

**A G E N D A**

**JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS**

**County Government Center Board Room**

**September 25, 2007**

**7:00 P.M.**

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	<u>Page</u>
<b>A. ROLL CALL</b>	
<b>B. CONSENT CALENDAR</b>	
1. Minutes - August 14, 2007.....	1
2. Bid Award - Lift Station 1-1 Powhatan Creek Interceptor Rehabilitation.....	7
3. Bid Award - Raleigh Square Water and Sewer System Improvements .....	9
4. Contract Award - Water Storage Tank Maintenance.....	11
<b>D. PUBLIC HEARING</b>	
1. Vacate Access Easement - 4015 Ironbound Road .....	15
<b>E. BOARD REQUESTS AND DIRECTIVES</b>	
<b>F. ADJOURNMENT</b>	

**AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 14TH DAY OF AUGUST 2007, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. CALL TO ORDER**

**B. ROLL CALL**

Jay T. Harrison, Sr., Chairman  
Bruce C. Goodson, Vice Chairman  
James O. Icenhour, Jr  
M. Anderson Bradshaw  
John J. McGlennon

Sanford B. Wanner, Secretary  
Leo P. Rogers, County Attorney  
Larry M. Foster, General Manager

**C. CONSENT CALENDAR**

Mr. Foster gave an overview of the items on the Consent Calendar

Mr. Bradshaw asked the potential quantities of water that may be involved with the item regarding wastewater reuse.

Mr. Foster stated that there were estimates of 0.5 million gallons a day during irrigation season, but that may be as high as 1 million gallons a day in the Stonehouse development. Mr. Foster indicated that staff was looking at that part of the County for intercepting wastewater.

Mr. McGlennon made a motion to adopt the Consent Calendar.

On a roll call vote, the vote was: AYE: Bradshaw, McGlennon, Goodson, Icenhour, Harrison (5).  
NAY: (0).

1. Minutes - July 24, 2007, Regular Meeting

2. Memorandum of Understanding - Hampton Roads Sanitation District - Wastewater Reuse

**RESOLUTION**

MEMORANDUM OF UNDERSTANDING -

HAMPTON ROADS SANITATION DISTRICT -

STONEHOUSE DEVELOPMENT WASTEWATER REUSE

WHEREAS, the developer of the Stonehouse project, Hampton Roads Sanitation District (HRSD), and the James City Service Authority (JCSA) are interested in evaluating the feasibility of implementing a wastewater reuse project to serve the Stonehouse Development; and

WHEREAS, the HRSD has agreed in concept to jointly fund the project if the project is constructed and that the study costs will be incorporated into the services fees, if implemented.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes the General Manager to sign on behalf of the James City Service Authority a Memorandum of Understanding defining the terms for participating in the Stonehouse Wastewater Reuse Study.

3. Formal Acceptance of Water and Sewer Systems - FY 2007

**RESOLUTION**

FORMAL ACCEPTANCE OF WATER AND SEWER SYSTEMS - FY 2007

WHEREAS, certain water and sewer infrastructures have been constructed by developers and dedicated to the James City Service Authority; and

WHEREAS, these water and sewer infrastructures have been constructed in accordance with technical requirements of the James City Service Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, does formally accept the dedication of the water and sewer systems listed below, as of June 30, 2007.

Water Dedications

<u>Development</u>	<u>Value</u>
Colonial Heritage, Phase 2, Section 1	\$ 175,315
Colonial Heritage, Phase 2, Section 2	129,835
Colonial Heritage, Phase 3, Section 1	357,180
Fenwick Hills, Section 2	161,600
Ford's Colony, Section 32C	123,350
Francis Rees Subdivision	44,200
Greensprings West, Phase 4A	98,250

Kensington Woods	88,900
Monticello Woods, Phase 2A	60,200
Peleg's Point, Section 5	147,440
Powhatan Village, Phase 7	97,450
Stonehouse, Section 5A, Lisburn	345,470
Stonehouse Glen, Phase 1	332,930
Stonehouse, Fieldstone Parkway	519,020
Wexford Hills, Section 2	257,330
Williamsburg Landing Parking Lot	<u>4,600</u>
Total:	<u>\$2,943,070</u>

