



Memorandum of Agreement between American Dync Holdings of Toano, LLC
and the James City Service Authority
for Water Conservation Standards

April 24, 2009

Former's Stuckey Site

James City County Case: SUP-0019-2008, SP-0021-2009

American Dync Holdings of Toano, LLC agrees to the following practices and limitations with respect to water conservation efforts for the proposed site development at 9220 Old Stage Road.

1. American Dync Holdings of Toano, LLC agrees to incorporate native, drought tolerant and low water use species into their landscaping, consistent with the recommended plant list suggested by the JCSA and/or other species satisfying this intent, as prescribed by a certified landscape professional recognized by the Commonwealth of Virginia.
2. American Dync Holdings of Toano, LLC agrees wherever possible, existing trees and vegetation shall be retained.
3. American Dync Holdings of Toano, LLC agrees that trees to be located within turf areas shall be mulched a minimum depth of two to three inches.
4. American Dync Holdings of Toano, LLC agrees while no irrigation system is planned for the subject property, should irrigation be required for the future, water for turf and landscaped areas shall come from surface water and/or stormwater collection facilities. If surface water and/or stormwater collection facilities cannot provide sufficient water and an irrigation well is needed, the system shall include a rain sensor installed at the time of installation and landscape beds will be irrigated by low volume drip or micro-irrigation.
5. American Dync Holdings of Toano, LLC agrees to honor and support the efforts of the James City Service Authority during periods of water crisis, water restricted use periods and drought.

This memorandum of agreement has been reviewed and agreed to by the undersigned parties:

 7-13-09
 Property Owner Date

 8/4/09
 Larry M. Foster Date
 General Manager, JCSA