

This document was prepared by:
Rivanna Water and Sewer Authority
695 Moores Creek Lane
Charlottesville, Virginia 22902

Tax Map and Parcel Number 04500-00-00-066B0

This deed is exempt from taxation under Virginia Code § 58.1-811(A)(3) and from Court Clerk's fees under Virginia Code § 17.1-266.

This **DEED OF EASEMENT**, made this ____ day of May, 2024 by and between **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, Grantor ("Property Owner"), and **RIVANNA WATER AND SEWER AUTHORITY**, a body politic and corporate created pursuant to the Virginia Water and Waste Authorities Act, whose address is 695 Moores Creek Lane, Charlottesville, Virginia 22902, Grantee (the "Authority").

WITNESSETH:

WHEREAS, the Authority has requested and Property Owner has agreed to grant the Authority the various easements shown on the plat attached hereto and recorded herewith entitled "Plat Showing RWSA Permanent Waterline Easements and Temporary Construction Easements to be Acquired by Rivanna Water and Sewer Authority on Albemarle Tax Map Parcel 45-66B on the Land of County of Albemarle, Rio Magisterial District, Albemarle County, Virginia" prepared by Rinker Design Associates, P.C. dated September 20, 2022, last revised March 9, 2023 (the "Plat"); and

WHEREAS, as shown on the Plat, the proposed easements cross a portion of the property conveyed to Property Owner by deed dated September 4, 2018, and recorded in the Clerk's Office of the Circuit Court of the County of Albemarle on September 20, 2018, in Deed Book 5096, page 538 (Instrument Number 201800010558) (the "Vesting Deed"), and Property Owner is the fee simple owner of the said property as of the date hereof.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Property Owner does hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE unto the Authority a perpetual right of way and easement to construct, install, operate, maintain, repair, replace, relocate and extend a water line consisting of pipes, equipment, and appurtenances to such pipes and equipment, over, under and across the real property of Property Owner located in the County of Albemarle, Virginia, and to access any other adjacent easement held by the Authority, the location and width of the easement hereby granted and the boundaries of the property being more particularly described and shown on the Plat as "40' RWSA PERMANENT WATERLINE ESMT. (HEREBY GRANTED) AREA 1," and "RWSA PERMANENT WATERLINE ESMT. (HEREBY GRANTED) AREA 2" (collectively, the "Water Easements"). Reference is made to the Plat for the exact location and dimension of the Water Easements hereby granted and the property over which the same crosses.

Further, Property Owner does hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE unto the Authority two temporary construction easements each for a term so long as necessary to construct and install those certain water lines comprising the RWSA South Fork Rivanna River Crossing Water Main project (the "Project"), of which the water line to be constructed in the Water Easements (the "Water Line") is a part, and to do all things reasonably necessary and incident to such construction, provided that such term not exceed 10 years from the execution of this deed. The location and size of the temporary construction easements hereby granted and the boundaries of the property are more particularly described and shown on the Plat as "TEMPORARY CONSTRUCTION ESMT. (HEREBY GRANTED) AREA 1," and "TEMPORARY CONSTRUCTION ESMT. (HEREBY GRANTED) AREA 2" (collectively, the

“Temporary Construction Easements”). Reference is made to the Plat for the exact location and dimension of the Temporary Construction Easements hereby granted and the property over which the same crosses. The Temporary Construction Easements shall each automatically terminate upon the expiration of the above-described term.

The Authority acknowledges that this Deed of Easement remains subject to the Virginia Open-Space Land Act, Virginia Code § 10.1-1700, et seq. (the “Act”), as required by the Vesting Deed. Property Owner warrants that it has all power and authority to convey this Deed of Easement. The Authority agrees to carry out all work in connection with the Project consistent with the plans prepared by Michael Baker International entitled “South Fork Rivanna River Crossing 24” Water Main RFB No. 400 Erosion and Sediment Control Plan WPO 2023-00031” (the “WPO Plan”), as such WPO Plan is approved by Albemarle County. Except as may be otherwise required by the WPO Plans, the Authority agrees (i) to construct and install the Water Line under the Rivanna River through the use of a trenchless horizontal directional drill (“HDD”), (ii) to cause no disturbance to the South Fork Rivanna River riverbed or to the wetlands within the Water Easements or the Temporary Construction Easements, (iii) to install silt fences and barrier fencing around all wetlands within the Water Easements or the Temporary Construction Easements during any activities that may subject such wetlands to sedimentation, and (iv) to repair and restore all surfaces within the Water Easements and the Temporary Construction Easements as nearly as reasonably possible to their prior condition, including but not limited to needed soil stabilization, replacement of ground cover, and spot improvements, as well as general site cleanup.

