

JCC TAX IDS:

4910100006, 4910250027, 4910250026

CONSIDERATION: \$0.00
NO TITLE INSURANCE

**THIS DEED IS EXEMPT FROM TAXATION PURSUANT TO SECTION 58.1- 811(C)(4)
OF THE CODE OF VIRGINIA, 1950, AS AMENDED.**

ACCESS EASEMENT

THIS DEED OF ACCESS EASEMENT is made this ^{16th} day of April, 2025, by and between the **COUNTY OF JAMES CITY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, whose address is 101-D Mounts Bay Road, Williamsburg, Virginia 23188 (the “**Grantor**”) and **FREEMAN KINGSPPOINT, L.L.C.**, a Virginia limited liability company, whose mailing address is 825C Merrimon Ave # 279, Asheville, North Carolina, 28804, (the “**Grantee**”), Jim **GRAVAARD** and Kimberly **LAVACH**, whose mailing address is 110 Overlook Drive, Williamsburg, Virginia 23185, (the “**Grantee**”), and Adam C. **LEGG** and Kirsten M. **HUNEYCUTT**, whose mailing address is 108 Overlook Drive, Williamsburg, Virginia 23185, (the “**Grantee**”)(collectively referred to hereinafter as the “**Grantees**”).

WHEREAS, At its meeting on March 11, 2025, the James City County Board of Supervisors approved an ordinance vacating the right-of-way (the “Ordinance of Vacation”) shown as an unnamed road adjacent to State Route 1213 on that certain plat entitled “KINGSPPOINT SECTION 5, KINGSPPOINT CORPORATION, OWNER AND SUBDIVIDER LOCATED IN JAMESTOWN MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA” prepared by R.M. Mackintosh, certified land surveyor, dated February 9, 1968, and recorded on February 7, 1969, in the Clerk’s Office of the Circuit Court for the City of

Prepared by:
Adam R. Kinsman
County Attorney
101-D Mounts Bay Road
Williamsburg, Virginia 23185

recorded on February 7, 1969, in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in Plat Book 26, page 27 pursuant to section 15.2-2272 of the *Code of Virginia*, 1950, as amended (the "Virginia Code"), a copy of which Ordinance of Vacation is attached hereto as Exhibit A; and

WHEREAS, No appeal from the adoption of the Ordinance of Vacation was filed within thirty days with the circuit court having jurisdiction of the land shown on the Plat; and

WHEREAS, Pursuant to section 15.2-2274 of the Virginia Code, recordation of the Ordinance of Vacation "shall operate to ... vest fee simple title to the centerline of any streets, alleys or easements for public passage so vacated in the owners of abutting lots free and clear of any rights of the public or other owners of lots shown on the plat..."; and

WHEREAS, At its meeting on March 11, 2025, the James City County Board of Supervisors approved a resolution, a copy of which is attached hereto as Exhibit A, to grant a permanent access easement to the owners of all parcels along the unnamed street adjacent to State Route 1213 pursuant to section 15.2-1800 of the Virginia Code, with said permanent access easement to be recorded prior to recordation of the Ordinance of Vacation.

WITNESSETH:

That for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantees an access easement (the "Access Easement") along, over, across, and between the entirety of the area shown as an unnamed street adjacent to State Route 1213 on that certain plat entitled KINGSPPOINT SECTION 5, KINGSPPOINT CORPORATION, OWNER AND SUBDIVIDER LOCATED IN JAMESTOWN MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA" prepared by R.M. Mackintosh, certified land surveyor, dated February 9, 1968, and recorded on February 7, 1969, in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James

City in Plat Book 26, page 27, and as more particularly shown as “UNNAMED (50’ R/W) 13,519 S.F. 0.310 AC.” on the document entitled “RIGHT OF WAY EXHIBIT BETWEEN LOT 27 AND LOT 26 SECTION 5 KINGSPPOINT” prepared by Landtech Resources, Inc. and dated 11/20/24, a copy of which is attached as **Exhibit B** hereto and made a part hereof.

