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Prepared by/Return to:  
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*D/E 613*  
*not in plat (if plat ref. is wrong) plat correct*

**THIS DEED IS EXEMPT FROM RECORDATION TAX PURSUANT TO SECTION 58.1-811A(3) OF THE CODE OF VIRGINIA, 1950, AS AMENDED**

Tax Parcel No. 3840400012

Consideration: \$10.00

**DEED OF EASEMENT**

This DEED OF EASEMENT is dated the 22 day of DECEMBER, 2016, by and between GERALD DALE and ELLA DALE, husband and wife, hereinafter called "Grantors," and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia, hereinafter called "Grantee."

**WITNESSETH:**

FOR TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors grant and convey with GENERAL WARRANTY unto Grantee, its successors and assigns, the following rights in and to certain real property situate, lying, and being in James City County, Virginia, to-wit:

The privilege and easement, in perpetuity, over, under, upon, and across the lands of Grantors indicated as "VARIABLE WIDTH DRAINAGE EASEMENT TO JAMES CITY COUNTY 8,919 S.F.±/0.205 AC±" on a plat titled "PLAT SHOWING DRAINAGE EASEMENT DEDICATED TO JAMES CITY COUNTY FROM GERALD AND ELLA DALE, LOT 12, SECTION 2 BROOKHAVEN SUBDIVISION #137 BROOK HAVEN DRIVE," dated 11/02/2016 and prepared by AES Consulting Engineers, Inc., which plat is attached to this Deed of Easement as Exhibit A and made a part hereof.

Grantors and Grantee agree this easement is subject to the following conditions and covenants:

A. The easement shall be for the purpose of constructing, installing, maintaining, inspecting, operating, protecting, replacing, repairing, changing the size of, and removing