

Prepared by: Robin E. Walker (VSB # 73505)
Sands Anderson PC, 919 E. Main Street, Suite 2300, Richmond, Virginia 23219

Tax Map Parcel 570020000
Consideration: \$10.00

Prepared without the benefit of a title examination.

This deed is exempt from state recordation taxes pursuant to Va. Code Sec. 58.1-811(C)(4) and is exempt from the fees imposed by Va. Code Sec. 17-275 pursuant to Va. Code Sec. 17-266

THIS DEED OF VACATION OF EASEMENT (“Deed”) is made as of this _____ day of _____, 2024, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia (“City”), “Grantor”, and **BELMONT & CARLTON HOLDINGS, LLC**, a Virginia limited liability company, “Grantee”, whose address is 224 14th Street, N.W., Charlottesville, Virginia 22903.

RECITALS:

WHEREAS, Grantee owns certain real property in the City of Charlottesville, Virginia, shown on the 2024 Vacation Easement (as defined below); and

WHEREAS, a Deed of Vacation and Easement dated December 5, 2011, was recorded in the aforesaid Clerk’s Office as Instrument No. 2012000701 (the “Original Deed of Vacation”) which included an Easement Plat, dated July 28, 2011, last revised February 6, 2012, that established and dedicated, a 20’ permanent natural gas line easement and a 20’ permanent waterline easement, to the City as public utility easements, as more particularly shown on the Easement Plat of the Original Deed of Vacation and described below; and

WHEREAS, Grantee requested vacation and release of the Easements by the City, described as follows:

1. The gas line easement dedicated to the City as a public easement by the Original Deed of Vacation and, shown as an area on a plat entitled “EXHIBIT SHOWING PORTION OF 20’ PUBLIC GASLINE EASEMENT TO BE VACATED & WATERLINE EASEMENT TO BE VACATED TAX MAP 57 PARCEL 20 CITY OF CHARLOTTESVILLE, VA”, dated April 24, 2024, attached hereto as Exhibit A (the “2024 Vacation Plat”), said easement being labeled “20’ PUBLIC GASLINE EASEMENT INST#2012000701 PORTION LOCATED ON TMP 57-20 TO BE VACATED”; and
2. The waterline easement dedicated to the City as a public easement by the Original Deed of Vacation and, shown as an area the 2024

Vacation Plat labeled "20' PUBLIC WATERLINE EASEMENT
INST#2012000701~**TO BE VACATED~**."

Collectively, items (1) - (2) above shall be referred to herein as the "Vacated Easements."

WHEREAS, Grantee requested the City to vacate the Vacated Easements pursuant to Virginia Code Sec. 15.2-2270; and

WHEREAS, by ordinance adopted by City Council, attached hereto as Exhibit B, the execution of this Deed of Vacation of Easement was authorized.

WITNESSETH:

NOW, THEREFORE, for and in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Incorporation of Recitals. The above recitals are incorporated herein as matters of contract and not mere recitals.

2. Vacation of Easements. The City hereby does hereby VACATE, RELEASE and EXTINGUISH the Vacated Easements.

3. Abandonment. Any and all utility lines, pipes and facilities within the Vacated Easements (the "Facilities") are hereby abandoned by the City and upon recordation of this Deed automatically inure to the Grantee who hereby accepts the Facilities to the extent they exist in "as-is, where-is" condition. The City shall have no liability associated with the Facilities and Grantee shall indemnify and hold the City harmless against any claims or damages related to the Facilities or the Vacated Easements.

[Signatures Appear on the Following Page]

IN WITNESS WHEREOF, the Mayor of the City of Charlottesville, Virginia, has signed this Deed pursuant to an ordinance adopted _____, 2024.

WITNESS the following signatures and seals.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____
Juandiego Wade, Mayor

COMMONWEALTH OF VIRGINIA
City of Charlottesville, Virginia

The foregoing instrument was acknowledged before me, a Notary Public in and for the aforesaid City and Commonwealth, by Juandiego Wade, Mayor of the City of Charlottesville, Virginia, on this _____ day of _____, 202_.

Notary Public _____ Registration #: _____

Approved as to form:

Robin E. Walker
Name: Robin E. Walker
Sands Anderson, PC, Acting City Attorney

EXHIBIT A

2024 Vacation Plat

(see attached)

EXHIBIT B

Ordinance

(see attached)