed on the Parcel. Provided, however, if weather conditions do not at such time permit completion, then such landscaping shall be completed as soon thereafter as weather conditions permit.

9.2 Plant Selection

Use of plant species which are native to the region is encouraged. Diversity of species within each site must be considered. Aggressive or nuisance non-native species shall not be introduced into, or permitted to remain upon the Property.

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9.3 Maintenance

All landscaping and/or natural areas on each Parcel and on the landscaped portion of any abutting street shall be properly maintained by the owner or tenant of the Parcel. Maintenance shall include all necessary planting, cutting, watering, fertilizing, seeding, spraying, pruning, weeding, required replacement of vegetation, and any washouts or other erosion control issues that may occur. The EDA shall have the right to perform necessary maintenance after ten days written notice to the owner of the Parcel and the Parcel owner or lessee shall be responsible for the cost of such maintenance.

10. EXTERIOR LIGHTING

10.1 General

Exterior lighting shall be consistent throughout all Parcels located within the Property. All lighting systems shall be designed so as not to produce significant illumination or glare beyond the Parcel on which it is located. A lighting plan shall be included as part of the Site Plan and shall include all necessary specifications, including but not limited to the foot-candles and light spillover on adjacent property. All electric wiring shall be installed underground. In addition to lighting provisions set forth herein, all lighting shall comply with any and all applicable building codes.

10.2 Mounting Height

The maximum permitted mounting height for any lighting fixture shall be 25 feet without the written approval of the EDA. Fixtures designed to illuminate pedestrian walkways shall have a maximum height of 12 feet.

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10.3 Lighting Type

Low bollard fixtures and landscape lighting are recommended for walks and building entries.

To minimize glare and light spillover, light fixtures greater than 12 feet tall shall use luminaries with cut-off optics, light-diffusing shields, or equivalent.

Lighting systems will be designed to achieve an average maintained horizontal illumination level at the ground surface of 1-2 foot-candles, with luminaries spaced to achieve a uniformity ratio (average-to-minimum) of 6:1 within the lighted area.

Lighting systems shall be designed and installed to enhance pedestrian safety and security.

10.4 Building and Sign Illumination

Building and sign accent illumination shall be permitted utilizing wall-mounted or set-back methods.

Building and sign accent illumination shall be installed and aimed so that glare will neither hinder vehicular or pedestrian traffic, nor present a hindrance to operations on-site or on any adjacent Parcel.

Building-mounted floodlights are permitted only if they are shielded so that direct glare is not visible from surrounding properties and adjoining roadways.

11. NOISE

It is the intent of this covenant to promote an environment within the Property free from noise that jeopardizes the health or welfare of or that creates annoyance to the owners, tenants, or occupants of the Property and the adjoining environs. Therefore, no person or enterprise shall make, continue, permit, or cause to be made, continued, or permitted, any noise disturbance within

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the Property not necessary and customary to permitted commercial and industrial uses. Noise shall be minimized to the maximum extent practical.

12. ENVIRONMENTAL PROTECTION

All owners, tenants, and occupants shall use and manage their Parcel and conduct their operations in a manner which ensures continuous compliance with all applicable local, state, and federal environmental laws, ordinances, regulations, rules, policies, and procedures.

13. RIGHT OF FIRST REFUSAL CONDITIONS

In the event that any Owner of a Parcel within the Property shall receive a bona fide offer to buy any unimproved Parcel or portion thereof in accordance with the terms of these Covenants, such owner shall, before consummating such a sale, present to the EDA, in affidavit form, the terms and conditions of such proposed sale for approval. The EDA reserves the right to purchase said property within 60 days thereafter upon the same terms and conditions contained in such bona fide offer made to the owner by any third party.

Uses upon resale shall be only as allowed by these Covenants and approved by the EDA.

Nothing herein shall be deemed to permit a subdivision of any Parcel located within the Property without the prior written consent of the EDA as required in Paragraph 5.1.2.

14. AMENDMENTS

These Covenants may be amended at any time by majority vote of the EDA, with the written consent of the owners of more than fifty percent (50%) of the land area of the Property then subject to these Covenants. In determining whether the owners of the requisite percentage of land area have consented to amendment of these Covenants, the land area owned by the EDA shall be included in such determination.

