

2010

100009522-01

DEETS

JCC TAX ID: 3310600040

THIS DEED IS EXEMPT FROM TAXATION PURSUANT TO SECTIONS 58.1-811 (A)(3) CODE OF VIRGINIA, AS AMENDED.

**DEED OF EASEMENT
DRAINAGE EASEMENT**

This DEED OF EASEMENT made this 14th day of April, 2010, by and between ZOURVA, LLC, a Virginia limited liability company (the "Grantor") and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of Commonwealth of Virginia (the "Grantee"), whose address is Post Office Box 8784, 101 Mounts Bay Road, Williamsburg, VA 23187.

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) cash and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does grant and convey unto the Grantee certain rights in and to certain real property situate, lying, and being in the Powhatan District, James City County, Virginia, shown and further described on a certain plat entitled, "PLAT SHOWING 35' DRAINAGE EASEMENT TO JAMES CITY COUNTY ON LOT 40 OF RAIN TREE SECTION 1 OWNED BY ZOURVA, LLC", Job Number 9801-25, dated December 9, 2009, made by AES Consulting Engineers (the "Plat"), which is attached as Exhibit A, said real estate having been conveyed to the Grantor by Deed recorded on February 11, 2010 as Instrument No. 100002381 in the Office of the Clerk of the Circuit Court of the City of Williamsburg and the County of James City, Virginia.

PERMANENT EASEMENT

The privilege and easement in perpetuity with rights of ingress and egress is hereby granted in those areas indicated on the Plat as "35' DRAINAGE EASEMENT TO JAMES CITY COUNTY AREA = 1580 S.F. ±" (the "Easement Area") to construct, lay, maintain, repair, inspect, access, improve, replace, alter, and at will remove drainage facilities in addition to those facilities which currently exist within the Easement Area over, upon, across, and under property of the Grantor.

The further terms and conditions of this grant are as follows:

- a. The Grantee may (but is not required to) trim, cut, remove, and clear all trees, limbs, undergrowth, and any and all other obstructions within the Easement Area that may in any manner, in the Grantee's sole discretion, endanger or interfere with the proper and efficient construction or operation of drainage facilities including any existing drainage facilities. In addition, the Grantee shall have all other rights and privileges as are reasonable necessary or convenient for the full enjoyment and use of the Easement Area.

Prepared by and return to:
Wayland N. Bass P.E.
287 Melawa Circle, Suite 1
Williamsburg, VA 23185-5649
Phone: (757)259-1441

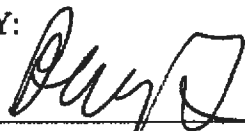
100009522-02


- b. The granting of this easement neither expressly nor impliedly constitutes any payment or waiver of any obligation for the payment by the Grantor or its successors or assigns of any fee or charge or obligation whatsoever, now due and payable or hereafter to become due and payable to the Grantee or to any person, firm, governmental body, or other corporation whatsoever.
- c. The Grantee will exercise reasonable care to protect the Grantor's property from damage or injury occasioned in the enjoyment of the easements and rights herein granted.
- d. The Grantor further covenants that it has the right to convey the easement; that the Grantee shall have quiet and peaceful enjoyment and possession of the easement and that the Grantor will execute such further assurances of the grants and easements herein contained as may be requisite

WITNESS the following signatures and seals:

ZOURVA, LLC

BY:


 _____ (SEAL)
 Haralambos Garofalis
 Operating Manager


 _____ (SEAL)
 George Garofalis
 Operating Manager



COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

I, the undersigned Notary Public do certify that Haralambos Garofalis, Operating Manager for ZOURVA, LLC, whose name is signed to the foregoing, writing, dated April 14, 2010, has acknowledged the same before me in my jurisdiction aforesaid.

GIVEN under my hand this 14 day of April, 2010

Anastasia P. Savides
Notary Public

My commission expires: November 30, 2010
Registration No.: ID 206749

1 00009522-03

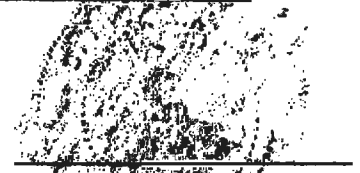
COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

I, the undersigned Notary Public do certify that George Garofalis, Operating Manager for ZOURVA, LLC, whose name is signed to the foregoing, writing, dated April 14, 2010, has acknowledged the same before me in my jurisdiction aforesaid.

GIVEN under my hand this 14 day of April, 2010

Maestasia P. Saunders
Notary Public

My commission expires: November 30, 2010
Registration No.: ID 206749



The form of this Deed of Easement is approved and, pursuant to Resolution of the Board of Supervisors of James City County, Virginia, duly adopted on the 9th day of September 2008, this conveyance is hereby accepted on behalf of said County.

Adam R. Kinsman
Adam R. Kinsman
Deputy County Attorney

VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 5-14-2010
at 1:43 PM. The taxes imposed by Virginia Code
Section 58.1-801, 58.1-802 & 58.1-814 have been paid.

