THIS DOCUMENT WAS PREPARED BY:
JAMES P. COX, III, ESQUIRE, VSB #23021
MICHIE HAMLETT, PLLC
310 4th STREET, N.E., 2nd FLOOR, P.O. BOX 298
CHARLOTTESVILLE, VA 22902
(434) 951 7230

Tax Maps Identification: 08500-00-000-029A9
08500-00-000-034A0

Name of Title Insurance
Underwriter for Instrument: Unknown

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH

THIS DOCUMENT IS EXEMPT FROM RECORDATION TAXES UNDER SECTION 58.1-811A(10) OF THE CODE OF VIRGINIA.

DEED OF BOUNDARY ADJUSTMENT AGREEMENT AND CORRECTED DEED OF EASEMENT

This DEED OF BOUNDARY ADJUSTMENT AGREEMENT AND CORRECTED DEED OF EASEMENT (the "Agreement"), dated as of April __, 2022, by and between

Bradley A. DANIEL and Marcy L. DANIEL, CO-TRUSTEES of the DANIEL LIVING TRUST, DATED NOVEMBER 27, 2018 (First Grantor and Second Grantor, collectively Grantors), whose address is 938 Apero Way, El Dorado Hills, CA 95762, and

Richard C. CRISLER, III (First Grantee and Second Grantee), whose address is P.O. Box 53, Charlottesville, VA 22902, and

the COUNTY OF ALBEMARLE, VIRGINIA, (hereinafter ALBEMARLE COUNTY) a political subdivision of the Commonwealth of Virginia, a party of the third part to be indexed as a Grantor, and

the ALBEMARLE CONSERVATION EASEMENT AUTHORITY (formerly the ALBEMARLE COUNTY PUBLIC RECREATIONAL FACILITIES AUTHORITY)(hereinafter the AUTHORITY), a public recreational facilities authority established pursuant to Virginia Code §15.2-5600 *et seq*., and a political subdivision of the Commonwealth of Virginia, a party of the third part to be indexed as a Grantor, provides as follows:

RECITALS:

1. Bradley A. Daniel and Marcy L. Daniel, Co-Trustees of the Daniel Living Trust, Dated November 27, 2018 (the "Daniels"), are the owner of certain real property located in the County of Albemarle, Virginia, designated as Tax Map Parcel 08500-00-000-029A9 ("TMP 85-29A9").

2. Richard C. Crisler, III, is the owner of certain real property located in the County of Albemarle, Virginia, designated as Tax Map Parcel 08500-00-000-034A0 ("TMP 85-34A").

3. TMP 85-29A9 and TMP 85-34A are adjacent to each other.

4. Presently a small portion of the improvements located on TMP 85-34A and part of a driveway serving such improvements encroach on TMP 85-29A9.

5. The Grantors and the Grantee have caused a plat of survey to be made by Kirk Hughes and Associates, entitled "Plat Showing Parcels X . . . to Be Added to and Combined with TMP 85-34A and Parcels Y . . . To Be Added to and Combined with TMP 85-29A9 . . .," dated August 4, 2021 (the "Plat"), a copy of which Plat is attached hereto and made a part hereof.

6. In order to remedy the encroachments and maintain the same acreages for TMP 85-29A9 and TMP 85-34A, the Daniels and Crisler desire to adjust the boundary lines between TMP 85-29A9 and TMP 85-34A by:

a. Conveying Parcel X as shown on the Plat to TMP 85-34A; and

b. Conveying Parcel Y as shown on the Plat to TMP 85-29A9.

7. TMP 85-29A9 is subject to a Deed of Easement granted to the County of Albemarle, Virginia, and the Albemarle County Public Recreational Facilities Authority, now the Albemarle Conservation Easement Authority, by instrument recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia (the "Clerk's Office") in Deed Book 3159, page 98 (Instrument Number 200600002669 [the "Deed of Easement"]).

8. By Motion approved by the Authority on December 9, 2021 (the "Authority Motion") and by the Resolution approved by the Board of Supervisors for Albemarle County on April __, 2022, having found this to be consistent with the purposes of the Deed of Easement, such parties have agreed to join in this Agreement to:

a. Release Parcel X from the terms and conditions of the Deed of Easement; and

b. Accept and subject Parcel Y to the terms and conditions of the Deed of Easement.