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Amendments shall be recorded in the Floyd County Circuit Court Clerk's Office, and shall become effective upon such recordation.

15. ENFORCEMENT

The EDA or its designee reserves the right and duty to enforce these Covenants.

16. SEPARABILITY

Invalidation of any one of these restrictions by judgment, court order, or legislation shall in no way affect any of the other provisions, which shall remain in full force and effect.

17. TERM OF RESTRICTIONS

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of fifty (50) years or unless and until recordation of a release of restrictions approved by majority vote of the EDA and with the consent of the owners of more than fifty percent (50%) of the land area of the Property then subject to these Covenants as provided in Article 14, herein.

These covenants shall be subject to all prior easements, covenants, restrictions, agreements and conditions of record and legally applicable to the Property.

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EXHIBIT A

ALL THAT real property located in the Court House Magisterial District, Floyd County Virginia as shown on a plat dated November 7, 2001 and revised December 13, 2001 entitled "Plat of Subdivision of the Floyd County Commerce Park For the Industrial Development Authority of Floyd County, Virginia" prepared by John R. Christman, Land Surveyor, Anderson & Associates, Inc., Document Number 18355003, and recorded in the Clerk's Office of the Circuit Court for Floyd County, Virginia, Plat Cabinet 2, Slide 365 B.

AND BEING a portion of the real property conveyed to the Owner by deed dated June 25, 1995 from Joan P. Hauck and William A. Hauck recorded in Deed Book 204 at page 531 in the Clerk's Office of the Circuit Court for Floyd County, Virginia.

LESS AND EXCEPT any prior out-conveyances from said real property.

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IN WITNESS WHEREOF, the Floyd County Economic Development Authority, pursuant to resolution duly adopted ~~the~~ ^{the} 16th day of July 2009, has authorized JACK RUSSELL, as chairman of the Economic Development Authority, to affix his signature and seal hereto.

FLOYD COUNTY ECONOMIC DEVELOPMENT
AUTHORITY

By: Jack Russell
Title: Chair

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Floyd, to-wit:

The foregoing instrument was acknowledged before me this 3rd day of August, 2009 by Jack Russell, Chairman of the Floyd County Economic Development Authority, for and on behalf of the Authority.

TERRI W. MORRIS
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #137476
My Commission Expires Dec. 31, 2013

Terri W. Morris
Notary Public
Serial/Registration Number: 137476
My commission expires: December 31, 2013

VIRGINIA: In the Clerk's Office of the Circuit Court of Floyd County
August 3, 2009, at 4:10 P.M.
This instrument received in office, and, with certificate thereto attached, admitted to record. The tax imposed by Section 58.1-802 of the code in the amount of \$ has been paid.

Teste: WENDELL G. PETERS, Clerk
Deborah Vaughn D.C.

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Virginia Heartland Richardson Road - Go Virginia Application Summary

Applicant – Virginia Heartland Regional Industrial Facilities Authority (Heartland Authority).

Background – The Heartland Authority is partnering with the Amelia County EDA to expand the inventory of industrial sites within the territory covered by the Authority. The Heartland Authority was formed originally to develop the Heartland Regional Industrial Park outside of Keysville along with the future development of additional industrial sites scattered throughout the Commonwealth Regional Council (CRC) footprint. The member localities of the Heartland Authority contemplated that there would be additional industrial sites developed under the umbrella of the Authority. The Amelia County EDA acquired a 133-site on the north side of Rt. 360, 4 miles west of Amelia Courthouse, in January of 2023 and the Amelia County Board of Supervisors rezoned the property to an Industrial M-1 classification in June of 2023. While Amelia County is not currently a member of a Regional Economic Development Organization (REDO), a GO Virginia grant funded feasibility analysis is underway by the CRC to establish a REDO. Once established, the CRC REDO will be able to actively market the property.

