



COUNTY OF ALBEMARLE
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902-4596

Phone (434) 296-5832

Fax (434) 972-4126

December 7, 2017

David and Nancy Bass
813 Stevenson Place
Charlottesville VA 22903

RE: LOD2017-00024 - OFFICIAL DETERMINATION OF PARCELS OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 13300-00-00-00200, (Property of David H. & Nancy K. Bass) Samuel Miller Magisterial District, (the Property)

Dear Mr. and Mrs. Bass:

The County Attorney and I have reviewed the title information for the above-noted Property. It is the County Attorney's advisory opinion and my official determination that **Parcel ID 13300-00-00-00200** is comprised of four (4) parcels of record with a total of fifteen (15) theoretical developments rights. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 13300-00-00-00200 contains** 143.99 acres and (0) dwellings. The property is zoned RA, Rural Areas.

The most recent deed for parcel 13300-00-00-00200, recorded prior to December 10, 1980, the date of adoption of the Zoning Ordinance, is recorded in Deed Book 662, page 383, dated December 28, 1978.

PRIOR TO DECEMBER 10, 1980
Parcel ID 13300-00-00-00200

Deed Book / Page	Date	Parcel Change Y or N	Description	Total Acres
314 / 334	09/29/1954	N	This Deed conveyed to R. A. Yancey, "...the following lands...: Tract 1: ...containing 56.47 acres, more or less... Tract 2: ...containing 67 acres...more or less... Tract 3: containing 38 acres, more or less... Tract 4:...containing 2 acres, more or less..." This Deed establishes the four tracts as parcels of record, while combining two lots to create Tract 1.	56.47 67.175 38.00 2.00 163.645
355 / 211	12/31/1959	Y	This Deed conveyed, from R. A. Yancey and Anna B. Yancey, his wife, to the Charlottesville Education Foundation, "...all that certain tract or parcel of land...containing 2.31 acres, more or less,...shown and described on a plat or survey...which is attached hereto as part of this deed. The lands hereby conveyed constitute a portion of the lands which were conveyed to R. A. Yancey by deed...recorded in D. B. 314 p. 334." This Deed reduced the size of Tract 3 by 2.31 acres and had no effect on the other three tracts.	56.47 67.175 35.69 2.00 161.335

504 / 550	03/23/1972	N	"THIRD...all those certain tracts or parcels of land as follows: Tract 1: ...containing 56.47 acres, more or less... Tract 2: ...containing 67 acres... more or less... Tract 3: containing 38 acres, more or less... *Tract 4:... containing 2 acres, more or less... Said Tracts...are the same property...conveyed to R. A. Yancey...in Deed Book 314, page 334, except 2.31 acres...conveyed...in Deed Book 355, page 211." This Deed establishes the four tracts as parcels of record prior to December 18, 1980. * This does not reflect the 2.31 acres taken from Tract 3 in Deed Book 355, page 211, making it 161.335 acres.	56.47 67.175 38.00 2.00 163.645 (161.335)
589 / 492	02/10/1976	Y	This deed conveyed "6.386 acres..." off of Tract 1, leaving 50.084 acres. This "...is a portion of the land which was conveyed...in Deed Book 504, page 550." This Deed did not affect the other three tracts, but corrected the acreage in Tract 3 to reflect the 2.31 acres subtracted in Deed Book 355, page 211.	50.084 67.175 35.69 2.00 154.949
662 / 383	12/28/1978	Y	...all that certain tract or parcel of land...containing 148.994* acres of land, more or less, and being those four tracts described in Deed Book 314, page 334...SAVE AND EXCEPT 2.31 acres....and 6.386 acres...in Deed Book 589, page 492. This Deed had no affect on the four tracts or the parcel. *It appears that acreage was subtracted again from the 154.949, resulting in the lower figure of 148.994.	154.949