NOW, THEREFORE, for and in consideration of the conveyance of Parcel Y, Bradley A. Daniel and Marcy L. Daniel, Co-Trustees of the Daniel Living Trust, Dated November 27, 2018, subject to the matters described herein, hereby grant and convey with special warranty to Richard C. Crisler, III, the following described real estate ("Parcel X"):

> All that certain lot or parcel of land with improvements thereon and appurtenances thereto belonging situated in the County of Albemarle, Virginia, consisting of 6,656 sq. ft., more or less, as shown and designated as Parcel X on the Plat.
>
> Being a portion of the property conveyed to Bradley A. Daniel and Marcy L. Daniel, Co-Trustees of the Daniel Living Trust, Dated November 27, 2018, by deed of Jesse W. Haden, dated May 7, 2021, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia (the "Clerk's Office") in Deed Book 5536, page 386.
>
> Parcel X shall be added to and become a part of TMP 85-34A.

Parcel X is expressly conveyed subject to all easements, conditions, restrictions, reservations, and other matters contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property hereby conveyed, which have not expired by a time limitation therein contained or otherwise become ineffective.

By the signatures hereto, Albemarle County and the Authority release Parcel X from the terms and conditions of the Deed of Easement and Parcel X is no longer subject to the terms and conditions of the Deed of Easement.

NOW, THEREFORE, for and in consideration of the conveyance of Parcel X, Richard C. Crisler, III, subject to the matters described herein, hereby grants and conveys with special warranty to Bradley A. Daniel and Marcy L. Daniel, Co-Trustees of the Daniel Living Trust, Dated November 27, 2018, the following described real estate ("Parcel Y"):

> All that certain lot or parcel of land with improvements thereon and appurtenances thereto belonging situated in the County of Albemarle, Virginia, consisting of 6,656 sq. ft., more or less, as shown and designated as Parcel Y on the Plat.
>
> Being a portion of the property conveyed to Bradley A. Daniel and Marcy L. Daniel, Co-Trustees of the Daniel Living Trust, Dated November 27, 2018, by deed of Jerry I. Barber, Jr., dated August 24, 1999, and recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia in Deed Book 1853, page 369.
>
> Parcel Y shall be added to and become a part of TMP 85-29A9.

TO HAVE AND TO HOLD Parcel Y, in fee simple, with the appurtenances thereunto belonging as Co-Trustees of the Daniel Living Trust, dated November 27, 2018, as the same may be amended from time to time, upon the trusts and for the uses and purposes set forth herein and in the Trust Agreement.

Full power and authority is hereby granted to the Co-Trustees, and their successors, to protect and conserve the property; to sell, contract to sell and grant options to purchase the property and any right, title, or interest therein on any terms; to exchange the property or any part thereof for any other real or personal property upon any terms; to convey the property or any part thereof by deed or other conveyance to any grantee, with or without consideration; to mortgage, pledge or otherwise encumber the property or any part thereof, with or without consideration; to lease, contract to lease, grant options to lease and renew, extend, amend and otherwise modify leases on the property or any part thereof from time to time, for any period of time, for any rental, and upon any other terms and conditions; and to release, convey or assign any other right, title or interest whatsoever in the property or any part thereof, with or without consideration.

No party dealing with the Co-Trustees, or their successors, in relation to the property in any manner whatsoever, and without limiting the foregoing, no party to whom the property or any part thereof or any interest therein shall be conveyed, contracted to be sold, leased or mortgaged by the Trustees shall be obliged (a) to see to the application of any purchase money, rent or money borrowed or otherwise advanced on the property; (b) to see that the terms of the Trust Agreement have been complied with; (c) to inquire into the authority, necessity or expediency of any act of the CoTrustees; or, (d) be privileged to inquire into any of the terms of the Trust Agreement.