Project Description - The goal of the project is to raise the Richardson Road site from a Tier 2 to a Tier 3 and to prepare a portion of the property for marketing. The Richardson Road Site Development Project includes 5 components: 1) Additional Site Due Diligence Investigations to raise the VEDP Business Ready Sites Program Tier level from 2 to 3; 2) Demolition of Existing Structures; 3) VDOT Entrance Design and Permitting; 4) Signage and Landscaping; 5) Clearing and Grubbing of approximately 23 ac.

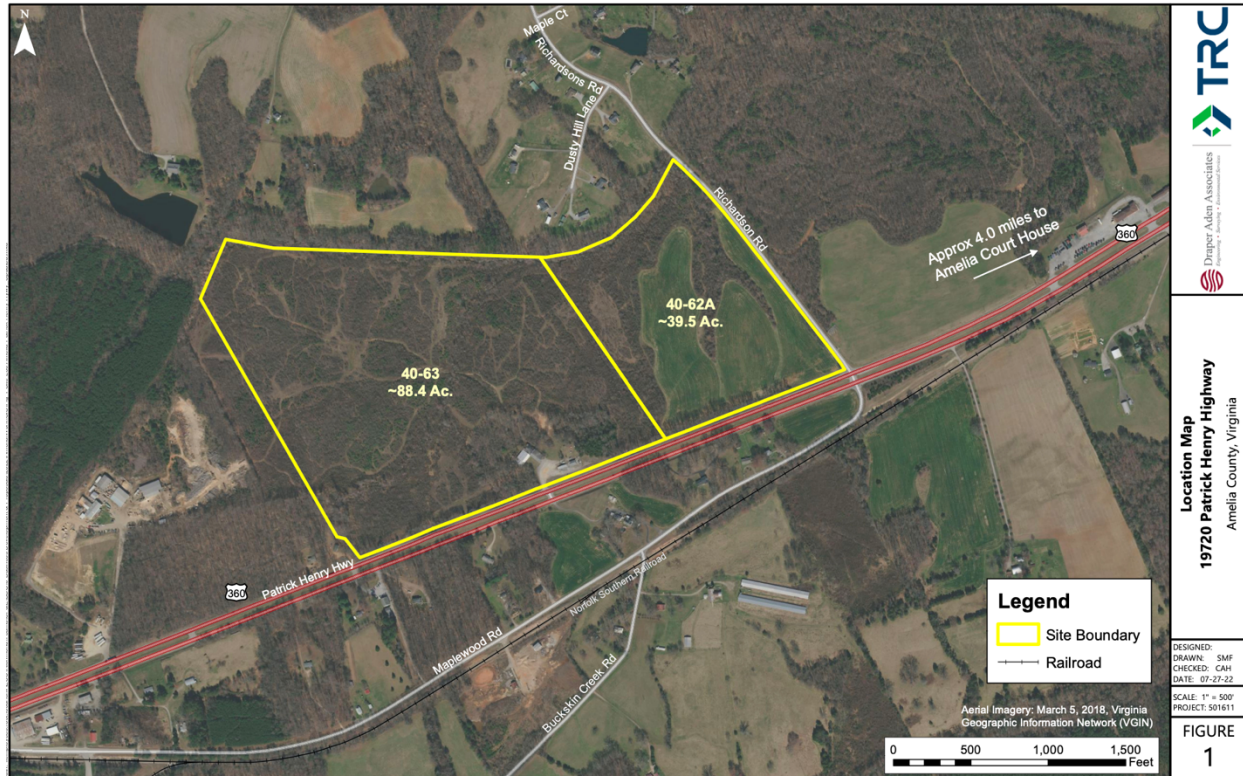
1. Additional Due Diligence Investigations, \$154,600, to include a traffic impact study (\$40,000), a “waters of the US” investigation including wetland and stream delineations (\$9,850), a geotechnical evaluation (\$16,750), a surveyed topo of the property (\$20,000), historical and cultural resources review (\$4,000), threatened and endangered species review (\$4,000), and a detailed master plan of development (\$20,000) including a PAER (\$40,000) for all infrastructure.
2. Demolition of the Existing Structures, \$25,000, including the two existing vacant and dilapidated structures along with the outbuilding sheds. The debris and abandoned vehicles to be removed, and the site cleaned.
3. VDOT Entrance Design and Permitting, \$80,000, for the entrances off Rt. 360 and Richardson Road based upon the traffic impact study.
4. Signage, \$50,000, will be erected along Rt. 360 identifying the industrial site with Landscaping the area of the former antique shop will as a parking area for viewing of the property.
5. Clearing and Grubbing, \$453,050, of approximately 23 ac. of site north of the former antique shop to make the site more marketable.

