

CLR202405259

JCC TAX IDS:

**3220600001, 3220600002, 3220600003, 3220600004
3220600005, 3220600005B, 3220600006, 3220600007
3220600011, 3220600012, 3220600014, and 3220100104**

**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 19th day of April, 2024, 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 23185 (the “Grantor”) and **MINOS HENRY GALANOS, SUCCESSOR TRUSTEE** of the Louie Andreas Galanos Trust dated July 26, 2010 (the “Grantee”), Kim Suk **LEE**, whose mailing address is 5347 Rockingham Drive, Williamsburg, Virginia, 23188, (the “Grantee”), Fred Douglas **MOORE**, Sr., whose mailing address is 5813 Richmond Road, Williamsburg, Virginia, 23188, (the “Grantee”), Iluss M. **MOORE**, whose mailing address is P.O. Box 442, Lightfoot, Virginia 23090, (the “Grantee”), Martin Lewis **SPIKES**, Jr., whose mailing address is P.O. Box 444, Norge, Virginia, 23127-0444, (the “Grantee”), **P.W. DEVELOPMENT, INC.**, a Virginia corporation, whose mailing address is P.O. Box 415, Norge, Virginia, 23127-0415, (the “Grantee”), Linda G. **CHRISTIAN**, whose mailing address is 5375 Richmond Road, Williamsburg, Virginia, 23188,

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

(the “Grantee”), Roy W. **THILLBERG, III**, whose mailing address is 44927 George Washington Boulevard, Suite 265, Ashburn, Virginia, 20147-4294 (the “Grantee”), and the **MOORE FAMILY CEMETERY**, which address is 107 Moore Drive, (the “Grantee”).

WHEREAS, At its meeting on March 12, 2024, the James City County Board of Supervisors approved an ordinance vacating the right-of-way (the “Ordinance of Vacation”) shown as Moore Drive on that certain plat entitled “PLAT OF: DIVISION OF: J. W. MOORE, ESTATE” recorded in the Clerk’s Office for the Circuit Court of the County of James City on May 29, 1973 in Plat Book 30 Page 60 (the “Plat”) 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 12, 2024, the James City County Board of Supervisors approved a resolution, a copy of which is attached hereto as **Exhibit B**, to grant a permanent access easement to the owners of all parcels along Moore Drive 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 Moore Drive on that certain plat entitled "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" recorded in the Clerk's Office for the Circuit Court of the County of James City on May 29, 1973 in Plat Book 30 Page 60, a copy of which is attached as Exhibit A 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 along, over, across, and between the entirety of the area shown as Moore Drive on Exhibit A.

2. The Grantees shall at their expense be responsible for construction and maintenance of the Access Easement and shall at their expense have the right to keep the Access Easement clear of all obstructions and shall at all times maintain it at their expense in such a manner that it provides a reasonable, passable access to the properties identified as 100, 101, 107, 111, 114, 117, 122, 123, 125, 131, and 139 Moore Drive and 5837 Richmond Road and further identified as James City County Real Estate Tax Map Nos. 3220600001, 3220600002, 3220600003, 3220600004,

3220600005, 3220600005B, 3220600006, 3220600007, 3220600011, 3220600012, 3220100104,
and 3220600014.

[SIGNATURE PAGE FOLLOWS]

WITNESS the following signature and seal:

COUNTY OF JAMES CITY, VIRGINIA

By: *Scott A. Stevens*

Its: COUNTY ADMINISTRATOR

COMMONWEALTH OF VIRGINIA

COUNTY OF JAMES CITY, to-wit:

The foregoing was acknowledged before me this 18th day of April, 2024, by Scott Stevens on behalf of THE COUNTY OF JAMES CITY, VIRGINIA, as its County Administrator.

Anna Eckhardt

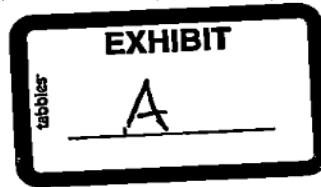
NOTARY PUBLIC

My commission expires on: October 31, 2025
Number 7566372



APPROVED AS TO FORM:

Adam Kinman
County Attorney



ORDINANCE NO. 240

ADOPTED

MAR 12 2024

**Board of Supervisors
James City County, VA**

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" AND MORE PARTICULARLY DESCRIBED AS THE VACATION OF THE 50-FOOT RIGHT-OF-WAY KNOWN AS MOORE DRIVE

WHEREAS, the right-of-way for Moore Drive was dedicated by plat entitled "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" recorded in the Clerk's Office for the Circuit Court of the County of James City on May 29, 1973, in Plat Book 30, Page 60 (the "Plat"); and

WHEREAS, Moore Drive 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 Moore Drive and has no intention of improving Moore Drive; and

WHEREAS, there are two existing houses along Moore Drive that use an alternate driveway to access Route 60 and there is one new house planned at 117 Moore Drive that will use a newly-constructed gravel path along Moore Drive to access the property; 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 12, 2024, 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 property owners and their heirs, successors, assigns, and invitees to use the entirety of Moore Drive, which easement shall be recorded in the Clerk's Office prior to recordation of the Ordinance of Vacation; and

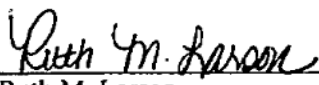
WHEREAS, pursuant to Section 15.2-2274 of the Virginia Code, the Board of Supervisors held a public hearing and considered the vacation of the right-of-way along Moore Drive and the Board of Supervisors was of the opinion that the vacation would not result in any inconvenience, would not cause any irreparable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

