

**TM NO.: 91-2**

This **DEED OF EASEMENT**, made this 15<sup>th</sup> day of January 2009, by and between the **COUNTY SCHOOL BOARD OF ALBEMARLE COUNTY, VIRGINIA** (Grantor), 401 McIntire Road, Charlottesville, Virginia 22902, and the **ALBEMARLE COUNTY SERVICE AUTHORITY (the ACSA)**, (Grantee), whose address is 168 Spotnap Road, Charlottesville, VA 22911.

**WITNESSETH:**

That for and in consideration of the sum of ONE DOLLAR (\$1.00), receipt of all of which is hereby acknowledged, the Grantor does hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE unto the Albemarle County Service Authority a perpetual right of way and easement to construct, install, maintain, repair, replace and extend water and sewer mains, each consisting of pipes and appurtenances thereto, over, under and across the real property of the Grantor located in Albemarle County, Virginia, described as Monticello High School, the location of the easement granted and the boundaries of the property being more particularly described on the following plat:

A 8,137 sq. ft. (0.187 Acre) permanent Waterline easement shown and described as Variable Width Waterline Easement on the Plat by Timmons Group, Paul N. Huber, Land Surveyor, dated Oct. 8, 2008, entitled "Plat Showing a Variable Width Waterline Easement to be Dedicated and a Portion of a Variable Width Waterline Easement to be Vacated Across the Property of the County School Board of Albemarle County, Virginia," (the "Plat") as it crosses property of the Grantor shown and described on the Plat and acquired by the Grantor in Deed Book 1740, Page 559, and as further described in the "Detail" on page 2 of 2 of the Plat.

Furthermore, the Grantor hereby VACATES and RELEASES all of its right, title and interest in and to the 5,648 sq. ft. (0.130 Acre) existing Waterline Easement depicted on the Plat in the "Detail," page 2 of 2 of the Plat.

Reference is made to the Plat, a copy of which is attached hereto to be recorded herewith, for the exact location and dimension of the permanent easement hereby granted and the property over which the same crosses.

As part of the easement the ACSA shall have the right to enter upon the above described property within the easement for the purpose of installing, constructing, maintaining, repairing, replacing and extending a water line and appurtenances thereto, within such easement and the right of ingress and egress thereto as reasonably necessary to construct, install, maintain, repair, replace and extend such water line. If the ACSA is unable to reasonably exercise the right of ingress and egress over the right-of-way, the ACSA shall have the right of ingress and egress over the property of Grantor adjacent to the right-of-way.

Whenever it is necessary to excavate earth within such easement, the ACSA agrees to backfill such excavation in a proper and workmanlike manner so as to restore surface conditions 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.

The easement provided for herein shall include the right of the ACSA, 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 ACSA shall have no responsibility to the Grantor, their successors or assigns, to replace or reimburse the cost of said trees, brush, shrubbery and obstructions that are removed or otherwise damaged.

The facilities constructed by ACSA within the permanent easement shall be the property of the ACSA 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 permanent easement as are consistent with the purposes expressed herein.

**WITNESS** the following signature and seal:

COUNTY SCHOOL BOARD OF  
ALBEMARLE COUNTY, VIRGINIA

By: \_\_\_\_\_(SEAL)  
\_\_\_\_\_

STATE OF VIRGINIA  
COUNTY/CITY OF \_\_\_\_\_, to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2009, by \_\_\_\_\_, \_\_\_\_\_ of the County School Board of Albemarle County, Virginia.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
I.D. No. \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Albemarle County Attorney's Office

OWNERS CONSENT STATEMENT:

THE DIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE  
CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE  
UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES. ANY  
REFERENCE TO FUTURE POTENTIAL DEVELOPMENT IS TO BE DEEMED  
AS THEORETICAL ONLY. ALL STATEMENTS AFFIXED TO THIS PLAT  
ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

COUNTY SCHOOL BOARD OF  
ALBEMARLE COUNTY, VIRGINIA

CHAIRMAN

DATE

COMMONWEALTH OF VIRGINIA

\_\_\_\_\_ OF \_\_\_\_\_ } TO WIT  
I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE  
(PRINT NAME)  
\_\_\_\_\_ OF \_\_\_\_\_ COMMONWEALTH OF VIRGINIA,

DO HEREBY CERTIFY THAT:

\_\_\_\_\_ (PRINT NAME)  
WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HAS  
ACKNOWLEDGED THE SAME BEFORE ME IN MY \_\_\_\_\_ AND  
COMMONWEALTH AFORESAID

GIVEN UNDER MY HAND AND SEAL THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2008.

