

dwellings on the scenic value of the Property as viewed from the public roads, except that the existing dwelling on SR 674 may be renovated, expanded or replaced in its current location subject to the restrictions in Paragraph 2(i)(a) above.

(iv) The collective footprint of all buildings and structures on the Property, excluding roads, shall not exceed 1% of the total area of the Property, provided that if Grantor can demonstrate that an increase in the collective footprint would result in increased protection of the conservation values of the Property, Grantee may approve such increase. For the purpose of this paragraph the collective footprint is the ground area measured in square feet of the buildings and structures set forth in subsections (i) (a) through (c) above and all other impervious surfaces, excluding roads. In the event of division of the Property, the collective footprint of the buildings and structures and all other impervious surfaces on each parcel, excluding roads, shall not exceed 1% of the total area of such parcel unless otherwise allocated in the instrument of transfer or other recorded instrument.

3. **INDUSTRIAL OR COMMERCIAL ACTIVITIES.** Industrial or commercial activities are prohibited with the exception of the following:
- (i) agriculture (including livestock production), equine activities and forestry;
 - (ii) small-scale incidental commercial or industrial operations related to activities set forth in (i) above that Grantee approves in writing as being consistent with the conservation purpose of this Easement;
 - (iii) processing and sale of products produced on the Property as long as no additional buildings are required;
 - (iv) temporary or seasonal outdoor activities that do not permanently alter the physical appearance of the Property and that do not diminish the conservation values of the Property herein protected; and
 - (v) activities that can be and in fact are conducted within permitted buildings without material alteration to their external appearance.

Temporary outdoor activities involving 100 or more people shall not exceed 7 consecutive days in any 90-day period without prior written approval of Grantee.

4. **MANAGEMENT OF FOREST.** Best Management Practices, as defined by the Virginia Department of Forestry, shall be used to control erosion and protect water quality when any timber harvest (other than those in the following paragraph) or land-clearing activity is undertaken. All material timber harvest activities on the Property shall be guided by a Forest Stewardship Management Plan approved by Grantee. A pre-harvest plan consistent with the Forest Stewardship Management Plan shall be submitted to Grantee for approval 30 days before beginning any material timber harvest, which approval shall be limited to determination of whether or not the pre-harvest plan is in compliance with the Forest Stewardship Management Plan and is consistent with the purpose of this Easement. Without limiting the foregoing requirement regarding submission of pre-harvest plans, Grantee shall be notified 30 days prior to the clearing of over

10 acres of forestland for conversion into grassland, crop land, or in association with the construction of permitted buildings.

Neither a Forest Stewardship Management Plan nor a pre-harvest plan shall be required for the following permitted non-commercial activities: (i) cutting of trees for the construction of permitted roads, utilities, buildings and structures, (ii) cutting of trees for trail clearing, (iii) cutting of trees for firewood, or for other domestic uses of Grantor, (iv) removal of trees posing an imminent hazard to the health or safety of persons or livestock, or (v) removal of invasive species.

5. **RIPARIAN BUFFER.** To protect water quality, riparian buffer strips shall be maintained as follows:

