

**Prepared by:**

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**County of Albemarle**

**TMP# See Attachment A and Paragraph 2 below**

**The Existence of Title Insurance is Unknown**

**EXEMPT FROM RECORDATION TAXES UNDER  
THE CODE OF VIRGINIA (1950), AS AMENDED, SECTION 58.1-811(A)(3)**

THIS **DEED**, made this \_\_\_\_\_ day of August, 2015, by and between the **ALBEMARLE COUNTY SERVICE AUTHORITY**, a body politic and corporate created pursuant to the Virginia Water and Waste Authorities Act (the “Authority”), and the **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “County”), Grantors, and the **RIVANNA WATER AND SEWER AUTHORITY**, body politic and corporate created pursuant to the Virginia Water and Waste Authorities Act (“Rivanna”), Grantee, whose address is 695 Moores Creek Lane, Charlottesville, VA 22902.

**WITNESSETH:**

WHEREAS, pursuant to a Four-Party Agreement, dated June 12, 1973, by and between the City of Charlottesville, Virginia, the Authority, the County, and Rivanna (the “Four-Party Agreement”), the Authority agreed to sell and Rivanna agreed to purchase certain water and sewer facilities as set forth in Exhibits 3 and 4 to the Four-Party Agreement within ten (10) years from June 12, 1973, or at such time as the debts attributable to the construction of each of such facilities shall have been paid; and

WHEREAS, pursuant to the Four-Party Agreement, the County agreed to join in such sale to the extent of its interest therein; and

WHEREAS, the purchase price for the facilities was determined, pursuant to Section 3.7 of the Four-Party Agreement, in a report of John McNair and Associates and Paul B. Krebs and

Associates, both consulting engineers, dated January, 1975, and entitled “Report on Valuation of Water and Sewer Facilities to be Purchased by Rivanna Water and Sewer Authority from City of Charlottesville and Albemarle County Service Authority”; and

WHEREAS, by Deed dated June 30, 1983, recorded in the Albemarle County Circuit Court Clerk’s Office (the “Clerk’s Office”) in Deed Book 768, at page 272, and a separate unrecorded Bill of Sale of the same date, and by Deed dated May 9, 1989, recorded in the Clerk’s Office in Deed Book 1049, at page 98, and a separate unrecorded Bill of Sale of the same date, the Authority and the County transferred to Rivanna some, but not all, of the assets and facilities designated for transfer in the 1973 Four-Party Agreement; and

WHEREAS, the debts attributable to the construction of those facilities not yet transferred by the Authority and the County to Rivanna have been paid; and,

WHEREAS, the Authority has agreed to transfer the remaining assets and facilities without additional consideration from Rivanna consistent with the resolution adopted by the Authority at a meeting of its Board of Directors on August 19, 2004; and,

WHEREAS, on the parcel upon which is located one such facility, the 250,000 gallon Scottsville standpipe, the Authority has also constructed a pump station which is part of the Authority’s retail water distribution system; and,

WHEREAS, consideration is being given by the Authority and Rivanna for modifications to the Scottsville Water Filtration Plant property (conveyed by the Authority to Rivanna hereunder) which may result in both the 250,000 gallon Scottsville standpipe and the pump station to be unnecessary; and,

WHEREAS the parties have agreed, notwithstanding the original intent of the Four-Party Agreement, to exclude the parcel upon which is located the 250,000 gallon Scottsville standpipe

(Project No. 67-2) from this Deed but to include it in the unrecorded Bill of Sale from the Authority to Rivanna to accompany this Deed, and to continue to grant unlimited access to Rivanna to operate and maintain the standpipe and transmission line from the Scottsville Filtration Plant to such standpipe until such time as a decision with respect to its continued use can be made;