NOTARY PUBLIC

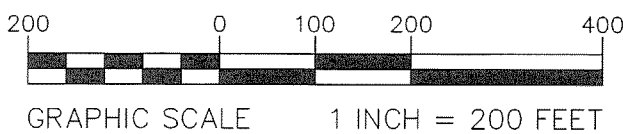
MY COMMISSION EXPIRES

COUNTY OF ALBEMARLE  
PLANNING COMMISSION

DESIGNATED AGENT

DATE

• DENOTES IRON ROD FOUND UNLESS  
OTHERWISE INDICATED



N/F  
LAKESIDE ASSOCIATES II  
LIMITED PARTNERSHIP  
D.B. 1381 PG. 128  
TAX PARCEL NO.:  
07700-00-00-04600

N/F  
COMMONWEALTH OF VIRGINIA  
(STATE BOARD FOR  
COMMUNITY COLLEGES) D.B.  
853 PG. 327  
TAX PARCEL NO.:  
077E1-00-00-001B0

N/F  
WILLOW LAKES PROPERTY  
OWNERS ASSOCIATION  
D.B. 1261 PG. 160  
TAX PARCEL NO.:  
077E1-01-00-000A2

N/F  
WILLOW LAKES PROPERTY  
OWNERS ASSOCIATION  
D.B. 1248 PG. 700  
TAX PARCEL NO.:  
077E1-02-00-00900  
(COMMON AREA)

N/F  
CATHERINE C. D'AURIA &  
DOMENICO D'AURIA  
D.B. 2595 PG. 747  
TAX PARCEL ID NO.  
077E1-02-00-00900  
1480 WILLOW LAKE DRIVE  
LOT 9 WILLOW LAKE SUBDIVISION

EXISTING  
VARIABLE  
WIDTH ACSA  
WATERLINE  
EASEMENT  
D.B. 1817  
PG. 3

EXISTING  
20' ACSA  
SANITARY SEWER  
EASEMENT  
D.B. 1817  
PG. 3

EXISTING  
VARIABLE WIDTH ACSA  
WATERLINE EASEMENT  
D.B. 1817 PG. 3

MILL CREEK DRIVE  
100' R/W

N/F  
WILLOW LAKE  
SUBDIVISION  
D.B. 875 PG. 47  
D.B.1173 PG. 146

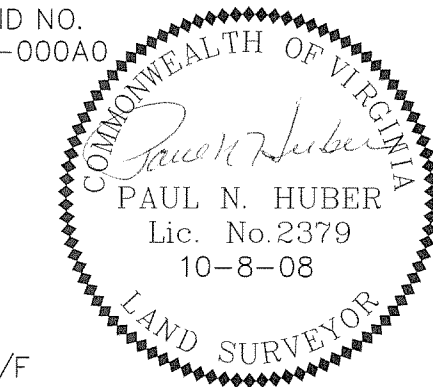
N/F  
WILLOW LAKES PROPERTY  
OWNERS ASSOCIATION  
D.B. 1261 PG. 160  
TAX PARCEL NO.:  
077E1-01-00-000A2

N/F  
WILLOW LAKE SUBDIVISION  
D.B. 875 PG. 47  
D.B.1173 PG. 146

N/F  
REPUBLIC HOMES  
INVESTMENT  
CORPORATION  
D.B. 1222 PG. 450  
TAX PARCEL ID NO.  
077E1-02-00-000A0

EXISTING 20' ACSA  
WATERLINE  
EASEMENT  
D.B. 1173 PG. 150

N/F  
STONE CREEK LIMITED  
PARTNERSHIP  
D.B. 2146 PG. 189  
TAX PARCEL ID NO.  
09100-00-00-002C0



NOTES:

