

170013260

**EXEMPT FROM RECORDATION TAXES
UNDER VIRGINIA CODE SECTION 58.1-811(A) (3) AND (C) (4), AS AMENDED**

Tax Parcel ID: 1110100007H

DEED OF EASEMENT FOR NATURAL OPEN SPACE

THIS DEED OF EASEMENT, made this 21 day of JUNE, 2017
by and between Richard R. Newberg Sr. Estate and their heirs, successors and assigns ("Grantor")
and the County of James City, Virginia ("Grantee").

WHEREAS, Grantor is the owner of certain property known as 8846 Richmond Road
consisting of a tract of land containing 3.00 acres, more or less, more particularly described as
"New Lot 2A" on the attached plat ("Property"); and

WHEREAS, Grantee has adopted the Chesapeake Bay Preservation Ordinance, Chapter 23
of the James City County Code, as required by Article 2.5 of Chapter 3.1 of Title 62.1 of the Code
of Virginia to protect the Chesapeake Bay and its tributaries from nonpoint source pollution within
the Chesapeake Bay drainage area; and

WHEREAS, Grantor wishes to preserve land as natural open space as part of Grantor's
efforts to improve the quality of stormwater runoff from the Property.

NOW, THEREFORE, in recognition of the foregoing and in consideration of the sum of
Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby
acknowledged, Grantor does hereby grant and convey to Grantee an easement in perpetuity in
gross, with the right in perpetuity to restrict the use as described below, of the portion herein
described of that certain tract, lot, piece, or parcel of land ("Easement Property"), to wit:

Prepared by:

James City County
101-E Mounts Bay Road
Williamsburg, Virginia 23187
(757) 253-6670

All those certain areas of land, situate, lying and being in Stonehouse Magisterial District, James City County, Virginia, containing a total of 3.00 acres shown and designated as “PERMANENT CONSERVATION EASEMENT AREA = 5185 S.F. ” on that certain plat entitled, “BOUNDARY LINE ADJUSTMENT AND SUBDIVISION PLAT OF PROPERTY STANDING IN THE NAME OF RICHARD R. NEWBERG, SR., RICHARD R. NEWBERG, JR, SHERRILL NEWBERG AND KIM N. BALL LOCATED: STONEHOUSE DISTRICT, LOCATED: JAMES CITY COUNTY, VIRGINIA” dated April 3, 2008 and last revised: November 13, 2008, prepared by Mitchell-Wilson Associates, P.C. and recorded in the Office of the Clerk of Circuit Court for the City of Williamsburg and the County of James City, Virginia as Instrument number 100007534.

The restrictions hereby imposed on the use of the Easement Property, the acts which Grantor covenants to do or not to do, and the restrictions which Grantee is hereby entitled to enforce, shall be as follows:

1. No building or structure shall be built or maintained on the Easement Property other than such building or structure expressly approved in writing by the County Watershed Planner;
2. The Easement Property shall be kept free and clear of any junk, trash, rubbish, or other unsightly or offensive material;
3. No new signs, billboards, outdoor advertising, road or utility lines shall be placed on the property without the expressed written consent of the County Watershed Planner;
4. The Easement Property shall remain in its natural condition with respect to natural leaf litter or other ground-covering vegetation, understory vegetation or shrub layer, and tree canopy. The activities of Grantor within the Easement Property shall be limited to those which do not remove or damage any vegetation or disturb any soil. With the expressed written consent of the County Watershed Planner, such activities may include selective trimming and pruning which will not alter the natural character of the Easement Property. Grantor may install walk trails or remove dead, diseased, poisonous or invasive vegetation with the expressed written consent of the


County Watershed Planner;

5. Grantee and its representatives may enter upon the Easement Property to inspect the Easement Property, to enforce the terms of this Deed of Easement, and to post signs or markers identifying Grantee's interest in the Easement Property as natural open space;

6. In the event of a violation of this Deed of Easement, Grantee shall have the right to seek all appropriate legal and equitable relief, including but not limited to: reasonable attorney's fees and costs; restoration of the Easement Property to its natural condition; and assessment of the cost of such restoration as a lien against the Easement Property.