Sewer Dedications

<u>Development</u>	<u>Value</u>
Colonial Heritage, Phase 2, Section 1	\$ 211,865
Colonial Heritage, Phase 2, Section 2	329,050
Colonial Heritage, Phase 3, Section 1	579,650
Colonial Heritage, C. C. Sewer	1,383,195
Fenwick Hills, Section 2	295,955
Ford's Colony, Section 32C	172,005
Francis Rees Subdivision	25,395
Greensprings West, Phase 4A	126,005
Kensington Woods	57,245
Monticello Woods, Phase 2A	134,440
Peleg's Point, Section 5	235,205
Powhatan Village, Phase 7	44,860
Stonehouse, Section 5A, Lisburn	468,655
Stonehouse Glen, Phase 1	<u>1,109,590</u>
Total:	<u>\$5,173,125</u>

**D. PUBLIC HEARING**

1. Vacation of Easements - 281 Neck-O-Land Road

Mr. Foster stated Renaissance Property, LLC has petitioned to have 192.2 square feet of an existing easement located at 281 Neck-O-Land Road vacated. In a recent evaluation of the easement area, it was determined that the home that is located on the parcel encroaches on the easement. It was further determined that the area of the easement proposed to be vacated will not materially limit the James City Service Authority (JCSAs) ability to maintain the sewer line. Staff recommended approval of the resolution.

Mr. Icenhour asked how this permitting process came about, if there was a failure to get a proper permit, and how did this happen?

Mr. Foster stated there were no building permits in the County records, but this does not mean the property owner did not get one. He stated the permit may predate County records. He stated he did not feel this was an intentional oversight.

Mr. Icenhour asked how old the house was.

Mr. Foster stated the addition was likely built in the 1960s and original house was built in the 1940s or 1950s.

Mr. McGlennon asked for explanation on how the sewer line would not be compromised by this structure.

Mr. Foster stated there was latitude between the physical sewer line and the house, and the gravity sewer line does not require digging. He stated there was enough room that the home could be worked on within the space between the physical house and the sewer line, and while the sewer line is in easement, it was not over the sewer line.

Mr. Harrison opened the Public Hearing.

As no one wished to speak to this matter, Mr. Harrison closed the Public Hearing.

Mr. Harrison asked if the location of the sewer line had to be disclosed to a new owner of the property.

Mr. Foster stated the plat given to a new owner would have to show that it was encroaching on a sewer line.

Mr. Harrison asked what structure was in place to keep this from happening in the future.

Mr. Foster stated that at this time a homeowner would receive information that there was a sewer line on the parcel because it would be shown at the sale of the property. He stated that this was a good safeguard and that when there was a structure occasionally built over a sewer line, it was usually caught before long.

Mr. Goodson stated that the easement was likely dedicated after the addition was built.

Mr. Foster stated the addition to the house predates the sewer line but the easement predates the addition.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Bradshaw, McGlennon, Goodson, Icenhour, Harrison (5). NAY: (0).

## **RESOLUTION**

### **VACATION OF EASEMENT - 281 NECK-O-LAND ROAD**

WHEREAS, it has been determined that a home located at 281 Neck-O-Land Road encroaches on 191.2 square feet of the James City Service Authority's sewer easement located on the property; and

WHEREAS, it has been determined that the maintenance of the sewer line will not be compromised by the affected area of the easement being vacated.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes its General Manager to sign the necessary documents to vacate the sanitary sewer easement located on the property located at 281 Neck-O-Land Road, and defined on a plat prepared by LandTech Resources, Inc. dated February 22, 2007.

**E. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon asked about the status of water use in the County.

Mr. Foster stated since the last meeting, water usage has been stable and has not exceeded 8 million gallons per day.

**F. ADJOURNMENT**

Mr. McGlennon made a motion to adjourn.

The motion passed by a unanimous voice vote.

Mr. Harrison adjourned the Board of Directors.