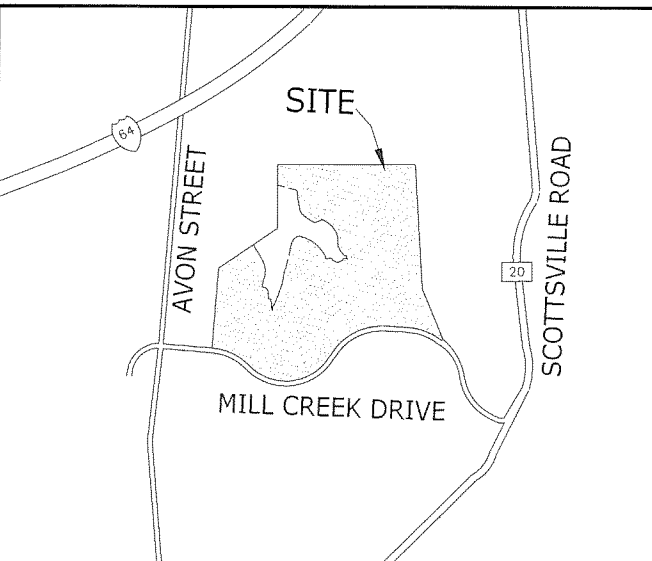
1. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF  
A TITLE BINDER, THEREFORE ALL EXISTING  
EASEMENTS MAY NOT BE SHOWN
2. ZONING DESIGNATION R-15
3. THIS PARCEL LIES WITHIN THE MOORES CREEK  
WATERSHED
4. BOUNDARY IS COMPILED FROM RECORDED  
INFORMATION FOUND IN THE CLERK'S OFFICE OF THE  
CIRCUIT COURT, ALBEMARLE COUNTY, VIRGINIA
5. THE PARCEL OF LAND SHOWN HEREON IS IN ZONE 'X'  
OF THE FEMA DEFINED FLOOD AREA AS SHOWN ON  
PANEL NUMBERS 51003C0426D & 51003C0288D  
DATED FEBRUARY 4, 2005

CURVE TABLE

| CURVE | RADIUS  | LENGTH  | TANGENT | DELTA      | CHORD BEARING | CHORD   |
|-------|---------|---------|---------|------------|---------------|---------|
| C1    | 612.96' | 69.32'  | 34.70'  | 6°28'47"   | N19°24'15"W   | 69.28'  |
| C2    | 532.96' | 987.51' | 709.35' | 106°09'45" | S69°14'44"E   | 852.19' |
| C3    | 612.96' | 674.17' | 375.75' | 63°01'03"  | S89°10'55"W   | 640.70' |
| C4    | 612.96' | 390.61' | 202.20' | 36°30'44"  | N41°03'11"W   | 384.04' |

PLAT SHOWING A VARIABLE WIDTH  
WATERLINE EASEMENT TO BE  
DEDICATED AND A PORTION OF A  
VARIABLE WIDTH WATERLINE  
EASEMENT TO BE VACATED  
ACROSS THE PROPERTY OF THE  
COUNTY SCHOOL BOARD OF  
ALBEMARLE COUNTY, VIRGINIA