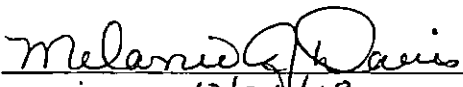
Although this easement in gross will benefit the public in the ways cited above, nothing herein shall be construed to convey a right to the public of access to or use of the Easement Property, and Grantor shall retain exclusive right to such access and use, subject only to the provisions herein recited.

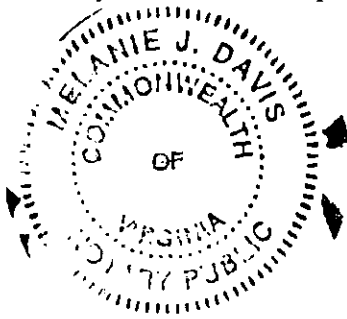
Witness the following signatures and seals:

BY:  (SEAL)
Richard R. Newberg Jr.

Commonwealth of Virginia
City/County of James City, a Notary Public for the Commonwealth of Virginia, do hereby certify that Richard R. Newberg Jr., whose name is signed to the foregoing Deed of Easement, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 21st day of June, 20 17.

Notary Public: 
My Commission expires: 12/31/18 #7014335



Approved as to form:

6/20/17

DATE

COUNTY ATTORNEY

Pursuant to Resolution of the Board of Supervisors of James City County, Virginia, duly executed on the 14th day of July, 2015, this conveyance is hereby accepted on behalf of said County.

6/22/17

DATE

COUNTY ADMINISTRATOR

Commonwealth of Virginia

City/County of James City, a Notary Public for the Commonwealth of Virginia, do hereby certify that Bryan Hill, whose name is signed to the foregoing Deed of Easement, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 22nd day of June, 20 17.

Notary Public: Anna Seelhardt
My Commission expires: October 31, 2017

PLAT ATTACHED.



exempt frm
(Rev.9-1-15)

INSTRUMENT 170013260
RECORDED IN THE CLERK'S OFFICE OF
WILLIAMSBURG/JAMES CITY COUNTY ON
June 28, 2017 AT 12:15 PM
MONA A. FOLEY, CLERK
RECORDED BY: CAF

00007534

BOUNDARY LINE ADJUSTMENT AND SUBDIVISION PLAT

OF PROPERTY STANDING IN THE NAME OF RICHARD R. NEWBERG, SR., RICHARD R. NEWBERG, JR., SHERRILL NEWBERG AND KIM N. BALL

LOCATED: STONEHOUSE DISTRICT,
 LOCATED MAP NO. 2008-0008, VIRGINIA
 DATE: APRIL 15, 2008
 REVISED DATE: MAY 21, 2008, SCALE: 1" = 100'
 REVISED DATE: SEPTEMBER 23, 2008
 MITCHELL-WILSON ASSOCIATES, P.C.
 CIVIL ENGINEERS, 11111 WOODLAND AVENUE
 SUITE 300
 F.O. BOX 1269
 WEST POINT, VIRGINIA 23181
 (804) 843-9744
 SHEET 2 OF 3

FORMER AREA = 435925.34 S.F.
 OR 10.00 AC.
 NEW AREA = 419,496.63 S.F. S.F.
 OR 9.65 AC.

City of Williamsburg & County of James City
 Central Court. This PLAT was recorded on
 April 11, 2008, at 2:02 PM.
 DOCUMENT # 2008-0008
 BERRY B. WOODRIDGE, CLERK
 City of Williamsburg
 CLERK