The Access Easement is conveyed subject to the following terms, covenants, restrictions, and conditions:

1. The Grantees and their invitees, heirs, successors, and assigns shall have a non-exclusive right-of-way for ingress and egress across the Access Easement, seven (7) days a week, twenty-four (24) hours a day.
2. The Grantees shall have the right to keep the Access Easement clear of all obstructions.
3. The easement rights and privileges established, created and granted by this Deed, are not intended, nor shall they be construed as creating any rights in or for the benefit of the general public, or in any person or business entity other than those expressly provided for herein, whether as a third-party beneficiary or otherwise.

[SIGNATURE PAGE FOLLOWS]

WITNESS the following signature and seal:

COUNTY OF JAMES CITY, VIRGINIA

By: 

Its: COUNTY ADMINISTRATOR

COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to-wit:

The foregoing was acknowledged before me this 15th day of April, 2025, by Scott Stevens on behalf of THE COUNTY OF JAMES CITY, VIRGINIA, as its County Administrator.


NOTARY PUBLIC

My commission expires on: 10/31/2028

Number 344854

APPROVED AS TO FORM:



County Attorney





RESOLUTION

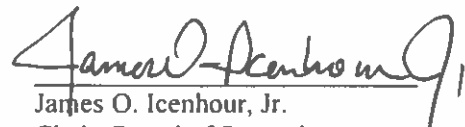
TO GRANT AN ACCESS EASEMENT OVER A 50-FOOT RIGHT-OF-WAY ADJACENT TO STATE ROUTE NO. 1213, ALSO KNOWN AS OVERLOOK DRIVE, DEDICATED BY A PLAT ENTITLED "KINGSPPOINT SECTION 5, KINGSPPOINT CORPORATION, OWNER AND SUBDIVIDER LOCATED IN JAMESTOWN MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA" RECORDED IN THE CLERK'S OFFICE FOR THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY ON FEBRUARY 7, 1969, IN PLAT BOOK 26, PAGE 27, WITH SAID RIGHT-OF-WAY MORE PARTICULARLY DEPICTED AS "UNNAMED (50' R/W) 13,519 S.F. 0.310 AC." ON THE ATTACHED EXHIBIT A TITLED "RIGHT OF WAY EXHIBIT BETWEEN LOT 27 AND LOT 26 SECTION 5 KINGSPPOINT" PREPARED BY LANDTECH RESOURCES, INC. AND DATED 11/20/24

- WHEREAS, a 50-foot-wide, unnamed right-of-way was dedicated by a plat entitled "KINGSPPOINT SECTION 5, KINGSPPOINT CORPORATION, OWNER AND SUBDIVIDER LOCATED IN JAMESTOWN MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA" recorded in the Clerk's Office for the Circuit Court for the City of Williamsburg and the County of James City on February 7, 1969, in Plat Book 26, Page 27 (the "Plat"); and
- WHEREAS, the 50-foot-wide, unnamed right-of-way was never brought into the Virginia Department of Transportation's system of maintenance and was never improved; and
- WHEREAS, the County of James City (the "County") has no surety to improve the 50-foot-wide, unnamed right-of-way and has no intention of improving the 50-foot-wide, unnamed right-of-way; and
- WHEREAS, there are two existing houses adjacent to the 50-foot-wide, unnamed right-of-way and one unimproved lot at the end of the 50-foot-wide, unnamed right-of-way; and
- WHEREAS, notice that the Board of Supervisors of the County of James City, Virginia, would consider this vacation has been given pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended (the "Virginia Code"); and
- WHEREAS, pursuant to Section 15.2-2274 of the Virginia Code, the County's interest in the right-of-way is not extinguished unless and until an Ordinance of Vacation is recorded in the Clerk's Office for the Circuit Court of the County of James City (the "Clerk's Office"); and
- WHEREAS, at its meeting on March 11, 2025, pursuant to Section 15.2-1800 and following a duly-advertised public hearing, the Board of Supervisors approved granting a perpetual ingress/egress easement for all adjacent property owners and their heirs, successors, assigns, and invitees to use the entirety of the 50-foot-wide, unnamed right-of-way, which easement shall be recorded in the Clerk's Office prior to recordation of the Ordinance of Vacation; and