NOW, THEREFORE, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. The Authority hereby GRANTS and CONVEYS with Special Warranty of Title unto Rivanna all rights, title and interest it may have in realty, including fee simple interests, easements and rights-of-way, associated with the water and sewer facilities described on Attachment A attached hereto, being a portion of the assets and facilities described on Exhibit A attached to the June 30, 1983 Deed, recorded in the Clerk's Office in Deed Book 768, pages 275 and 276. Portions of the above referenced assets and facilities described on Attachment A hereto were acquired by the Authority pursuant to the following:

(i) Deed dated November 2, 1972 from the County to the Authority recorded in the Clerk's Office in Deed Book 519, at page 341;

(ii) Deed dated October 22, 1969 from the Town of Scottsville to the Authority recorded in the Clerk's Office in Deed Book 465, at page 551;

(iii) Deed of Gift dated January 2, 1968 from Forrest E. Paulett and Lillian M. Paulett recorded in the Clerk's Office in Deed Book 440, at page 305; and

(iv) Deed dated February 1, 1968 from Samuel G. Spangler and Charlotte R. Spangler, husband and wife, and Samuel G. Spangler, III and Grace Bates Spangler, husband and wife, recorded in the Clerk's Office in Deed Book 440, at page 315.

2. The Authority hereby GRANTS and CONVEYS unto Rivanna all rights, title and interest it may have as lessee or tenant under any and all leases from the County as owner, lessor or landlord in and to:

(i) the Beavercreek Reservoir consisting of approximately:

(a) 182.55 acres (TMP 05700-00-00-00400), conveyed to the County by instruments recorded in the Clerk's Office as follows:

Deed Book 376, Page 585 74.76 acres

Deed Book 377, Page 73 1.31, 1.02, .13, .44 and .46 acres

Deed Book 377, Page 483 49.66 acres

Deed Book 377, Page 487 5.33 acres

Deed Book 377, Page 489 43.20 acres

Deed Book 380, Page 324 4.39 acres

Deed Book 380, Page 343 .73 acres

Deed Book 385, Page 315 .39 acres

Deed Book 392, Page 516 .73 acres;

(b) 26.27 acres (TMP 05600-00-00-069A0) conveyed to the County by Deed recorded in the Clerk's Office in Deed Book 386, Page 199; and

(c) 9.89 acres (TMP 04100-00-00-010A0) conveyed to the County by instrument recorded in the Clerk's Office in Deed Book 380, Page 345; and

(d) a flooding easement (TMP 04000-00-00-048D0) conveyed to the County by instrument recorded in the Clerk's Office in Deed Book 386, Page 386; and

(ii) the Totier Creek Reservoir (formerly known as the Scottsville Reservoir) (TMP 13600-00-00-02900) consisting of approximately 209.55 acres, conveyed to the County by instruments recorded in the Clerk's Office as follows:

- Deed Book 473, Page 200    22.94 acres
- Deed Book 473, Page 205    148.14 acres (147.5 acres and .64 acres)
- Deed Book 474, Page 390    21.50 acres, (5.24, 4.04, 9.97 and 2.25 acres)
- Deed Book 476, Page 565    .45 acres
- Deed Book 493, Page 129    8.37 acres
- Deed Book 523, Page 289    33.69 acres;

less and except 25.54 acres transferred from the County pursuant to the Deed recorded in the Clerk's Office in Deed Book 474, Page 390 being a portion of the 147.5 acres conveyed to the County pursuant to the Deed recorded in the Clerk's Office in Deed Book 473, Page 205.

3. The County hereby QUITCLAIMS, RELEASES, GRANTS and CONVEYS unto Rivanna all rights, title and interest it may have in the parcels conveyed by the Authority to Rivanna pursuant to paragraph 1 above and described on Attachment A attached, including easements and/or rights-of-way it may have associated with the water and sewer facilities on such parcels, but EXCLUDING any fee simple interests in and to the Beavercreek Reservoir and the Totier Creek Reservoir more particularly described in paragraph 2 above.