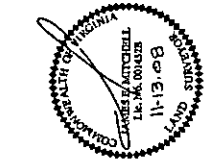
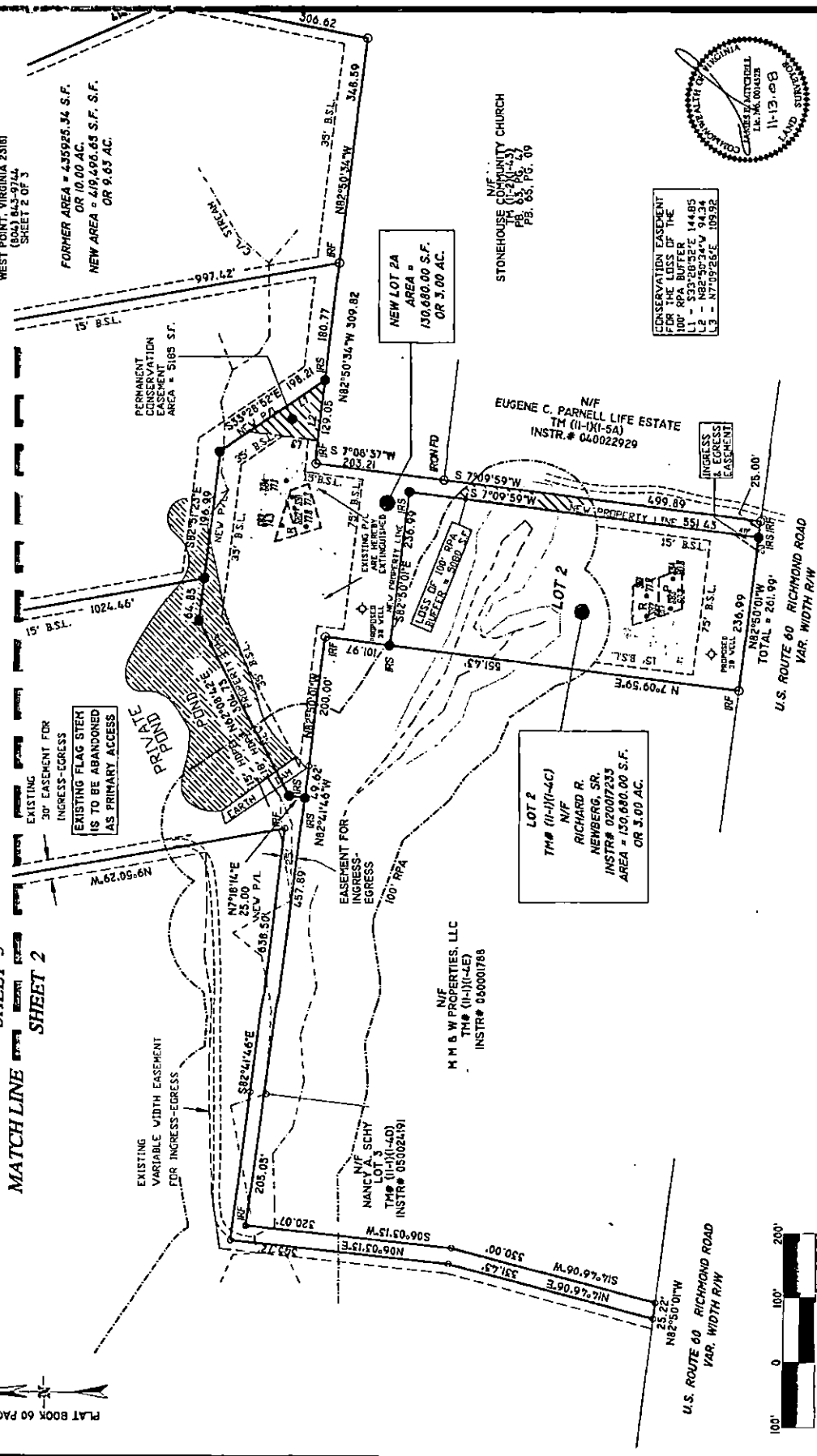
LargeScale Plats
 11111 Woodland Ave.
 West Point, VA 23181

CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC BEARING	ARC LENGTH	PIECEWISE BEARING	PIECEWISE LENGTH
1+00.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+05.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+10.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+15.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+20.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+25.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+30.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+35.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+40.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+45.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+50.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+55.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+60.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+65.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+70.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+75.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+80.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+85.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
1+90.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'
1+95.00	N 7°16'14"E	25.00'	171°00'00"	25.00'	N 7°16'14"E	25.00'
2+00.00	S 82°41'46"E	205.03'	171°00'00"	205.03'	S 82°41'46"E	205.03'

PLAT BOOK 60 PAGE 66

MATCH LINE SHEET 2
 SHEET 3



CONSERVATION EASEMENT FOR THE LOSS OF THE 100' x 50' LOT 144.85 L.S. = N82°50'34"W 94.34 L.S. = N71°09'26"E 109.92

