

CONSIDERATION: 0.00  
ASSESSED VALUE: 0.00

TAX MAP: 1910100008  
1910100009  
1910100010  
1910100011  
1910100012  
1910100013  
1910100014  
1910100015  
1910100016  
1910100017  
1910100018  
1910100019

PREPARED BY & RETURN TO:  
M. Anderson Bradshaw, P.C.  
P.O. Box 456  
Toano, Virginia 23168  
VSB #16424

THIS DEED OF CONFIRMATION OF EASEMENT is made this 14th day of December, 2021, by and between AIMEE O. POTASH and GREGORY R. DAVIS, SUCCESSOR CO-TRUSTEES of the LUCILLE H. OTEY REVOCABLE LIVING TRUST under Agreement dated February 12, 2004, successors to Lucille H. OTey, referred to and to be indexed as the Grantors, and WILLIAM A. BRANSON, JR., and REBECCA HAYES BRANSON, husband and wife, DAVID A. SATIRA and CYNTHIA H. SATIRA, husband and wife, MARCIA E. MILLICAN, sole surviving Trustee of THE HUBBARD-MILLICAN FAMILY REVOCABLE LIVING TRUST under Agreement dated March 9, 2005, JERRY K. KELLEY, GUY T. JEFFERS and MARILYN G. JEFFERS, husband and wife, JENNIFER O. PRIVETTE, JOHN A. ANTON and JUDITH D. ANTON, husband and wife, JOHN PEYTON PHILLIPS, JOHN H. MORT and JANICE K. MORT, CO-TRUSTEES of the JOHN AND JANICE MORT LIVING TRUST dated May 2, 2014, WARREN ROSIER, JR., and KAREN B. ROSIER, husband and wife, and KENNETH L. CLEVINGER and JEAN M. CLEVINGER, CO-TRUSTEES of THE CLEVINGER TRUST under Agreement dated December 6, 2017, referred to collectively and to be indexed as the Grantees. This instrument is exempt from recording tax

pursuant to Va. Code §58.1-810(1).

Whereas, Eugene R. Meadows acquired certain lands from Walter Martin by deed dated February 25, 1952, recorded in James City County Deed Book 46, page 526, and subdivided and conveyed ten lots therefrom on the Chickahominy River, adjacent to a private road, now known as Oak Cove Road, but in such conveyances did not specifically grant an easement for access to such lots, such that their rights of access over Oak Cove Road are implied easements, and

Whereas, Eugene R. Meadows conveyed certain lands to Chickahominy Haven, Inc., by deed dated July 1, 1959, recorded in James City County Deed Book 70, page 192, which conveyance included the fee interest to what is known as Oak Cove Road, and in which deed he “reserved for the benefit of the owners of Lots heretofore acquired the right of ingress and egress to Rt. #673 over a roadway presently existing on the land running generally parallel to the Chickahominy River”, and

Whereas, by mesne conveyances those ten lots are now owned by the Grantees under the following deeds:

Tax Map Parcel 1910100009, David A. Satira and Cynthia H. Satira, by deed instrument no. 210024155.

Tax Map Parcel 1910100010, Marcia E. Millican, surviving Trustee of The Hubbard-Millican Family Revocable Living Trust under Agreement dated March 9, 2005, by deed instrument no. 060007972.

Tax Map Parcel 1910100011, Jerry K. Kelley, by deed instrument no. 100002088.

Tax Map Parcel 1910100012, Guy T. Jeffers and Marilyn G. Jeffers, by deed instrument no. 070025240.

Tax Map Parcel 1910100013, Jennifer O. Privette, by deed instrument no. 190002704, as adjusted by deed instrument no. 160006752.

Tax Map Parcel 1910100014, John A. Anton and Judith D. Anton, by deed at Deed Book 470, page 597, as adjusted by by deed instrument no. 160006752.

Tax Map Parcel 1910100015, John A. Anton and Judith D. Anton, by deed at Deed Book 711, page 202.

Tax Map Parcel 19910100016, John Peyton Phillips, by deed instrument nos. 990004826, 090031945 and 180001986.

Tax Map Parcel 1910100017, John H. Mort and Janice K. Mort, Co-Trustees of the John and Janice Mort Living Trust under Agreement dated May 2, 2014, by deed instrument no. 140009768.

Tax Map Parcel 1910100018, Warren Rosier, Jr., and Karen B. Rosier, by deed instrument no. 010004971.