4. The County, to the extent not otherwise leased to the Authority pursuant to the leases described and conveyed to Rivanna by the Authority as set forth in paragraph 2 above, hereby LEASES to Rivanna, for so long as the Four-Party Agreement remains in effect, all water rights in and to the Beaver Creek Reservoir and the Totier Creek Reservoir, including the rights to maintain and operate all impoundment and pumping facilities, and to withdraw all water that may be available.

5. The Authority hereby grants to Rivanna unlimited access to the 250,000 gallon Scottsville standpipe (Project No. 67-2) included in the unrecorded Bill of Sale from the Authority to Rivanna to accompany this Deed to permit Rivanna to operate and maintain the standpipe and transmission line from the Scottsville Filtration Plant to such standpipe.

[SIGNATURES ON FOLLOWING PAGES]

WITNESS the following signatures and seals:

ALBEMARLE COUNTY SERVICE AUTHORITY

By: \_\_\_\_\_ (Seal)  
Clarence Roberts, Chairman

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015, by Clarence Roberts, Chairman of the Albemarle County Service Authority Board of Directors.

My Commission expires: \_\_\_\_\_

My Commission No.: \_\_\_\_\_

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

COUNTY OF ALBEMARLE, VIRGINIA

By: \_\_\_\_\_ (Seal)  
Jane D. Dittmar, Chair, Board of Supervisors

COMMONWEALTH OF VIRGINIA

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015, by Jane D. Dittmar, Chair of the Albemarle County Board of Supervisors.

My Commission expires: \_\_\_\_\_

My Commission No.: \_\_\_\_\_

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

ATTACHMENT A

WATER AND SEWER FACILITIES

(Item numbers below correspond to the item numbers in the “Summary of Facilities to be Acquired” attached to the June 30, 1983 Deed referenced in the fourth Recital of this Deed)

6. Project No. 64-2, Beaver Creek Pumping Station.  
TMP: 05700-00-00-00400 (fee simple interest owned by County)  
05600-00-00-069A0 (fee simple interest owned by County)
  
7. Project No. 64-3, 12-inch Raw Water Transmission main from Beaver Creek Pumping Station to Crozet Filter Plant and 12-inch Finished Water Transmission main from Crozet Filter Plant.  
TMP: 05700-00-00-00400 (fee simple interest owned by County)  
05700-00-00-02400  
05700-00-00-02500  
05700-00-00-024A0  
05700-00-00-02300  
05700-00-00-023A0  
05700-00-00-02200  
05700-00-00-02000  
05700-00-00-01800  
05700-00-00-018C0  
05700-00-00-018B0  
05700-00-00-015A0  
05700-00-00-01600  
05700-00-00-01400  
05700-00-00-013A0  
05700-00-00-01300  
05700-00-00-01200  
05700-00-00-01100  
05700-00-00-029B0 (fee simple interest owned by Authority)
  
8. Project No. 65-1, Crozet Filter Plant [including the right to use the wells at Mint Springs].  
TMP: 05700-00-00-029B0 (fee simple interest owned by Authority)
  
9. Project No. 64-1, 500,000-Gallon Ground Storage Reservoir at the Crozet Filter Plant.  
TMP: 05700-00-00-029B0 (fee simple interest owned by Authority)
  
10. Stand-by Pumps at Crozet Filter Plant.  
TMP: 05700-00-00-029B0 (fee simple interest owned by Authority)

11. Project No. 65-2, 12-inch Finished Water Transmission main at Crozet (Extension of Project 64-3).

TMP: 05700-00-00-029B0 (fee simple interest owned by Authority)

05700-00-00-010A0 (fee simple interest owned by Rivanna)