Every deed, mortgage, lease, or other instrument executed by the Co-Trustees in relation to the property shall be conclusive evidence in favor of every person claiming any right, title or interest thereunder that (a) at the time of the delivery thereof this Trust was in full force and effect; (b) such instrument was executed in accordance with the trusts, terms and conditions hereof and of the Trust Agreement and all amendments thereof, if any, and is binding upon all beneficiaries thereunder, and their assignees, if any, (c) the CoTrustees were duly authorized and empowered to execute and deliver every such instrument, and (d) if a conveyance has been made to a successor or successors in trust, or an appointment of a successor or successors has been made as hereinafter provided for, such successor or successors have been properly appointed and are fully vested with all the title, estate, rights, powers, duties and obligations of their predecessor in trust.

The Co-Trustees shall have no individual liability or obligation whatsoever arising from their ownership, as Co-Trustees, of the legal title to said property, or with respect to any act done or contract entered into or indebtedness incurred by them in dealing with said property, or in otherwise acting as such Co-Trustees, except only so far as said trust property and any trust funds in the actual possession of the Trustees shall be applicable to the payment and discharge thereof.

The interest of every beneficiary hereunder and under the Trust Agreement and of all persons claiming under any of them shall be only in the earnings, avails and proceeds arising from the rental, sale or other disposition of the property. Such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any right, title or interest, legal or equitable, in or to the property, as such, but only in the earnings, avails and proceeds thereof as provided in the Trust Agreement.

Parcel Y is also expressly conveyed subject to all easements, conditions, restrictions, reservations, and other matters contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property hereby conveyed, which have not expired by a time limitation therein contained or otherwise become ineffective.

By the signatures hereto, Albemarle County and the Authority agree and confirm that Parcel Y shall be subject to the terms and conditions of the Deed of Easement and Parcel Y shall be conveyed subject to the Deed of Easement. For all purposes under the Deed of Easement, the term "Property" as referred to in the Deed of Easement shall refer to and include Parcel Y.

By their signatures hereto, the Daniels as owners of TMP 85-29A9 and Parcel Y hereby confirm and acknowledge that Parcel Y shall be subject to the terms and conditions of the Deed of Easement and Parcel Y shall be conveyed subject to the Deed of Easement.

[ENDORSEMENT PAGES FOLLOW]

IN WITNESS WHEREOF, Bradley A. Daniel and Marcy L. Daniel, Co-Trustees of the Daniel Living Trust, Dated November 27, 2018, have executed this deed as First Grantor and Second Grantee.

_____(SEAL)
Bradley A. Daniel, Trustee of the Daniel Living Trust, Dated November 27, 2018

_____(SEAL)
Marcy L. Daniel, Trustee of the Daniel Living Trust, Dated November 27, 2018

STATE OF _____

CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me in the City of Charlottesville, Virginia, this ___ day of _____, 2021, by Bradley A. Daniel and Marcy L. Daniel, Co-Trustees of the Daniel Living Trust, Dated November 27, 2018.

_____
Notary Public

My commission expires:_____

Registration number: _____

IN WITNESS WHEREOF, Richard C. Crisler, III has executed this deed as Second Grantor and First Grantee.

_____(SEAL)
Richard C. Crisler, III

STATE OF _____

CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me in the City of Charlottesville, Virginia, this ___ day of _____, 2021, by Richard C. Crisler, III.

_____
Notary Public

My commission expires:_____

Registration number: _____

COUNTY OF ALBEMARLE, VIRGINIA

BY: _____
Jeffrey Richardson
County Executive

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this ___ day of _____, 2022, by Jeffrey Richardson, County Executive.

_____
Notary Public

My commission expires: _____

Notary Registration Number: _____

Approved at to Form:

_____
County Attorney

ALBEMARLE CONSERVATION EASEMENT AUTHORITY

BY: _____
Jay Fennell
Chair

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this ___ day of _____, 2022, by Jay Fennell, Chair of the Board of Directors for the Albemarle Conservation Easement Authority.

_____
Notary Public

My commission expires: _____

Notary Registration Number: _____

Approved at to Form:

_____
County Attorney for the ACEA

OWNER'S CONSENT

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND, PARCELS "X" AND "Y" ARE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES.

