

TM NO.:

This **DEED OF EASEMENT**, made this 4th day of June 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 Stone-Robinson Elementary School, the location of the easement granted and the boundaries of the property being more particularly described on the following plat:

A new section of Waterline shown and described as "New Section of Waterline" on the Plat by Roudabush, Gale & Associates, Inc., dated August 15, 2006, entitled "Plat Showing Revision to Waterline Easement Previously Dedicated to Albemarle County Service Authority at D.B. 1475 P. 058 (Plat) Across a Portion of Parcel 23A, Tax Map 79 Property of Albemarle County School Board Located at Shadwell Albemarle County, Virginia," (the "Plat") as it crosses property of the Grantor shown and described on the Plat.

Furthermore, the Grantor hereby VACATES and RELEASES all of its right, title and interest in and to the existing Waterline Easement depicted on the area of the plat as “portion of existing easement to be abandoned upon the recordation of this 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

DENOTES NEW EASEMENT AREA TO
TO BE DEDICATED TO ALBEMARLE
COUNTY SERVICE AUTHORITY.
FROM 'A' TO 'B'.

DENOTES PORTION OF EXISTING EASEMENT
TO BE ABANDONED UPON THE RECORDATION
OF THIS PLAT.

NOTE: WATER LINE EASEMENT IS CENTERED ON
AS BUILT WATER LINE LOCATION.

T.M. 79 Par. 20
LUCK STONE, INC.
D.B. 496 p. 339 (Plat)
D.B. 590 p. 284

T.M. 79 Par. 21
MARY E. LANG
D.B. 390 p. 304

T. M. 79 PARCEL 23A
Albemarle County School Board
(Stone Robinson Elementary School)

PLAT SHOWING
REVISION TO WATER LINE EASEMENT
PREVIOUSLY DEDICATED TO ALBEMARLE COUNTY SERVICE AUTHORITY
AT D.B. 1475 P. 058 (Plat)
ACROSS A PORTION OF PARCEL 23A, TAX MAP 79
PROPERTY OF ALBEMARLE COUNTY SCHOOL BOARD
LOCATED AT SHADWELL
ALBEMARLE CO., VA.

ROUDABUSH, GALE & ASSOC., INC.
A Professional Corporation
CERTIFIED LAND SURVEYOR - ENGINEER
Charlottesville, Virginia

SCALE: 1" = 50'

REV: AUG. 15, 2006
DATE: JUNE 14, 1993