Funding Request – The applicant is requesting \$762,650 in GO Virginia funding to support the project activities described above. The matching funds for the grant are the acquisition costs of

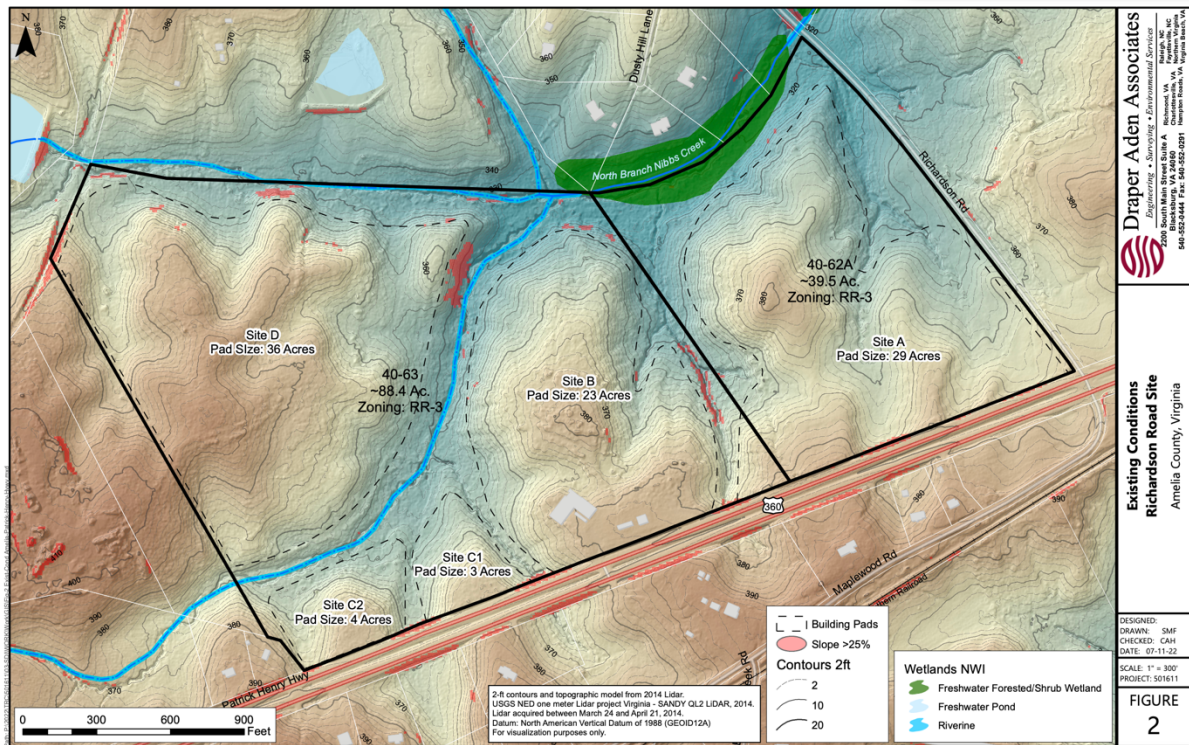
the property (\$735,000) and the due diligence costs incurred during the acquisition (boundary survey (\$10,000), Phase I and II ESA (\$10,350), title survey, appraisal (\$1,800), site classification report (\$5,000)).

Attachments - The following attachments provide an overview of the property and the most recent conceptual development plan: Attachment 1 – Location Map, Attachment 2 – Existing Conditions Map, Attachment 3 – Conceptual Development Plan.

Attachment 1 – Richardson Road Site Location Map



Attachment 2 – Existing Conditions Map



Attachment 3 – Conceptual Development Plan



Property For Sale



**Industrial
Zoned
“M-1”**

**Amelia County
Economic Development Authority
804 561-3039**

CHANNEY

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AMELIA CONCRETE PLANT

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