AFTER DECEMBER 10, 1980
Parcel ID 13300-00-00-00200

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres	Development Rights
778 / 99	09/30/1983	N	"...containing 148.994* acres, more or less, being all those four tracts described in...Deed Book 662, page 383. This Deed had no affect on the four tracts or the parcel.	154.955	16
3385 / 137	03/20/2007	Y	This Deed creates a 5 acre parcel off of Tract 3 as a gift to family. This Deed did not affect the other three tracts.	50.084 67.175 30.690 2.00 149.949	15
4886 / 633	03/15/2017	N	"All that certain tract or parcel of land...containing 143.99* acres, more or less, and shown on Albemarle County Tax Sheet 133 as Parcel 2, Being the same property conveyed...in Deed Book 778, page 99." This Deed should have referenced the 5.00 acres conveyed off of this parcel by Deed Book 3385, page 137, and thus, it had no affect on the four tracts.	149.949	15

On the basis of these deeds, Tax Map Parcel 13300-00-00-00200, comprised of four (4) parcels of record (Tracts 1-4), have acreage and theoretical development rights as follows:

Tract 1 is determined to be one (1) parcel of record, comprised of approximately 50.084 acres^{+/-}, containing 5 theoretical development rights;

Tract 2 is determined to be one (1) parcel of record, comprised of approximately 67.175 acres^{+/-}, containing 5 theoretical development rights;

Tract 3 is determined to be one (1) parcel of record, comprised of approximately 30.690 acres^{+/-}, containing 4 theoretical development rights;

Tract 4 is determined to be one (1) parcel of record, comprised of approximately 2.000 acres^{+/-}, containing 1 theoretical development right; Total 149.949

The parcels are entitled to the noted development rights if all other applicable regulations can be met. These development rights may only be utilized within the bounds of the original parcel of record with which they are associated. These development rights are theoretical in nature but do represent the maximum number of lots containing less than twenty one acres allowed to be created by right.

If you are aggrieved by this determination, you have a right to appeal it within thirty (30) days of this notice, in accordance with *Virginia Code* § 15.2-2311. If you do not file a timely appeal, this determination shall be final and unappealable.

An appeal may be taken only by filing an appeal application with the Zoning Administrator and the Board of Zoning Appeals, in accordance with Chapter 18, Section 34.3 of the Albemarle County Code, along with a fee of \$258 plus the actual cost of advertising the appeal for public hearing.

Applications for Appeal of the Zoning Administrator's Determination are available at the Department of Community Development located at 401 McIntire Road, Charlottesville, Virginia 22902 or online at www.albemarle.org/cdapps. This form applies to the appeal of a decision of the zoning administrator or any other administrative officer pertaining to the Zoning Ordinance.

Regulations pertaining to the filing of an appeal to the Board of Zoning Appeals are located in Chapter 18, Section 34.3 of the Albemarle County Code. They may be reviewed online at www.albemarle.org/countycodebza.

(Please note that our online documents are in Adobe Acrobat PDF format and must be viewed with the Adobe Acrobat Reader or an equivalent. A link to download the free plug-in is available at the bottom of www.albemarle.org/cdapps.)

If you have any questions, please contact me.