TMP 08500-00-00-029A9
BRADLEY A. DANIEL, CO-TRUSTEE

BY:_____

TMP 08500-00-00-029A9
MARCY L. DANIEL, CO-TRUSTEE

BY:_____

CERTIFICATE OF ACKNOWLEDGMENT OF SIGNATURE(S)

STATE OF _____

COUNTY/CITY OF _____

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME

THIS_____ DAY OF_____, 20_____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES:_____

OWNER'S CONSENT

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND, PARCEL "X" & "Y" ARE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES.

TMP 08500-00-00-034A0
RICHARD C. CRISLER, III

BY:_____

CERTIFICATE OF ACKNOWLEDGMENT OF SIGNATURE(S)

STATE OF _____

COUNTY/CITY OF _____

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME

THIS_____ DAY OF_____, 20_____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES:_____

NOTES

1.) SURVEY PREPARED FOR: BRADLEY A. & MARCY L. DANIEL, CO-TRUSTEES OF THE DANIEL LIVING TRUST DATED NOVEMBER 27, 2018

2.) NO TITLE REPORT FURNISHED. ALL EASEMENTS KNOWN BY ME ARE SHOWN HEREON. THESE PROPERTIES ARE SUBJECT TO ANY ADDITIONAL EASEMENTS, UTILITIES, CONDITIONS AND/OR COVENANTS THAT MAY EXIST.

3.) A PORTION OF THE PROPERTIES SHOWN HEREON LIES IN FLOOD ZONE "A", A FEMA DEFINED 100-YEAR FLOOD PLAIN.

4.) PARCEL X & Y SURVEYS ARE BASED ON A CURRENT FIELD BOUNDARY SURVEY AND LOT 10 IS BASED UPON MY PRIOR SURVEY RECORDED IN DB 3159-92 PLAT.

5.) THE LAND USE REGULATIONS LISTED HEREIN ARE IMPOSED PURSUANT TO THE ALBEMARLE COUNTY ZONING ORDINANCE IN EFFECT ON THIS DATE AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT RESTRICTIVE COVENANTS RUNNING WITH THE LAND AND THEIR APPEARANCE ON THIS PLAT IS NOT INTENDED TO IMPOSE THEM AS SUCH.ANY FUTURE DEVELOPMENT IS TO BE DEEMED AS THEORETICAL ONLY.
   A.) CURRENT ZONING: RA
   B.) BUILDING SETBACKS: FRONT=75' PUBLIC ROADS, SIDES=25', & REAR=35'.
   C.) TAX MAP 85, PARCELS 29A9 & 34A EACH CONTAIN A BUILDING SITE THAT COMPLIES WITH SECTION 4.2.1 OF THE ALBEMARLE COUNTY ZONING ORDINANCE.
   D.) THESE PROPERTIES ARE LOCATED IN THE UPPER MECHUMS RIVER WATER SUPPLY WATERSHED.
   E.) PARCELS "X" & "Y" ARE AN EVEN EXCHANGE. AS PER SECTION 18-10.3.1 OF THE ALBEMARLE COUNTY SUBDIVISION ORDINANCE, PARCELSV"X" & "Y" ARE ASSIGNED NO DIVISION RIGHTS. REVISED TMP 85-29A9 NOT TO BE FURTHER SUBDIVIDED. REVISED 85-34A IS ASSIGNED 2 DEVELOPMENT RIGHTS AND MAY BE FURTHER SUBDIVIDED. WHEN USED THE DEVELOPMENT RIGHTS SHALL BE WITHIN THEIR DECEMBER BOUNDARIES.
   F.) TMP 85-29A9 IS SUBJECT TO THE CONSERVATION EASEMENT RECORDED IN DB 3159-98.

6.) ALL STATEMENTS AFFIXED TO THIS PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

7.) NO GRAVE, OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL WAS FOUND LOCATED ON THE PROPERTY.