Easement Obstructions

Property Owner, its successors or assigns, agree that trees, shrubs, fences, buildings, overhangs or other improvements or obstructions shall not be located within the Water Easements, or the Temporary Construction Easements (during the term thereof). The Water Easements, and the Temporary Construction Easements (during the term thereof) shall include the right of the Authority to cut any trees, brush, and shrubbery, remove obstructions, and take other similar action reasonably necessary to provide economical and safe water line installation, operation, and maintenance. The Authority shall have no responsibility to Property Owner, its successors or assigns, to replace or reimburse the cost of trees, brush, shrubbery, or other obstructions located in the Water Easements, or the Temporary Construction Easements (during the term thereof) if cut or removed or otherwise damaged.

Easement Access and Maintenance

As part of the Water Easements and the Temporary Construction Easements, the Authority shall have the right to enter upon the above-described property within the Water Easements and the Temporary Construction Easements (during the term thereof) for the purpose of installing, constructing, operating, maintaining, repairing, replacing, relocating and extending the above-described water line and appurtenances thereto within the Water Easements; and in addition, the Authority shall have the right of ingress and egress thereto as reasonably necessary to construct, install, operate, maintain, repair, replace, relocate and extend such water lines. If the Authority is unable to reasonably exercise the right of ingress and egress over the right-of-way, the Authority shall have the right of ingress and egress over the property of Property Owner adjacent to the right-of-way, and shall restore surface conditions of such property adjacent to the right-of-way as nearly as practical to the same condition as prior to the Authority's exercise of such right.

Excavation

Whenever it is necessary to excavate earth within the Water Easements or the Temporary Construction Easements (during the term thereof), the Authority agrees to backfill such excavation in a proper and workmanlike manner so as to restore surface conditions as nearly as practical to the same condition as prior to excavation, including restoration of such paved surfaces as may be damaged or disturbed as part of such excavation.

Ownership of Facilities

The facilities constructed within the Water Easements shall be the property of the Authority, its successors and assigns, which shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations, and connections to or extensions of its facilities within the boundaries of the Water Easement as are consistent with the purposes expressed herein.

SIGNATURES ON FOLLOWING PAGES

WITNESS the following signatures and seals:

**PROPERTY OWNER:
COUNTY OF ALBEMARLE, VIRGINIA**

Jeffrey B. Richardson, County Executive
(SEAL)

COMMONWEALTH OF VIRGINIA
COUNTY OF ALBEMARLE, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Jeffrey B. Richardson, County Executive, on behalf of the County of Albemarle, Virginia.

Notary Public

My commission Expires: _____ Commission No.: _____

Approved as to Form:

Albemarle County Attorney

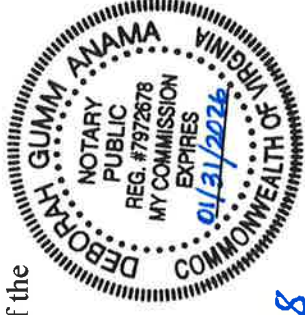
GRANTEE:
RIVANNA WATER AND SEWER AUTHORITY

W. I. Mawyer, Jr. (SEAL)
Williams I. Mawyer, Jr., Executive Director

COMMONWEALTH OF VIRGINIA
COUNTY OF ALBEMARLE, to wit:

The foregoing instrument was acknowledged before me this 23rd day of April, 2024, by William I. Mawyer, Jr., Executive Director, on behalf of the Rivanna Water and Sewer Authority.