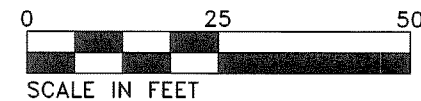
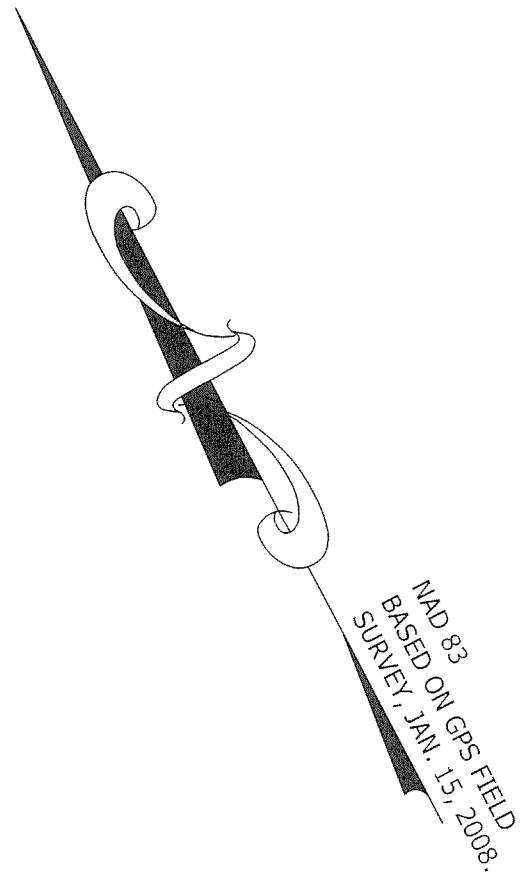
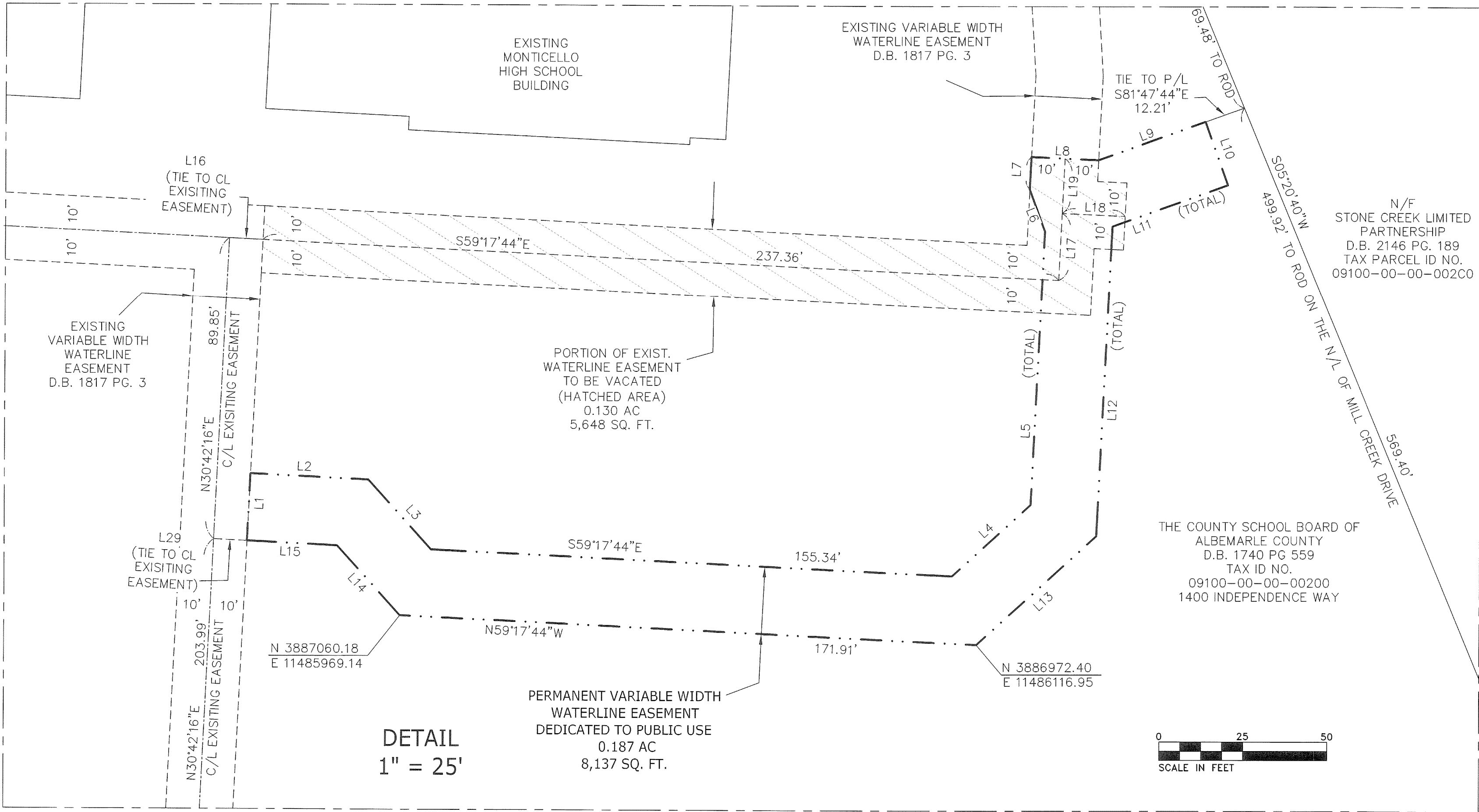
|                      |                      |
|----------------------|----------------------|
| SCOTTSVILLE DISTRICT | Albemarle County, Va |
| DATE: OCT. 8, 2008   | SCALE: 1" = 200'     |
| SHEET 1 OF 2         | J.N.: 23068          |
| DRAWN BY: R.L.W.     | CHECK BY: P.N.H.     |



