

**AFFIDAVIT TO ACCOMPANY RESIDENTIAL REZONING APPLICATION
AND ELECTION TO PROCEED UNDER *CODE OF VIRGINIA* § 15.2-2303.4
AS AMENDED BY CHAPTER 245 OF THE 2019 ACTS OF THE
VIRGINIA GENERAL ASSEMBLY**

The undersigned residential rezoning applicant states under oath that:

1. I have been provided with a copy of the Fauquier County Board of Supervisors Resolution dated June 9, 2016, outlining certain residential rezoning procedures.
2. I have read and understand the June 9, 2016 resolution.
3. I understand that no employee or officer of the County is authorized to require a proffer related to a residential rezoning and that any proffer I offer in connection with the rezoning application must be voluntary, reasonable and in compliance with the terms of Virginia Code § 15.2-2303.4(B), (C), and (H).
4. Pursuant to the third enactment clause to Chapter 245 of the 2019 Acts of Assembly¹, I elect to have my pending rezoning application amended, and be deemed to have been filed after July 1, 2019, and processed entirely under this Code Section as it is in effect on and after July 1, 2019, and I hereby hold Fauquier County harmless and affirmatively waive the right to any and all claims, demands, disputes or causes of action that are available exclusively under Virginia Code § 15.2-2303.4 as it existed prior to July 1, 2019.

Given under my hand this ____ day of _____, 20__.

Affiant's signature

Affiant's Printed name

COMMONWEALTH OF VIRGINIA
COUNTY OF FAUQUIER, to-wit:

I, _____, a Notary Public in and for the aforesaid jurisdiction, do hereby certify that _____ (name of person signing) acting in his capacity as _____ (title), whose name is signed to the foregoing Affidavit, has acknowledged, subscribed and sworn the same before me in my aforesaid jurisdiction.

Given under my hand this ____ day of _____ 20__.

Notary Public

Notary Number: _____

My commission expires: _____.

¹ The third enactment clause to Chapter 245 of the 2019 Acts of the Virginia General Assembly amending *Code of Virginia* § 15.2-2303.4 provides "That this act shall be effective as to any application for a rezoning filed on or after July 1, 2019, or for a proffer condition amendment amending a rezoning that was filed on or after July 1, 2019, or to any then-pending rezoning application in which the applicant elects to proceed hereunder, by amendment of that pending application."