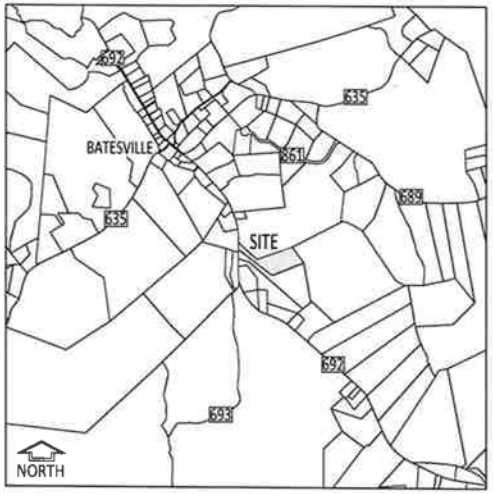
SUB 202100139

ALBEMARLE COUNTY APPROVAL

_____
ALBEMARLE COUNTY BOARD OF SUPERVISORS
DESIGNATED AGENT

VICINITY MAP

SCALE: 1"=2000'



COMMONWEALTH OF VIRGINIA
G.V. "KIRK" HUGHES
Lic. No. 1458
FOR REVIEW ONLY
LAND SURVEYOR

AREA SUMMARY

TMP 85-29A9
EXISTING = 40.134 AC.
LESS PARECEL 'X" = 6,656 S.F.
PLUS PARCEL 'Y" = 6,656 S.F.
SUM = 40.134 AC.

TMP 85-34A
EXISTING = 5.3± AC.
LESS PARECEL 'Y" = 6,656 S.F.
PLUS PARCEL 'X" = 6,656 S.F.
SUM = 5.3± AC.

LEGEND

DB=DEED BOOK
ESM'T.=EASEMENT
FENCE=-X-----X-
IRF=IRON ROD FOUND
●=IRON ROD SET
OHU=OVERHEAD UTILITY
S.F.=SQUARE FEET
TMP=TAX MAP PARCEL
TP=TELEPHONE PEDESTAL
○=UTILITY POLE

TITLE SOURCE & ADDRESS

TMP 08500-00-00-029A9
BRADLEY A. & MARCY L. DANIEL, CO-TRUSTEES OF THE DANIEL LIVING TRUST DATED NOVEMBER 27, 2018
DB 5536-386
LOT 10 (PRESERVATION TRACT)
STILLHOUSE RIDGE
DB 3159-92 PLAT
ADDRESS
938 APERO WAY
EL DORADO HILLS, CA 95762

TMP 08500-00-00-034A0
RICHARD C. CRISLER, III
DB 1853-369
DB 171-232 PLAT
ADDRESS
6470 PLANK ROAD
BATESVILLE, VA 22924

PLAT SHOWING

PARCELS "X"

CONTAINING 6,656 SQUARE FEET

BEING A PORTION OF TMP 85-29A9

TO BE ADDED TO AND COMBINED WITH TMP 85-34A

AND

PARCEL "Y"

CONTAINING 6,656 SQUARE FEET

BEING A PORTION OF TMP 85-34A

TO BE ADDED TO AND COMBINED WITH TMP 85-29A9

AS SHOWN HEREON

LOCATED NEAR BATESVILLE

SAMUEL MILLER MAGISTERIAL DISTRICT

COUNTY ALBEMARLE, VIRGINIA

AUGUST 4, 2021

REV. 8-21-2021, REV. 1-28-2022 (CO. COMMENT)