WHEREAS, pursuant to Section 15.2-2274 of the Virginia Code, the Board of Supervisors held a public hearing and considered the vacation of the 50-foot-wide, unnamed right-of-way and the Board of Supervisors was of the opinion that the vacation would not result in any inconvenience, would not cause any irreparable damage to any owner of a lot shown on the Plat, and is in the interest of public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby grant an access easement along the area shown as a 50-foot-wide right-of-way shown on the plat entitled "KINGSPPOINT SECTION 5, KINGSPPOINT CORPORATION, OWNER AND SUBDIVIDER LOCATED IN JAMESTOWN MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA" recorded in the Clerk's Office for the Circuit Court for the City of Williamsburg and the County of James City on February 7, 1969, in Plat Book 26, Page 27 (the "Plat") and as more particularly depicted as "UNNAMED (50' R/W) 13,519 S.F. 0.310 AC." on the attached Exhibit A titled "RIGHT OF WAY EXHIBIT BETWEEN LOT 27 AND LOT 26 SECTION 5 KINGSPPOINT" prepared by Landtech Resources, Inc. and dated 11/20/24 and directs the County Administrator to execute those documents necessary to grant such easement to the following entities or their successors in interest, who shall be listed as Grantees in the real estate records of the Clerk of the Circuit Court for the County of James City, Virginia:

1. Adam C. Legg and Kirsten M. Huneycutt, James City County Real Estate Tax Map Parcel No. 4910250027
2. Jim Gravaard and Kimberly Lavach, James City County Real Estate Tax Map Parcel No. 4910250026
3. Freeman Kingspoint, LLC, a Virginia limited liability company, James City County Real Estate Tax Map Parcel No. 4910100006


James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:


Teresa J. Saeed
Deputy Clerk to the Board

HIPPLE
NULL
LARSON
MCGLENNON
ICENHOUR

VOTES

AYE NAY ABSTAIN ABSENT

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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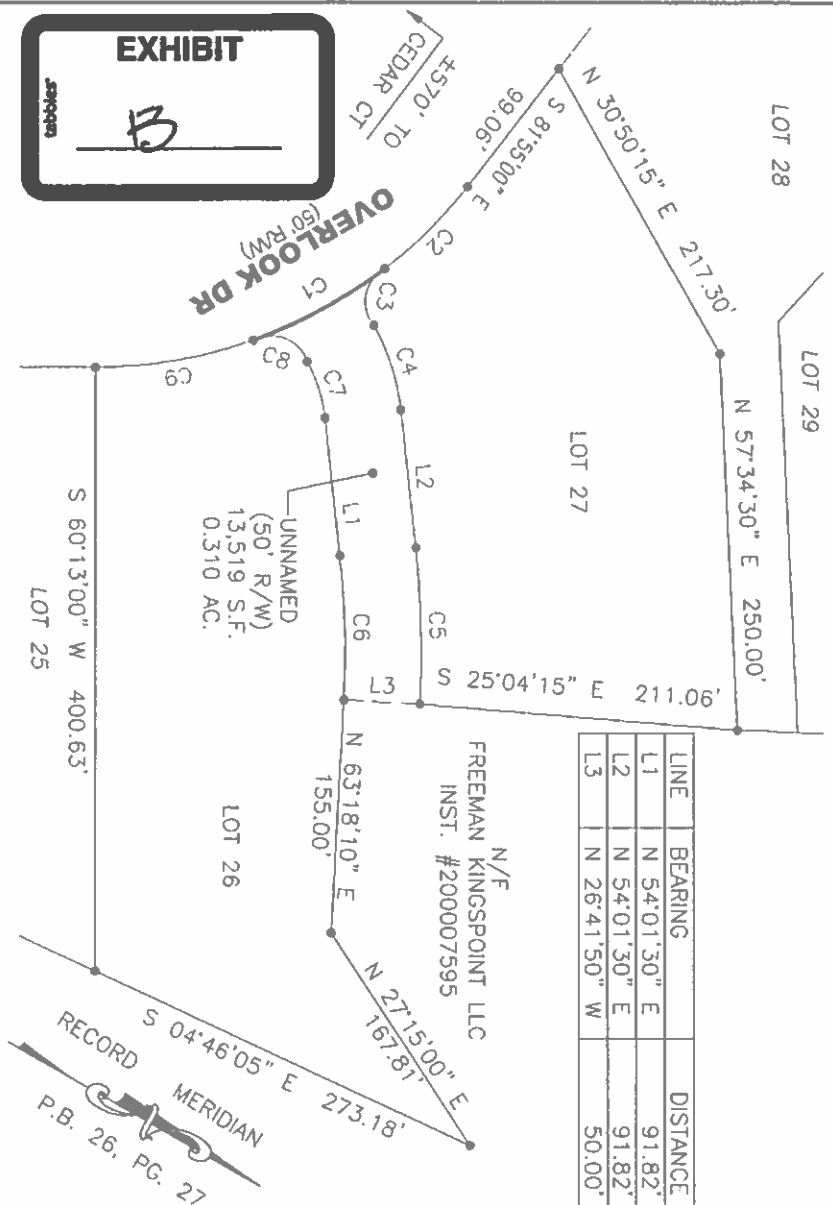
Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March, 2025.