VICINITY MAP  
1"=2000'

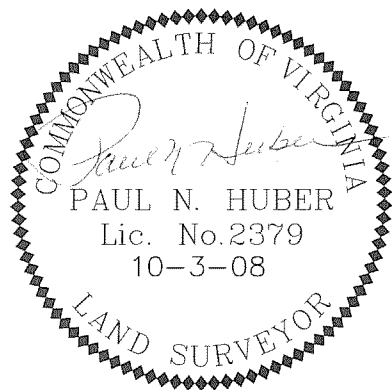


TIMMONS GROUP



DETAIL  
1" = 25'

| LINE TABLE |             |          | LINE TABLE |             |          |
|------------|-------------|----------|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE | LINE       | BEARING     | DISTANCE |
| L1         | N30°42'16"E | 20.00'   | L17        | N30°42'16"E | 20.00'   |
| L2         | S59°17'44"E | 35.17'   | L18        | S59°17'44"E | 18.76'   |
| L3         | S14°17'44"E | 27.90'   | L19        | N30°42'16"E | 16.29'   |
| L4         | N75°42'16"E | 31.55'   | L29        | N59°17'44"W | 10.00'   |
| L5         | N30°42'16"E | 81.57'   | L30        | S67°12'11"W | 20.00'   |
| L6         | N07°54'01"E | 13.39'   | L31        | S42°58'16"E | 190.40'  |
| L7         | N30°42'16"E | 9.64'    | L32        | S06°35'16"E | 236.86'  |
| L8         | S59°17'44"E | 20.00'   | L33        | S41°24'27"E | 120.05'  |
| L9         | S81°47'44"E | 33.84'   | L34        | N80°20'59"E | 143.49'  |
| L10        | S08°12'16"W | 20.00'   | L35        | N32°04'28"E | 63.38'   |
| L11        | N81°47'44"W | 36.50'   | L36        | N23°24'44"W | 90.61'   |
| L12        | S30°42'16"W | 92.34'   | L37        | N15°11'56"E | 213.77'  |
| L13        | S75°42'16"W | 48.12'   | L38        | N22°47'13"W | 183.29'  |
| L14        | N14°17'44"W | 27.90'   | L39        | N78°34'17"W | 101.43'  |
| L15        | N59°17'44"W | 26.89'   | L40        | N26°06'46"W | 143.02'  |
| L16        | N59°17'44"W | 10.00'   |            |             |          |



PLAT SHOWING A VARIABLE  
WIDTH WATERLINE EASEMENT TO  
BE DEDICATED AND A PORTION OF  
A VARIABLE WIDTH WATERLINE  
EASEMENT TO BE VACATED  
ACROSS THE PROPERTY OF THE  
COUNTY SCHOOL BOARD OF  
ALBEMARLE COUNTY, VIRGINIA

|                      |                      |
|----------------------|----------------------|
| SCOTTSVILLE DISTRICT | Albemarle County, Va |
| DATE: OCT. 8, 2008   | SCALE: 1" = 25'      |
| SHEET 2 OF 2         | J.N.: 23068          |
| DRAWN BY: R.L.W.     | CHECK BY: P.N.H.     |
|                      |                      |