KIRK HUGHES & ASSOCIATES
LAND SURVEYORS & PLANNERS
220 EAST HIGH STREET
CHARLOTTESVILLE, VIRGINIA 22902
(434) 296-6942

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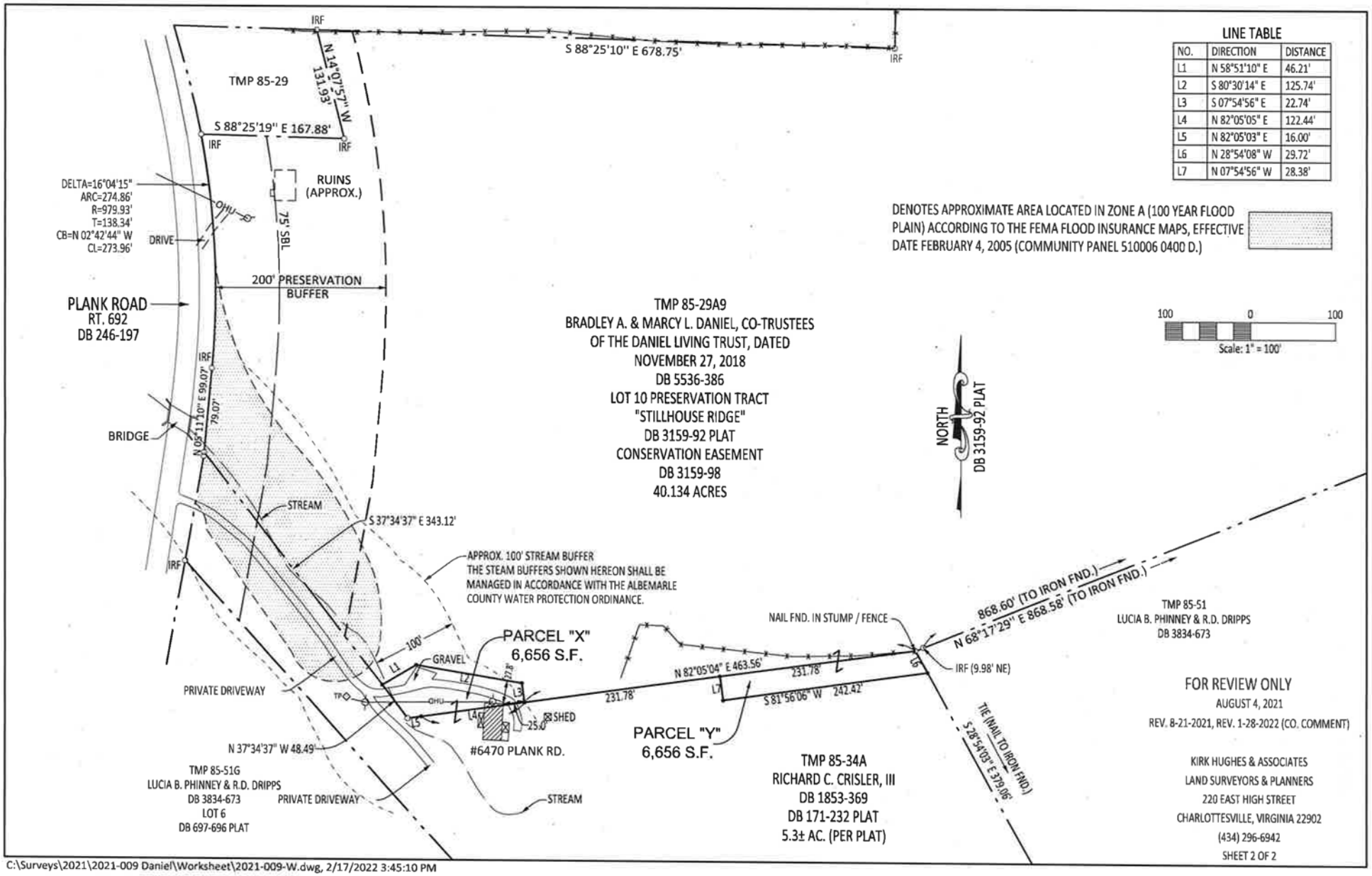

LINE TABLE

NO.	DIRECTION	DISTANCE
L1	N 58°51'10" E	46.21'
L2	S 80°30'14" E	125.74'
L3	S 07°54'56" E	22.74'
L4	N 82°05'05" E	122.44'
L5	N 82°05'03" E	16.00'
L6	N 28°54'08" W	29.72'
L7	N 07°54'56" W	28.38'

DENOTES APPROXIMATE AREA LOCATED IN ZONE A (100 YEAR FLOOD PLAIN) ACCORDING TO THE FEMA FLOOD INSURANCE MAPS, EFFECTIVE DATE FEBRUARY 4, 2005 (COMMUNITY PANEL 510006 0400 D.)

FOR REVIEW ONLY
AUGUST 4, 2021
REV. 8-21-2021, REV. 1-28-2022 (CO. COMMENT)

KIRK HUGHES & ASSOCIATES
LAND SURVEYORS & PLANNERS
220 EAST HIGH STREET
CHARLOTTESVILLE, VIRGINIA 22902
(434) 296-6942

SHEET 2 OF 2

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