05700-00-00-01100

05700-00-00-01000

05700-00-00-09000

05700-00-00-009D0

05700-00-00-009B0

05700-00-00-08000

05700-00-00-008A0

05600-00-00-069B0

05600-00-00-07000

05600-00-00-06900

05600-00-00-08200

05600-00-00-08100

05600-00-00-080B0

05600-00-00-080C0

05600-00-00-07600

05600-00-00-07800

05600-00-00-07700

05600-00-00-07500

05600-00-00-07400

05600-00-00-074A0

05600-00-00-067B0

05600-00-00-06700

056A3-00-00-00900

056A3-00-00-01000

056A3-00-00-00800

056A2-01-00-06100

056A2-01-00-06400

056A2-01-00-06300

056A2-01-00-06200

05600-00-00-05700

056A2-04-00-07100

056A2-04-00-06400

056A2-04-00-06300

056A2-04-00-05600

056A2-04-00-05500

056A2-04-00-05100

056A2-04-00-05000

056A2-04-00-04900

056A2-04-00-04800

056A2-04-00-000A3

056A2-04-00-02300

056A2-04-00-02200

056A2-04-00-02100  
056A2-01-00-071B0  
056A2-02-0A-01500  
056A2-01-00-010A0  
056A2-01-00-01000  
056A2-01-00-00900  
056A2-01-00-01100  
056A2-01-00-01700  
056A1-01-00-05000  
056A1-01-00-04500  
056A1-01-00-045A4  
05600-00-00-006A0  
05600-00-00-006D0  
05600-00-00-006B0  
05600-00-00-006C0

056A1-01-00-03200  
056A1-01-00-033A0  
056A1-01-00-03400  
056A1-01-00-035A0  
056A1-01-00-036C0

056A1-01-00-02700  
056A1-01-00-026A0  
056A1-01-00-02500  
055C0-03-00-000A0  
055C0-03-00-03000  
055C0-03-00-01600  
055C0-03-00-01500  
055C0-03-00-01400  
055C0-03-00-01300

056A1-01-00-01500  
056A1-01-00-01400  
05500-00-00-051A0  
05500-00-00-05000  
05500-00-00-046B0

12. 10-inch Raw Water Line from Scottsville Reservoir to Scottsville Filter Plant.  
TMP: 13600-00-00-02900 (fee simple interest owned by County)  
13600-00-00-050A0  
13600-00-00-05000  
13600-00-00-06000  
13600-00-00-059A0  
13600-00-00-04900  
13600-00-00-027C1

13600-00-00-04200  
13600-00-00-04100  
13600-00-00-027C0  
13600-00-00-03600  
13600-00-00-027A0 (fee simple interest owned by Authority)  
13600-00-00-027B0 (fee simple interest owned by Authority)

13. Scottsville Raw Water Pump Station.  
TMP: 13600-00-00-02900 (fee simple interest owned by County)
  
14. Project No. 67-1, Scottsville Filter Plant.  
TMP: 13600-00-00-027B0 (fee simple interest owned by Authority)
  
15. Project No. 67-2, 10-inch Finished Water Transmission Line from the Scottsville Filter Plant to 250,000-Gallon Storage Tank.  
TMP: 13600-00-00-027B0 (fee simple interest owned by Authority)  
13600-00-00-027A0 (fee simple interest owned by Authority)  
13600-00-00-03600  
13600-00-00-027C0  
13600-00-00-04100  
13600-00-00-05300  
13600-00-00-027E0  
13600-00-00-027D0  
13600-00-00-02800  
13600-00-00-02700  
13600-00-00-027P0  
13000-00-00-05300  
13000-00-00-05200  
13000-00-00-052A0  
13000-00-00-038C0 (fee simple interest owned by Authority)

NOT BEING TRANSFERRED HEREUNDER, BUT GRANT OF ACCESS FROM  
AUTHORITY TO RIVANNA CONFIRMED PURSUANT TO PARAGRAPH 5 OF  
THIS DEED:

16. Project No. 67-3, 250,000-Gallon Storage Tank at Scottsville.  
TMP: 13000-00-00-038C0 (fee simple interest owned by Authority)