

2015

150015046-01
DIEGIS
6/22/17

150015046

Consideration: \$ 1.00

Tax Parcel Number: 3221 200001B

RECORDATION TAX IS EXEMPT PURSUANT TO THE CODE OF VIRGINIA, 1950, AS AMENDED, SECTION 58.1-811 (A)(3) AND (C)(1).

**DEED OF EASEMENT
STREAM RESTORATION AND MAINTENANCE EASEMENT**

This DEED OF EASEMENT made this 20th day of July, 2015, by and between SCOTTS POND COMMUNITY ASSOCIATION, INC., a Virginia nonstock corporation (the "Grantor") and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of Commonwealth of Virginia, (the "Grantee").

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 said Grantor does hereby grant and convey unto the Grantee, an easement in perpetuity for access to, and the restoration and maintenance of, the existing degraded stream channel over, upon, and across the following described property, to-wit:

All those certain lots, pieces, or parcels of land lying and situate in Powhatan District, James City County, Virginia, shown and designated as: Common Open Space #5, 2.3109 acres, 100,885 square feet on that certain plat entitled: "SCOTT'S POND SECTION TWO POWHATAN DISTRICT JAMES CITY COUNTY, VIRGINIA", dated July 17, 2002 and last revised on December 18, 2002, and made by A.D. Potts & Associates, Inc., which said plat is recorded as Document No. 030006189 and in Plat Book 89, Pages 60-66.

Said real estate having been conveyed to the Grantor by Deed recorded December 6, 2007 as Document No. 070033444 in the Office of the Clerk of the Circuit Court of the City of Williamsburg and County of James City.

The privilege and easement in perpetuity is hereby granted in those areas indicated on the above-referenced plat as "Common Open Space #5" (the "Easement Area") to construct, lay, maintain, repair, inspect, access, improve, replace, alter, and at will remove within the Easement

Prepared by and return to:
Allison A. Kotula
Assistant County Attorney
101-D Mounts Bay Road
Williamsburg, VA 23185
Phone: (757) 253-6610

Add to M
By deed

Area works and systems for restoration of existing degraded streams and related services over, upon, across, and under property of 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 the works and systems therein or thereon, and the Grantee shall have all other rights and privileges as are reasonably necessary or convenient for the full enjoyment and use of the easement herein granted for the aforesaid purpose.
- 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 their 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 easement and rights herein granted.

The Grantor further covenants that they have the right to convey the said easement; that the Grantee shall have quiet and peaceful enjoyment and possession of said easement and that the Grantor will execute such further assurances of the said grants and easements herein contained as may be requisite.

[Remainder of page left intentionally blank]

WITNESS the following signatures and seals:



SCOTTS POND
COMMUNITY ASSOCIATION, INC.

By: [Signature]
Steve Cardenas
President

COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

The foregoing instrument was personally acknowledged before me this 27 day of May, 2015, by Steve Cardenas, President of the Scotts Pond Community Association, Inc.

My commission expires: 12/31/2018

Notary Public Holli Carol Haney
Registration No. 7591516

County of James City

[Remainder of page left intentionally blank]



SCOTTS POND
COMMUNITY ASSOCIATION, INC.

By: [Signature]
Scott Amman
Vice President

COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

The foregoing instrument was personally acknowledged before me this 3 day of July, 2015, by Scott Amman, Vice President of the Scotts Pond Community Association, Inc.

County of James City County
My commission expires: 12/31/2018
Notary Public Holli Haney - Hollittaney
Registration No. 7591516



SCOTTS POND
COMMUNITY ASSOCIATION, INC.

By: [Signature]
Nicholas Kaplan
Treasurer

COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

The foregoing instrument was personally acknowledged before me this 3 day of July, 2015, by Nicholas Kaplan, Treasurer of Scotts Pond Community Association, Inc.

My commission expires: 12/31/2018
Notary Public Holli Haney - Hollittaney
Registration No. 7591516 County of James City



SCOTTS POND
COMMUNITY ASSOCIATION, INC.

By: [Signature]
Israel Sanchez
Secretary

COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

The foregoing instrument was personally acknowledged before me this 27 day of May, 2015, by Israel Sanchez, Secretary of the Association.

My commission expires: 12/31/2018

Notary Public Hollie Carol Haney Hollie Carol Haney
Registration No. 7591516

Reviewed as to Form:

~~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.~~

[Signature]
Allison A. Kotula
Assistant County Attorney

James City County, Virginia:

By and Date: J. Hill
(Title) Bryan J. Hill, County Administrator

COMMONWEALTH OF VIRGINIA, COUNTY OF JAMES CITY, to-wit:
The foregoing instrument was acknowledged before me this 20th day of JULY,
2015 by Bryan J. Hill, County Administrator, on behalf of James City County.

NOTARY PUBLIC Anna Eckhardt
My commission expires: 10/31/2017



VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 8-3-2015
at 8:48 AM/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



OFFICIAL RECEIPT
WILLIAMSBURG/JAMES CITY COUNTY CIRCUIT COURT
5201 MONTICELLO AVE SUITE 6
WILLIAMSBURG, VA 23188
757-564-2242

DEED RECEIPT

DATE: 08/03/15 TIME: 08:48:54 ACCOUNT: 830CLR150015046 RECEIPT: 15000025201
 CASHIER: AES REG: WD19 TYPE: DE PAYMENT: FULL PAYMENT
 INSTRUMENT : 150015046 BOOK: PAGE: RECORDED: 08/03/15 AT 08:48
 GRANTOR: SCOTTS POND COMMUNITY ASSOCIATION INC EX: N LOC: CO
 GRANTEE: COUNTY OF JAMES CITY VIRGINIA EX: Y PCT: 100%
 AND ADDRESS :
 RECEIVED OF : COUNTY OF JAMES CITY VIRGINIA DATE OF DEED: 06/20/15
 : \$.00
 DESCRIPTION 1: STREAM RESTORATION & MAINTENANCE EASEMENT PAGES: 0 OP: 0
 2: NAMES: 0
 CONSIDERATION: .00 A/VAL: .00 MAP:
 PIN:
 000 ** ZERO PAYMENT ** .00
 TENDERED : .00
 AMOUNT PAID: .00
 CHANGE AMT : .00

CLERK OF COURT: BETSY B. WOOLRIDGE

PAYOR'S COPY
RECEIPT COPY 1 OF 2