Tax Map Parcel 1910100019, Kenneth L. Clevinger and Jean M. Clevinger, Co-Trustees of The Clevinger Trust under Agreement dated December 6, 2017, and

Whereas, the conveyance from Walter C. Martin to Eugene R. Meadows excepted and excluded a parcel of land, also fronting on the Chickahominy River and Oak Cove Road, which is now assigned Tax Map Parcel 191010008 and is owned by William A. Branson, Jr., and Rebecca Hayes Branson by deed instrument no. 000020348, and

Whereas, Chickahominy Haven, Inc., conveyed lands, including the fee interest in what is known as Oak Cove Road to Gerald J. Otey, Jr., and Lucille H. Otey, as tenants by the entirety with survivorship, by deed dated April 2, 1968 recorded in Deed Book 115, page 565, in which it recited its intent "to convey to grantee all of the property of the grantors acquired from Eugene R. Meadows, et ux, by deed dated July 1, 1959, ... excluding any lots or parcel heretofore conveyed", and

Whereas, Gerald J. Otey, Jr., died on November 17, 2009, and his interest in what is known as Oak Cove Road passed by operation of law to the surviving tenant by the entirety, Lucille H. Otey, and

Whereas, Lucille H. Otey died on June 10, 2020, and by her Will, dated February 12, 2004, and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City contemporaneously with the recording of this deed, she devised her property to the Trustees of the Lucille H. Otey Revocable Living Trust under Agreement dated February 12, 2014 (Lucille Otey Trust"),

Whereas, certain Grantees have requested that the implied easement for access to their

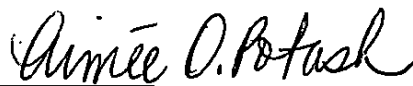
parcels over Oak Cove Road be confirmed by a granted easement and the Trustees of the Lucille Otey Trust, as record title holders of the fee interest, have agreed to do so, as well as to confirm the easement of right of way to all lots on Oak Cove Road,

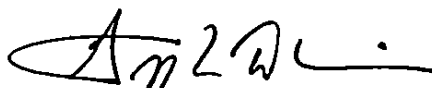
Now therefore, witnesseth:

That for and in consideration of the premises, the Grantors do hereby GRANT, CONVEY and CONFIRM, by quitclaim and without warranty of title or of condition, unto the Grantees, and to each of them a perpetual, non-exclusive easement of right of way for access to State Rt. 673 (Cypress Drive), appurtenant to the respective lot or lots of each Grantee, over and across the strip of land approximately fifty feet in width, bounded on the West by the eastern boundaries of the lots of the Grantees, on the north by the right of way of State Rt. 673 (Cypress Drive), on the east by the western boundary of PARCEL 3B, 20.2956 acres as shown on a plat at Plat Book 24, page 59, and on the south by Parcel 3A, 3.8659 Ac. as shown on a plat at Deed Book 125, page 373.

The Grantors make no representation, guaranty or covenant as to the accuracy of the recitals above, the title(s) to the properties of the grantees, or the rights or obligations of the Grantors to convey and/or confirm the easement described above.

WITNESS the following signatures and seals:

  
\_\_\_\_\_(SEAL)  
AIMEE O. POTASH, CO-TRUSTEE of the  
LUCILLE H. OTEY REVOCABLE LIVING TRUST  
under Agreement dated February 12, 2004

  
\_\_\_\_\_(SEAL)  
GREGORY R. DAVIS, CO-TRUSTEE of the  
LUCILLE H. OTEY REVOCABLE LIVING TRUST  
under Agreement dated February 12, 2004

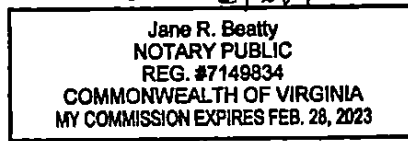
STATE OF VIRGINIA

CITY/COUNTY OF James City

I, the undersigned authority, do hereby certify that Aimee O. Potash, Co-Trustee of the Lucille H. Otey Revocable Living Trust under Agreement dated February 12, 2004, whose name is signed to the foregoing instrument dated December 14, 2021, has acknowledged the same before me in my jurisdiction this 17 day of December, 2021.

*Jane R. Beatty*

Notary Public  
Notary Registration No. 7149834  
My Commission Expires: 2/28/23



STATE OF VIRGINIA

CITY/COUNTY OF James City

I, the undersigned authority, do hereby certify that Gregory R. Davis, Co-Trustee of the Lucille H. Otey Revocable Living Trust under Agreement dated February 12, 2004, whose name is signed to the foregoing instrument dated December 14, 2021, has acknowledged the same before me in my jurisdiction this 15<sup>th</sup> day of December, 2021.

*Kaitlin Elizabeth Shay Lorenzen*

Notary Public  
Notary Registration No. 7625358  
My Commission Expires: Aug 31, 2023



INSTRUMENT 210024957  
RECORDED IN THE CLERK'S OFFICE OF  
WMSBG/JAMES CITY CIRCUIT ON  
DECEMBER 27, 2021 AT 10:37 AM  
MONA A. FOLEY, CLERK  
RECORDED BY: VYS