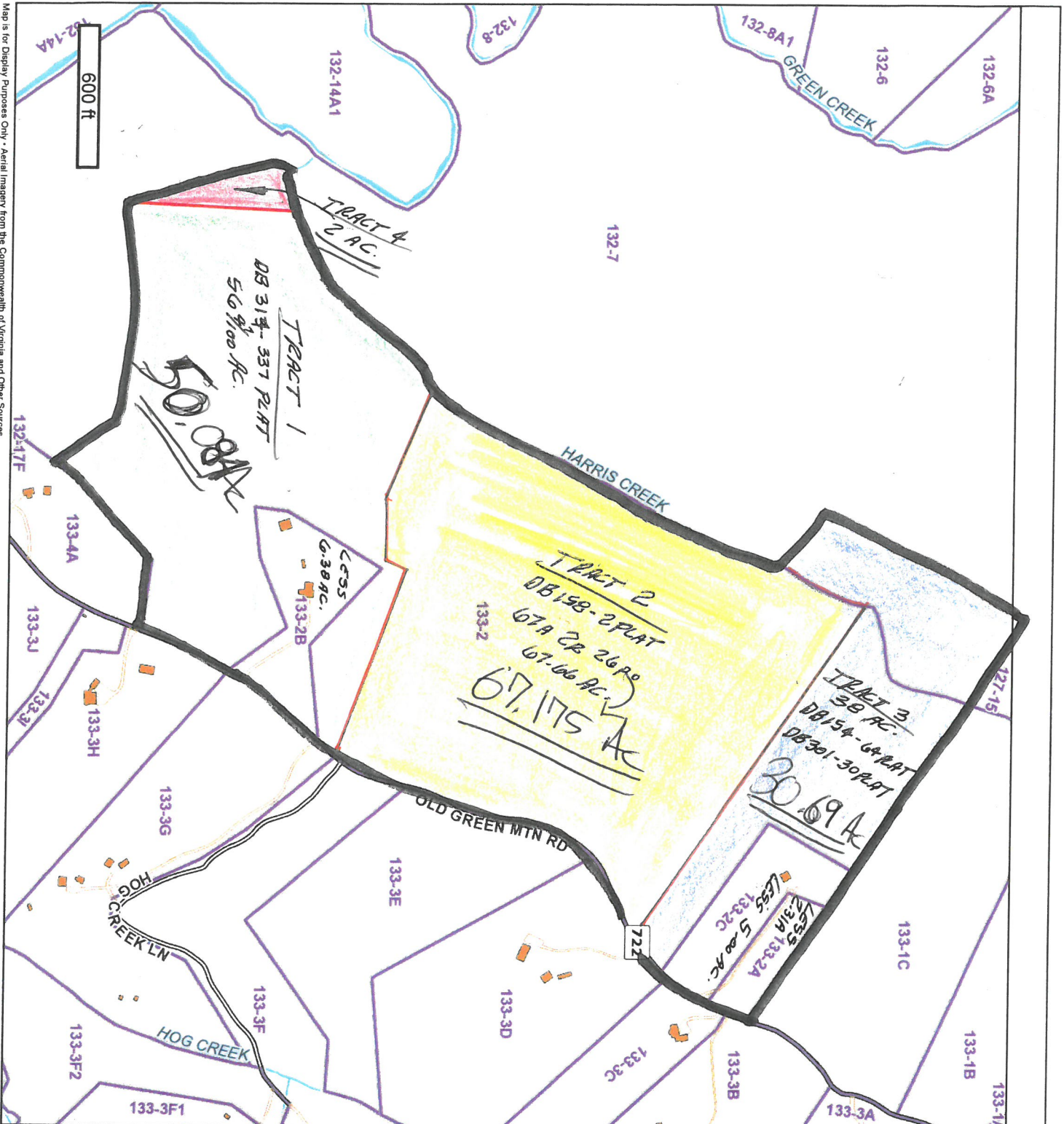
Sincerely,



Ronald L. Higgins, AICP
Chief of Zoning/Deputy Zoning Administrator

Attachment: Map delineating parcels of record

Copy: Sheila L. Conrad, Real Estate Tech, Real Estate
Claudette Borgerson, Clerk of the Board of
Supervisors



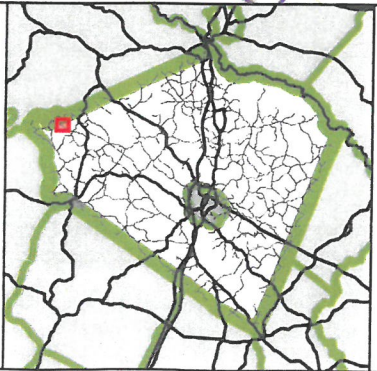
Legend

(Note: Some items on map may not appear in legend)

- Boundary
- Water
- Highway
- Power Line
- Structure
- Vegetation
- Topography
- Other

EXHIBIT "A"

4 PARCELS
DESCRIBED IN
SEVERAL DEEDS
WITH LESS AND
EXCEPT PARCELS



GIS-Web
Geographic Data Services
www.albemarle.org
(434) 296-5832