Deborah Gumm Anama
Notary Public



My commission Expires: January 31, 2026 Commission No.: 7972678

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N72°55'01"W	20.27'
L2	N49°05'41"W	15.25'
L3	N49°05'41"W	94.74'
L4	N40°54'19"E	125.72'
L5	S66°25'40"E	60.00'
L6	S19°51'50"W	100.00'
L7	N66°25'40"W	60.00'
L8	N19°51'50"E	100.00'
L9	S49°47'19"E	58.18'
L10	S51°11'45"E	96.69'
L11	S46°01'57"W	15.00'
L12	S38°04'20"E	68.55'
L13	N66°24'54"W	29.07'

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1610.28'	261.29'	130.93'	261.00'	S63°54'46"E	9°17'49"
C2	775.00'	245.07'	123.57'	244.05'	N59°37'12"W	18°07'05"
C3	2025.00'	80.02'	40.01'	80.01'	N67°32'49"W	2°15'50"

AREA TABULATION

RWSA PERMANENT WATERLINE EASEMENT (AREA 1)	18,020 SQ. FT	0.4137 ACRE
RWSA PERMANENT WATERLINE EASEMENT (AREA 2)	11,813 SQ. FT	0.2712 ACRE
RWSA PERMANENT WATERLINE EASEMENT (TOTAL)	29,833 SQ. FT	0.6849 ACRE
TEMPORARY CONSTRUCTION EASEMENT (AREA 1)	12,907 SQ. FT	0.2963 ACRE
TEMPORARY CONSTRUCTION EASEMENT (AREA 2)	2,488 SQ. FT	0.0571 ACRE
TEMPORARY CONSTRUCTION EASEMENT (TOTAL)	15,395 SQ. FT	0.3534 ACRE

SURVEYOR'S CERTIFICATE

I, NICHOLAS KOUGOULIS, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE PROPERTY SHOWN HEREON IS NOW IN THE NAME OF COUNTY OF ALBEMARLE AS RECORDED IN DEED BOOK 506 AT PAGE 538 AMONG THE LAND RECORDS OF ALBEMARLE COUNTY, VIRGINIA.

NICHOLAS KOUGOULIS
LAND SURVEYOR

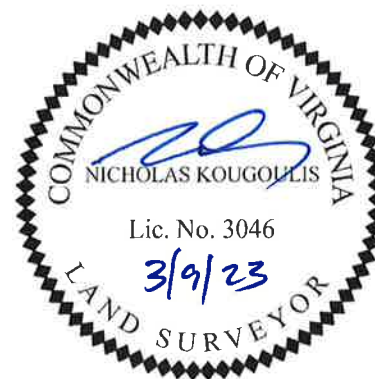
NOTES

1. THE PARCEL IDENTIFICATION NUMBER FOR THE PROPERTY SHOWN HEREON IS 04500-00-00-066B0.
2. NO TITLE REPORT FURNISHED. THIS PLAT IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.
3. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON DEEDS AND PLATS OF RECORD.



VICINITY
SCALE:

PLAT SHOWN
RWSA PERMANENT WATERLINE
AND TEMPORARY CONSTRUCTION EASEMENTS
TO BE ACQUIRED BY THE
RIVANNA WATER AND SEWER AUTHORITY
ON ALBEMARLE TAX MAP NO. 1
ON THE LAND RECORDS OF
COUNTY OF ALBEMARLE
RIO MAGISTERIA
ALBEMARLE COUNTY
SCALE: 1"=100' SEE
REVISED MARCH 2011
SHEET 1