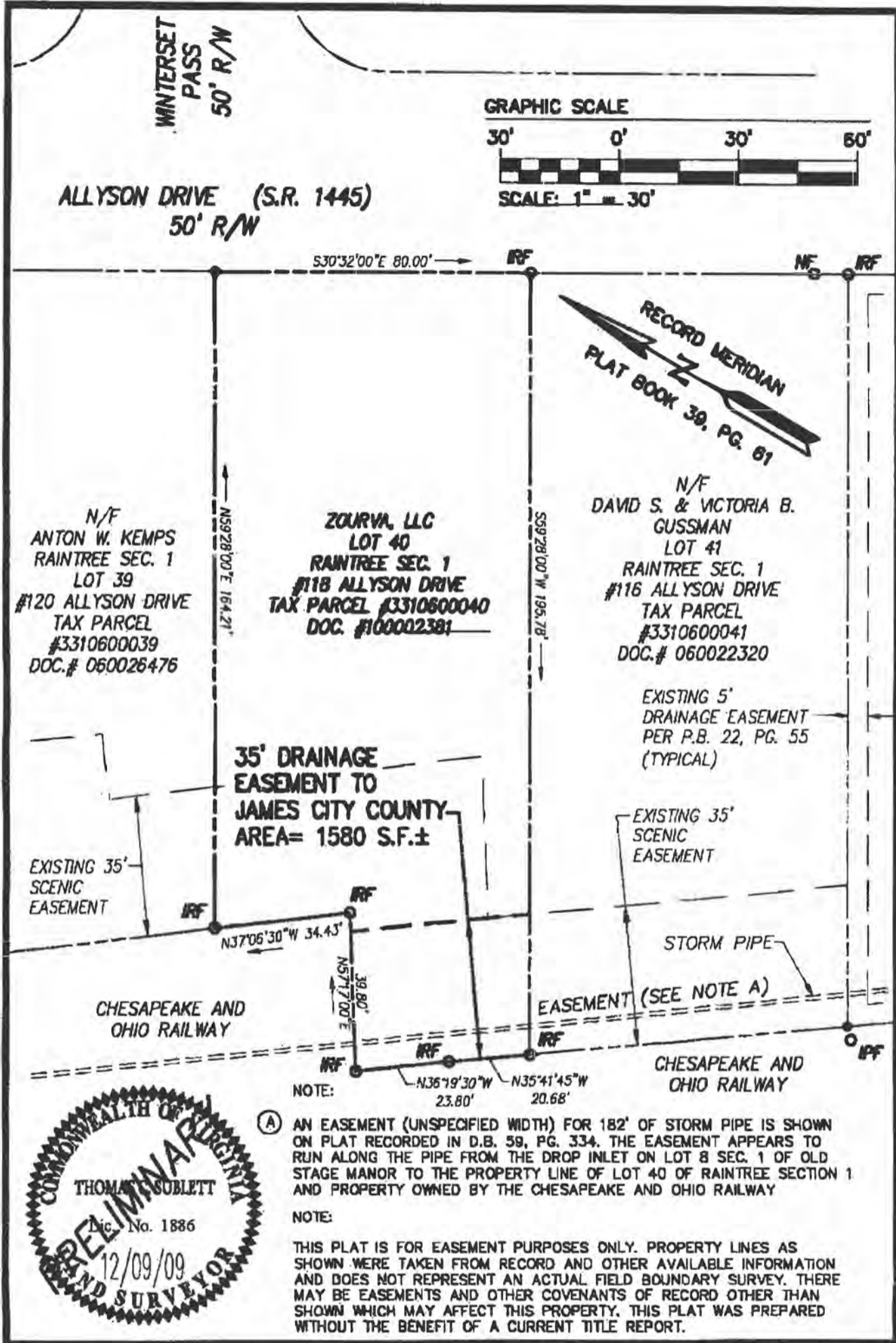
STATE TAX	LOCAL TAX	ADDITIONAL TAX
\$ _____	\$ _____	\$ _____

TESTE: BETSY B. WOOLRIDGE, CLERK
BY: Betsy B. Woolridge Clerk

PLAT ATTACHED

100009525-04

Exhibit A



(A) AN EASEMENT (UNSPECIFIED WIDTH) FOR 182' OF STORM PIPE IS SHOWN ON PLAT RECORDED IN D.B. 59, PG. 334. THE EASEMENT APPEARS TO RUN ALONG THE PIPE FROM THE DROP INLET ON LOT 8 SEC. 1 OF OLD STAGE MANOR TO THE PROPERTY LINE OF LOT 40 OF RAIN TREE SECTION 1 AND PROPERTY OWNED BY THE CHESAPEAKE AND OHIO RAILWAY

NOTE:
THIS PLAT IS FOR EASEMENT PURPOSES ONLY. PROPERTY LINES AS SHOWN WERE TAKEN FROM RECORD AND OTHER AVAILABLE INFORMATION AND DOES NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY. THERE MAY BE EASEMENTS AND OTHER COVENANTS OF RECORD OTHER THAN SHOWN WHICH MAY AFFECT THIS PROPERTY. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.



CONSULTING ENGINEERS
WILLIAMSBURG • RICHMOND • GLOUCESTER • FREDERICKSBURG

5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040 Fax (757) 220-8994

PLAT SHOWING 35' DRAINAGE EASEMENT TO JAMES CITY COUNTY ON LOT 40 OF RAIN TREE SECTION 1 OWNED BY ZOURVA, LLC

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Scale: 1"=30' Ref: PLAT BOOK 39, PAGE 61 Date: 12/9/09 Job No: 9801-25