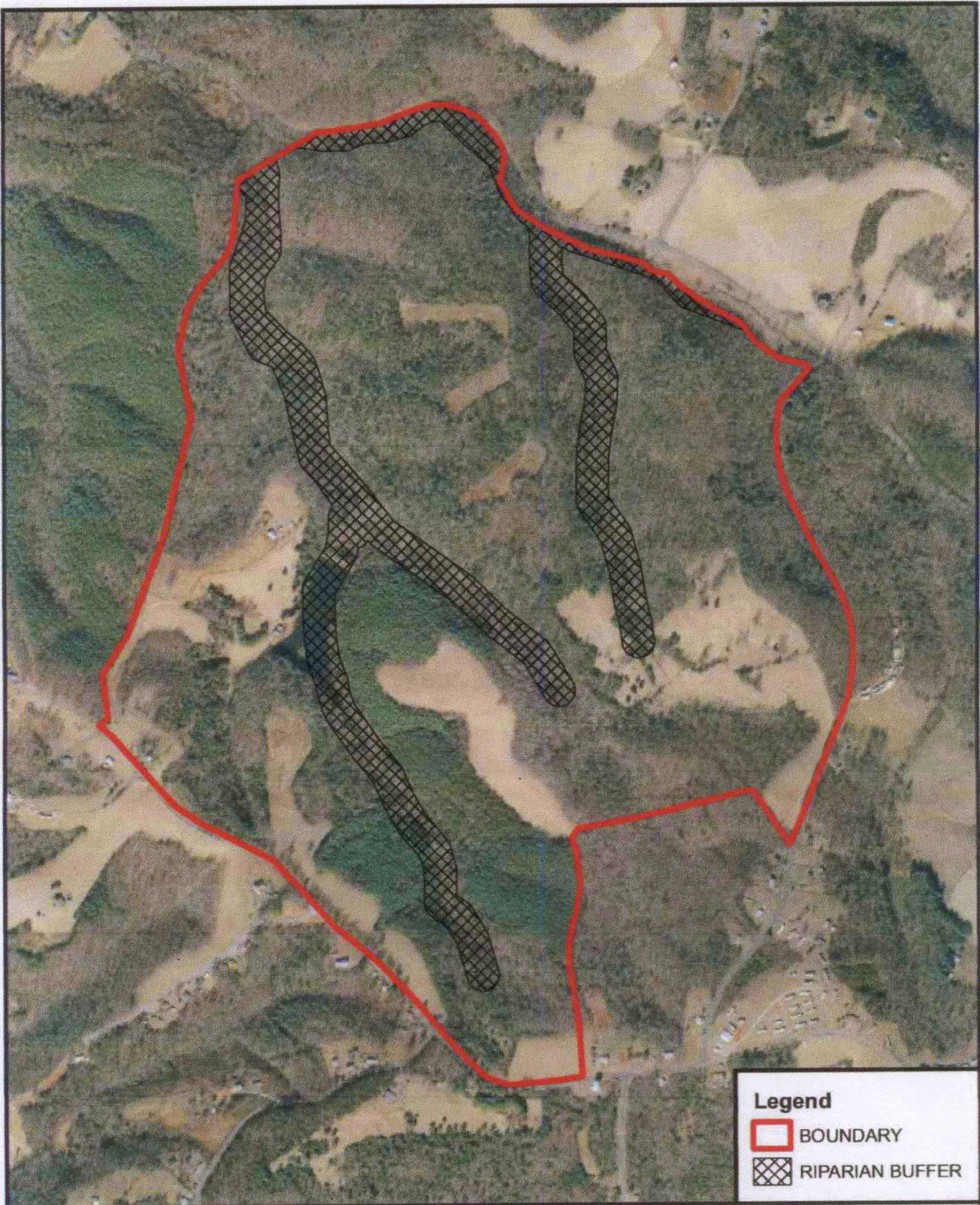
A 100-foot buffer strip shall be maintained along each edge of the streams on the Property as measured from the tops of the banks.

(i) Within the buffer strips there shall be (a) no buildings or other substantial structures constructed, (b) no storage of compost, manure, fertilizers, chemicals, machinery or equipment, (c) no removal of trees except removal of invasive species or removal of dead, diseased or dying trees, or trees posing a threat to human or livestock health or safety, and (d) no plowing, cultivation, filling, or other earth-disturbing activity, except as may be reasonably necessary for the activities set forth in (ii) below.

(ii) Notwithstanding the foregoing, permitted within the buffer strips are (a) wetland or stream bank restoration, or erosion control, pursuant to a government permit, (b) fencing along or within the buffer strip(s), (c) construction and maintenance of stream crossings for pedestrians, livestock and vehicles that minimize obstruction of water flow, (d) creation and maintenance of trails with unimproved surfaces, (e) planting of non-invasive species, and (f) dam construction to create ponds.

(iii) Should the streams meander or change course naturally, the buffer strips shall remain the same width, but move relative to the movement of the streams. In such event, any buildings or structures that were outside of the original buffer strips and are determined to be within the new buffer strips shall not be considered in violation of these restrictions and may be maintained at such locations.

6. **GRADING, BLASTING, FILLING AND MINING.** Grading, blasting, filling, or earth removal shall not materially alter the topography of the Property except for (i) dam construction to create ponds, (ii) wetlands or stream bank restoration pursuant to a government permit, (iii) erosion and sediment control pursuant to an erosion and sediment control plan, (iv) restoration of landscape on pre-existing mica mine, or (v) as required in the construction of permitted buildings, structures, roads, and utilities. Best Management Practices, in accordance with



SPECIAL CONDITIONS
DILLON ~ HENRY
401.54 Acres
Site Visit Date: 5.19.2009 & 9.21.09

JCG 06/24/2009

This Map is for General Reference and Display Purposes Only

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