1 inch = 100 feet

PLAT SHOWING
**RWSA PERMANENT WATERLINE EASEMENTS
 AND TEMPORARY CONSTRUCTION EASEMENTS**

TO BE ACQUIRED BY
RIVANNA WATER AND SEWER AUTHORITY

ON ALBEMARLE TAX MAP PARCEL 45-66B

ON THE LAND OF

COUNTY OF ALBEMARLE

RIO MAGISTERIAL DISTRICT
 ALBEMARLE COUNTY, VIRGINIA

SCALE: 1"=100' SEPTEMBER 20, 2022

REVISED MARCH 9, 2023

SHEET 2 OF 3

TEMPORARY
 CONSTRUCTION ESMT.
 (HEREBY GRANTED) AREA 1

40' RWSA PERMANENT
 WATERLINE ESMT.
 (HEREBY GRANTED) AREA 1

PARCEL ID: 04500-00-00-066B0
COUNTY OF ALBEMARLE
 D.B. 5096 PG. 538

PARCEL ID:
 04500-00-00-06700
**RIVANNA WATER &
 SEWER AUTHORITY**
 D.B. 836 PG. 556

PARCEL ID:
 04500-00-00-06807
**COMMONWEALTH
 OF VIRGINIA**
 NO DEED LISTED

PARCEL ID: 04600-00-00-018D0
CRAFTON CORPORATION
 D.B. 624, PG. 196

RIO MILLS RD. RTE 643
 30' PRESCRIPTIVE EASEMENT

TEMPORARY CONSTRUCTION ESMT.
 (HEREBY GRANTED) AREA 2

BERKMAR DRIVE
 VDOT PLAN #9999-002-RW-201
 120' RIGHT OF WAY

PARCEL ID: 04500-00-00-066B0
COUNTY OF ALBEMARLE
 D.B. 5096 PG. 538

PARCEL ID:
 04500-00-00-068D0
LANDSHARK LLC
 D.B. 5527 PG. 787



PLAT SHOWING
**RWSA PERMANENT WATERLINE EASEMENTS
 AND
 TEMPORARY CONSTRUCTION EASEMENTS**
 TO BE ACQUIRED BY
RIVANNA WATER AND SEWER AUTHORITY
 ON ALBEMARLE TAX MAP PARCEL 45-66B
 ON THE LAND OF
COUNTY OF ALBEMARLE

RIO MAGISTERIAL DISTRICT
 ALBEMARLE COUNTY, VIRGINIA
 SCALE: 1"=100' SEPTEMBER 20, 2022
 REVISED MARCH 9, 2023
 SHEET 3 OF 3

PARCEL ID: 04500-00-00-066B0
COUNTY OF ALBEMARLE
 D.B. 5096 PG. 538

BERKMAR DRIVE
 VDOT PLAN #9999-002-RW-201
 120' RIGHT OF WAY
 N40°54'19"E 475.23'

PARCEL ID: 04500-00-00-066B1
**VIRGINIA ELECTRIC AND
 POWER COMPANY**
 D.B. 801 PG. 553

PARCEL ID: 04500-00-00-066B0
COUNTY OF ALBEMARLE
 D.B. 5096 PG. 538

N54°27'32"W
 120.53' (TIE)

PARCEL ID:

04500-00-00-068D0

LANDSHARK LLC

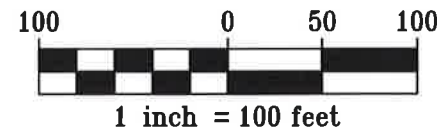
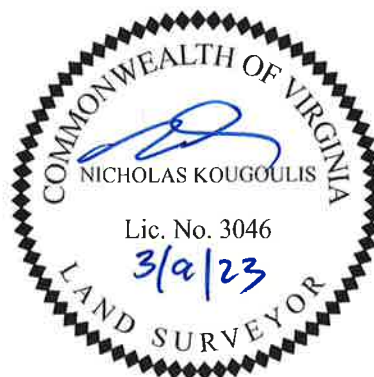
D.B. 5527 PG. 787

P/L IS C/L OF RIVANNA RIVER
 N49°36'43"W 586.42'

PARCEL ID: 04600-00-00-018D0
CRAFTON CORPORATION
 D.B. 624, PG. 196

RIO MILLS RD. RTE 643
 30' PRESCRIPTIVE EASEMENT

RWSA PERMANENT
 WATERLINE ESMT.
 (HEREBY GRANTED)
 AREA 2



VCS 1983 NORTH (SOUTH ZONE)