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Albemarle Tax Map Parcel ID No.: 093A1-00-00-004R0

This deed is exempt from taxation under Virginia Code § 58.1-811(A)(3).

DEED OF VACATION
(for Drainfield and Access Easement – Phase IB)

THIS DEED OF VACATION, made as of this ____ day of _____, 2018, by and between **RIVANNA INVESTMENT HOLDINGS LLC**, a Delaware limited liability company (“Rivanna”), to be indexed as Grantor, the **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “County”), and **EAST RIVANNA VOLUNTEER FIRE CO., INCORPORATED**, a Virginia corporation (the “Rivanna Fire Department”), each to be indexed as Grantees.

WITNESS:

WHEREAS, Rivanna is the owner in fee simple of that certain real property (hereinafter, the “Remaining Rivanna Village Property”), located in Albemarle County, Virginia more particularly described as follows:

ALL that certain lot or parcel of land, with improvements thereon and appurtenances thereto, containing 81.703 acres, more or less, shown as “Remainder of Revised TMP 093A1-00-00-00400” on that certain subdivision plat by Roudabush, Gale & Associates, Inc., entitled “Subdivision Plat, Phase I, Block A, Town Villas, Rivanna Village, Scottsville District, Albemarle County, Virginia,” dated November 14, 2017, and recorded in the Clerk’s Office of the Circuit Court of the County of Albemarle, Virginia in Deed Book 5025, page 711;

BEING a portion of the same property conveyed to Rivanna Investment Holdings LLC by special warranty deed, from Rivanna Village LLC, a Virginia limited liability company, dated October 21, 2016, and recorded in the Clerk’s Office of the Circuit Court of the County of Albemarle, Virginia in Deed Book 4837, at page 148.

WHEREAS, by that certain Deed of Gift dated as of January 13th, 1992, and recorded in the Clerk’s Office of the Circuit Court of the County of Albemarle, Virginia in Deed Book 1204,

page 201 (the “Existing Deed”), Glenmore Associates Limited Partnership, predecessor-in-interest to Rivanna, dedicated those portions of the Remaining Rivanna Village Property shown as “Drainfield Easement (2.000 Ac.)” and “50’ Access Easement” on that certain plat prepared by S&L Key Incorporated, entitled “Plat Showing Parcel “X”, Drainfield Easement and Drainfield Access Easement, Being a Portion of Tax Map 93, Parcel 59, “Glenmore Farm,” Rivanna District, Albemarle County, Virginia” last revised January 29, 1992 (the “Existing Plat”) to the County and Rivanna Fire Department (the “Existing Easements”); and

WHEREAS, Rivanna is developing the Remaining Rivanna Village Property in accordance with that certain subdivision plat entitled “Subdivision Plat, Phase IB, Blocks A, B, C, D1, E, and F1, Rivanna Village, Scottsville District, Albemarle County, Virginia,” prepared by Roudabush, Gale & Associates, Inc., dated July 7, 2016, last revised July 11, 2018, which such plat was recorded in the land records of the Clerk’s Office of the Circuit Court of the County of Albemarle, Virginia, in Deed Book ____, at page ____ (the “Plat”); and

WHEREAS, as part of the development of the Remaining Rivanna Village Property, Rivanna desires to vacate all rights, title and interest in the Existing Easements, in exchange for providing the Grantees with access to the public water and sewer system.

NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00), cash in hand paid, the receipt of which is hereby acknowledged, Rivanna does hereby VACATE the Existing Easements, as shown on the Existing Plat.

Rivanna hereby covenants to develop the Remaining Rivanna Village Property in accordance with the Plat, including providing the Grantees access to the public water and sewer system.

The Rivanna Fire Department accepts the vacation of the Existing Easements in exchange for Rivanna’s provision of access to the public water and sewer system, as evidenced by the duly authorized execution and recordation of this Deed of Vacation.

The County, acting by and through its County Executive, duly authorized by resolution adopted by the Board of Supervisors of the County of Albemarle, Virginia, accepts the vacation

of the Existing Easements pursuant to Virginia Code § 15.2-1803, in exchange for Rivanna's provision of access to the public water and sewer system, as evidenced by the County Executive's signature hereto and the recordation of this Deed of Vacation.

[SIGNATURE PAGES IMMEDIATELY FOLLOW]

IN WITNESS WHEREOF, Rivanna has caused this Deed of Vacation to be executed on its behalf by its duly authorized agent.

RIVANNA INVESTMENT HOLDINGS LLC,
a Delaware limited liability company

By: Limehouse Street LLC, a Delaware limited liability company, its Sole Member

By: Wharf Street LLC, a Delaware limited liability company, its Majority Member

By: _____
Todd Kuhl, Authorized Person

STATE/Commonwealth of _____
City/County of _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2018 by Todd Kuhl, as Authorized Person of Wharf Street LLC, a Delaware limited liability company, a Majority Member of Limehouse Street LLC, a Delaware limited liability company, the Sole Member of RIVANNA INVESTMENT HOLDINGS LLC, a Delaware limited liability company, on behalf of such company.

My commission expires: _____.

Notary Public

Notary Registration No.: _____

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

**EAST RIVANNA VOLUNTEER FIRE CO.,
INCORPORATED,**
a Virginia corporation

By: _____

Printed Name: _____

Title: _____

STATE/Commonwealth of _____
City/County of _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
2018 by _____, as _____ of EAST RIVANNA VOLUNTEER FIRE
CO., INCORPORATED, a Virginia corporation, on its behalf.

My commission expires: _____.

Notary Public

Notary Registration No.: _____

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

COUNTY OF ALBEMARLE, VIRGINIA

Jeffrey B. Richardson
County Executive

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
2018 by Jeffrey B. Richardson, County Executive, on behalf of the Board of Supervisors of
the County of Albemarle, Virginia, Grantee.

Notary Public

My Commission Expires: _____

Registration number: _____

Approved as to form:

County Attorney