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NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that:

1. The entire 50-foot right-of-way for Moore Drive shown as "50' R/W" on that certain plat entitled "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" recorded in the Clerk's Office for the Circuit Court for the City of Williamsburg and the County of James City on May 29, 1973, in Plat Book 30, Page 60 is hereby VACATED.
2. The County Attorney is directed to record this Ordinance among the records in the Clerk's Office for the Circuit Court for the City of Williamsburg and the County of James City on or after April 11, 2024, with following entities or their successors in interest be listed as Grantees in the Real Estate records of the Clerk of the Circuit Court for the County of James City, Virginia:
 - a. Minos Henry Galanos, Trustee of the Louie Andreas Galanos Trust, dated July 26, 2010, James City County Real Estate Tax Map Parcel Nos. 3220600001 and 3220600003
 - b. Kim Suk Leg, James City County Real Estate Tax Map Parcel Nos. 3220600002, 3220600011, and 3220600012
 - c. Fred Douglas Moore, Sr., James City County Real Estate Tax Map Parcel No. 3220600004
 - d. Iluss M. Moore, James City County Real Estate Tax Map Parcel No. 3220600005
 - e. Martin Lewis Spikes, Jr., James City County Real Estate Tax Map Parcel No. 3220600005B
 - f. P.W. Development, Inc., a Virginia corporation, James City County Real Estate Tax Map Parcel No. 3220600006
 - g. Linda G. Christian, James City County Real Estate Tax Map Parcel No. 3220600007
 - h. Roy W. Thillberg, III, James City County Real Estate Tax Map Parcel No. 3220100104
 - i. Moore Family Cemetery, c/o Eddie Moore, James City County Real Estate Tax Map Parcel No. 3220600014

This Ordinance shall be in full force and effect from the date of its adoption.


 Ruth M. Larson
 Chair, Board of Supervisors

ATTEST:

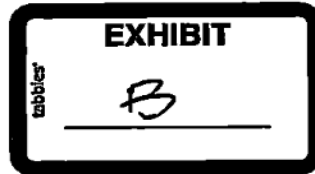

 Teresa J. Saeed
 Deputy Clerk to the Board

	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
NULL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of March, 2024.

EsmtOrdVacMooreDr-ord

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RESOLUTION

TO GRANT AN ACCESS EASEMENT ALONG THE AREA DESIGNATED AS A 50-FOOT RIGHT-OF-WAY KNOWN AS MOORE DRIVE DEPICTED AS "50' R/W" ON THAT CERTAIN SUBDIVISION PLAT ENTITLED "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" RECORDED IN THE CLERK'S OFFICE FOR THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY ON MAY 29, 1973, IN PLAT BOOK 30, PAGE 60

- WHEREAS, the right-of-way for Moore Drive was dedicated by plat entitled "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" recorded in the Clerk's Office for the Circuit Court of the County of James City on May 29, 1973, in Plat Book 30, Page 60 (the "Plat"); and
- WHEREAS, Moore Drive 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 Moore Drive and has no intention of improving Moore Drive; and
- WHEREAS, there are two existing houses along Moore Drive that use an alternate driveway to access Route 60 and there is one new house planned at 117 Moore Drive that will use a newly-constructed gravel path along Moore Drive to access the property; 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 12, 2024, 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 property owners and their heirs, successors, assigns, and invitees to use the entirety of Moore Drive, 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 right-of-way along Moore Drive 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 right-of-way depicted as "50' R/W" on the plat entitled "PLAT OF: DIVISION OF: J. W. MOORE, ESTATE" recorded in the Clerk's Office for the Circuit Court of the County of James City on May 29, 1973, in Plat Book 30, Page 60, 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. Minos Henry Galanos, Trustee of the Louie Andreas Galanos Trust, dated July 26, 2010, James City County Real Estate Tax Map Parcel Nos. 3220600001 and 3220600003
2. Kim Suk Lee, James City County Real Estate Tax Map Parcel Nos. 3220600002, 3220600011, and 3220600012
3. Fred Douglas Moore, Sr., James City County Real Estate Tax Map Parcel No. 3220600004
4. Huss M. Moore, James City County Real Estate Tax Map Parcel No. 3220600005
5. Martin Lewis Spikes, Jr., James City County Real Estate Tax Map Parcel No. 3220600005B
6. P.W. Development, Inc., a Virginia corporation, James City County Real Estate Tax Map Parcel No. 3220600006
7. Linda G. Christian, James City County Real Estate Tax Map Parcel No. 3220600007
8. Roy W. Thillberg, III, James City County Real Estate Tax Map Parcel No. 3220100104
9. Moore Family Cemetery, c/o Eddie Moore, James City County Real Estate Tax Map Parcel No. 3220600014

Ruth M. Larson

Ruth M. Larson
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeg
Teresa J. Saeg
Deputy Clerk to the Board

NULL
HIPPLE
MCGLENNON
ICENHOUR
LARSON

VOTES

AYE	NAY	ABSTAIN	ABSENT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 12th day of March, 2024.

EsmtOrdVacMooreDr-res

INSTRUMENT 202405259
RECORDED IN THE CLERK'S OFFICE OF
WMSBG/JAMES CITY CIRCUIT ON
APRIL 26, 2024 AT 02:00 PM
ELIZABETH E. O'CONNOR, CLERK
RECORDED BY: SPA