OvrlkDrEsmtOrdVac-res

INSTRUMENT 202505102
RECORDED IN THE CLERK'S OFFICE OF
WMSBG/JAMES CITY CIRCUIT ON
APRIL 16, 2025 AT 08:38 AM
ELIZABETH E. O'CONNOR, CLERK
RECORDED BY: SPA

 Large/Small Plat(s) Recorded

herewith as # 202505102



LINE	BEARING	DISTANCE
L1	N 54°01'30\" E	91.82'
L2	N 54°01'30\" E	91.82'
L3	N 26°41'50\" W	50.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	311.48'	99.10'	98.68'	N 58°31'01\" W	18°13'44.69\"
C2	311.48'	77.63'	77.43'	S 74°47'32\" E	14°16'44.90\"
C3	25.00'	43.77'	38.39'	S 70°47'30\" W	100°18'48.53\"
C4	150.25'	59.19'	58.81'	N 42°44'20\" E	22°34'20.00\"
C5	640.79'	103.82'	103.71'	N 58°40'00\" E	9°16'59.90\"
C6	590.79'	95.72'	95.62'	S 58°40'00\" W	9°17'00.73\"
C7	100.25'	39.52'	39.26'	S 42°45'00\" W	22°35'02.93\"
C8	25.00'	43.83'	38.43'	N 07°52'50\" W	100°27'24.02\"
C9	311.48'	106.73'	106.21'	S 39°35'33\" E	19°38'00.00\"



- NOTES:**
1. THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND REFLECTS ONLY THOSE ENCUMBRANCES, EASEMENTS AND SETBACKS AS SHOWN IN P.B. 26, PG. 27.
 2. THIS FIRM IS NOT RESPONSIBLE FOR THE LOCATION OF ANY STRUCTURE, MANHOLE, VALVE, ETC., HIDDEN OR OBSTRUCTED AT THE TIME THE FIELD SURVEY WAS PERFORMED.
 3. LOT LIES IN F.I.R.M. ZONE "X" AND ZONE "AE" (ELEV 7) ACCORDING TO FLOOD INSURANCE RATE MAP #51095C0202D DATED DECEMBER 16, 2015.
 4. WETLANDS, IF ANY, WERE NOT LOCATED FOR THIS SURVEY.
 5. UNDERGROUND UTILITIES WERE NOT LOCATED.
 6. DRAINAGE EASEMENTS NOT SHOWN.

NOTE
THIS EXHIBIT WAS PREPARED TO SHOW THE ARC LENGTH ALONG OVERLOOK DRIVE IN FRONT OF THE UNNAMED 50' RIGHT OF WAY SHOWN ON P.B. 26 PG. 27

LOT 27 AND LOT 26 SECTION 5 KINGSPOINT

JAMES CITY COUNTY	VIRGINIA
ADDRESS: 108 & 110 OVERLOOK DR JAMES CITY COUNTY, VA	DATE: 11/20/24 SCALE: 1"=100' JOB# 24-466 CAD File 24-466.dwg
	REFERENCES: P.B. 26 PG. 27

LandTech Resources, Inc.
Engineering and Surveying Consultants
205 E Buifronts Blvd., Williamsburg, Virginia 23188
Telephone: 757-565-1677 Fax: 757-565-0782
Web: landtechresources.com