



FAIRFAX COUNTY PARK AUTHORITY

12055 Government Center Parkway, Suite 927
Fairfax, VA 22035-1118



CONSTRUCTION PERMIT

#CP-PJ01-07

Having shown proof of monetary assurance and having read the terms and conditions of this CONSTRUCTION PERMIT, PERMISSION is hereby granted to Winston Knolls Civic Association (the "Applicant"), insofar as the Fairfax County Park Authority (the "Park Authority") has the right and power to grant same, in order to perform work and make improvements, as identified in plans entitled, "Winston Knolls-Entrance Sign/Park Bench", dated 12/17/07, drawn by JM Bryan Architecture, 9453 Park Hunt Court, Springfield, VA 22153, the ("Project"). The property, permission areas and proposed locations of the Project being more particularly bound and described on the plans and documents referenced herein and made part hereof. The Parcel owned by the Park Authority that is subject of this Permit is shown on Tax Map #88-4 ((4)) E. This CONSTRUCTION PERMIT is subject to revocation by the Park Authority if the Developer does not adhere to the conditions set forth herein.

General Conditions:

1. The project shall be constructed in accordance with all applicable County, State and Federal ordinances and laws. The Applicant will obtain the approval of all appropriate government agencies for the proposed facilities.
2. The Applicant shall agree to indemnify and save harmless Fairfax County, its officers and employees, and the Park Authority, its officers and employees, from and against any claims, loss, cost, damage or liability of any kind arising out of the work performed by the Applicant under this Permit.
3. The Applicant must, upon request, submit plans, plats and other appropriate documents covering the work to be performed to the Director, Fairfax County Park Authority. Work may proceed after the plans are approved by the Director and in accordance with the Special Conditions included herein; all work will be performed in a safe, workmanlike manner and in such fashion as will not damage or endanger facilities of the Park Authority and others on the land.
4. All work must be performed in such a manner as to protect the health, safety, general welfare and property of persons using the Park Authority property. The Applicant shall comply with the following conditions:
 - a. The disturbed Park Authority property must be restored as nearly as practicable to its original condition. Unless otherwise addressed in the referenced plans and documents, backfill compaction shall be 95%.
 - b. Appropriate safety provisions must be made in connection with the construction of the applicant's Project.
 - c. Adequate on-site and off-site vehicular traffic and pedestrian circulation must be maintained for Park Authority activities, services and fire protection. Traffic is not to be blocked or rerouted without special permission from the Director. When one-way traffic is permitted, the area shall at all times be protected by adequate lights, barricades, signs and flagman.
 - d. No material or equipment shall be placed or stored outside of the area covered by the Easement, Right-of-Way or Permit without written permission from the Director.
 - e. Existing on-site and off-site drainage must be maintained at all times. Ordinances and/or regulations as indicated on approved site plans regarding control of run-off water, siltation and erosion shall be strictly complied with.
 - f. The construction shall conform to all applicable codes and be subject to inspection by Fairfax County inspectors within the areas covered by this Agreement.
 - g. The Applicant shall immediately correct any hazardous situation which may result from its acts or omissions on the construction of its Project on Park Authority property.

- h. The Park Authority reserves the right to stop construction at any time, when in the opinion of the Director or his designated representative, it has been determined that the terms and conditions of this Permit have been or are being violated.

Special Conditions:

1. The Fairfax County Park Authority, Planning & Development Division (703 324-8511) shall be notified by the general contractor or his agent of:
 - a. Scheduled preconstruction meeting (minimum three (3) working days notice).
 - b. Entry into Park Authority holdings for the purpose of construction activity (minimum three (3) working days prior to starting construction).
 - c. Notice of intent to vacate Park Authority holdings upon completion of construction, including final restoration (five (5) working days notice). **Failure to provide notice shall be cause for assessment of liquidated damages as set forth in Section 7 below.**
2. Monetary Assurances established at a rate approved by the Fairfax County Park Authority and per requirements as determined by the Park Authority, shall be made payable to the Fairfax County Park Authority and shall remain in effect until all construction, restoration, payment of due charges, and warranty period are made/completed.
3. The Applicant shall be responsible for complying with all regulations regarding construction activity in a Resource Protection Area (RPA). In the event that any regulatory fines are imposed on the Park Authority as the result of any activity by the Applicant, said fines shall be paid on behalf of or reimbursed to the Park Authority by the Applicant.
4. Temporary construction requirements shall be defined on the construction or subdivision plan. Further, the limits of the temporary construction area shall be clearly defined in the field in such a manner as may be required to prevent intrusion into unauthorized areas. The limits of the temporary construction areas in open fields or otherwise un-wooded areas shall be defined by temporary fencing.
5. The Period of Construction shall be **180** days, commencing on or about **January 15, 2008** and terminating on or about **July 15, 2008**. Construction shall include in definition, clearing, installation, grading, and restoration.
6. Construction Requirements shall be specified under Item 8 – OTHER.
7. Liquidated Damages shall be assessed as follows:
 - a. -0- charge for failure to obtain Construction Permit and or to notify the Park Authority prior to entry for the purpose of construction.
 - b. -0- for exceeding the period of construction as agreed upon and detailed in these Special Conditions.
 - c. -0- , as field measured, for violation of the established limits of temporary construction.
 - d. Fair market value for trees damaged or destroyed in a non-construction area (2" DBH or larger).
8. OTHER
 - a. Monetary Assurances for this project have been established at the amount of N/A . The Park Authority hereby acknowledges receipt of said assurances.
 - b. Stream Bank Protection. Disturbed stream bank areas will be immediately established by rip-rap, restoration of vegetation, or other appropriate means designated by FCPA inspector.
 - c. Restoration of Disturbed Area. Restoration and planting in disturbed areas shall be consistent with county and state requirements for restoring disturbed areas in a Chesapeake Bay Protection Ordinance, Resource Protection Area.
 - d. Public Safety. During the period of construction, the contractor shall provide appropriate barriers to prevent unauthorized access to the site.
 - e. Notification. Shall be made to the community as determined by the Park Authority, a minimum of 48 hours prior to any actual construction activity.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS the following signatures and seals:

Date: _____

Timothy K. White
Acting Director
Fairfax County Park Authority

STATE OF _____

COUNTY OF _____, to wit

I, a Notary Public in and for the jurisdiction aforesaid, do certify that the foregoing instrument was acknowledged before me this _____ day of _____ 20_____.

Notary Public _____

My Commission Expires: _____

Date: _____

Jennifer Heinz
President
Winston Knolls Civic Association

STATE OF _____

COUNTY OF _____, to wit

I, a Notary Public in and for the jurisdiction aforesaid, do certify that the foregoing instrument was acknowledged before me this _____ day of _____ 20_____.

Notary Public _____

My Commission Expires: _____