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Sanford B. Wanner  
Secretary to the Board

MEMORANDUM

DATE: September 25, 2007  
TO: The Board of Directors  
FROM: Danny W. Poe, Chief Engineer - Wastewater, James City Service Authority  
SUBJECT: Bid Award - Lift Station 1-1 Powhatan Creek Interceptor Rehabilitation

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The plans and specifications for the rehabilitation of the James City Service Authority (JCSA) Lift Station 1-1 Powhatan Creek Interceptor sewer main have been publicly advertised and competitively bid. The project consists of slip-lining approximately 9,500 linear feet of an existing 21-inch diameter sewer interceptor main with 16-inch and 12-inch piping. The sewer rehabilitation project is necessary to replace the existing Flextran piping that was installed in the 1970s. The Flextran pipe is a thin-walled fiberglass pipe susceptible to crushing. The JCSA has experienced several incidents of this type of pipe failure in the past 10 years. In addition, internal closed-circuit television inspections of the existing Flextran interceptor have revealed that the integrity of the pipe is deteriorating. Three bids were received as follows:

<u>Firm</u>	<u>Amount</u>
Inner-View, LTD	\$1,336,300.00
Tri-State Utilities	1,582,777.76
WB&E Construction, Inc.	2,033,726.00

Inner-View, LTD's bid has been determined to be responsive and responsible.

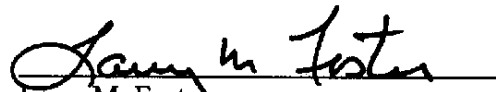
The bid is greater than the engineer's final cost estimate of \$1,181,506.70; however, adequate funds are available for the project.

It is recommended that the Board approve the attached resolution awarding the Lift Station 1-1 Powhatan Creek Interceptor Rehabilitation project to Inner-View, LTD for \$1,336,300.

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Danny W. Poe

CONCUR:

  
Larry M. Foster

DWP/gb  
BidPowhatanRehab.mem

Attachment

**RESOLUTION**

**BID AWARD - LIFT STATION 1-1 POWHATAN CREEK**

**INTERCEPTOR REHABILITATION**

WHEREAS, the plans and specifications for the Lift Station 1-1 Powhatan Creek Interceptor Rehabilitation have been publicly advertised and competitively bid with three firms submitting bids, ranging from \$1,336,300 to \$2,033,726; and

WHEREAS, Inner-View, LTD submitted the low bid and has been determined capable of completing the project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the Lift Station 1-1 Powhatan Creek Interceptor Rehabilitation project to Inner-View, LTD for a bid of \$1,336,300.

\_\_\_\_\_  
Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 25th day of September, 2007.

BidPowhatanRehab.res



MEMORANDUM

DATE: September 25, 2007  
TO: The Board of Directors  
FROM: Keith Letchworth, Project Manager, James City Service Authority  
SUBJECT: Bid Award - Raleigh Square Water and Sewer System Improvements

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The James City Service Authority (JCSA) has determined that approximately 2,770 linear feet of water main, 1,430 linear feet of sanitary sewer force main and sanitary gravity mains in the Raleigh Square neighborhood need to be replaced due to deterioration of the existing facilities. Replacing the water and sewer mains will improve fire protection and water flow. Replacing the sewer lines will help prevent discharges of wastewater. The plans and specifications for replacing the gravity sewer main have been publicly advertised and competitively bid with four firms submitting bids as follows:

<u>Firm</u>	<u>Amount</u>
J. Sanders Construction	\$696,112.00
W. R. Hall, Inc.	712,473.00
Engineering and Environmental, Inc.	730,699.55
Walter C. Via	798,925.50

J. Sanders Construction's bid is above the engineer's estimate of \$550,000. Based on how close the other bids were the Sanders bid appears to be a valid bid. Additional funds are available within the JCSA Capital Improvements Program budget. J. Sanders Construction has been determined capable of performing the work associated with this project.

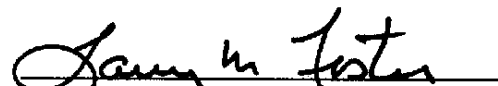
Once the improvement project is complete, the affected road areas will be resurfaced in accordance with the Virginia Department of Transportation (VDOT) requirements.

Staff recommends approval of the attached resolution awarding the Raleigh Square Water and Sewer System Improvements Project to J. Sanders Construction.

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Keith Letchworth

CONCUR:

  
Larry M. Foster

LMF/gs  
raleighsq.mem

Attachment

**RESOLUTION**

**BID AWARD - RALEIGH SQUARE WATER AND SEWER SYSTEM IMPROVEMENTS**

WHEREAS, the plans and specifications for the Raleigh Square Water and Sewer System Improvements have been publicly advertised and competitively bid with four firms responding; and

WHEREAS, J. Sanders Construction submitted the lowest bid of \$696,112 and has been determined capable of performing the work associated with the project.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the contract for the Raleigh Square Water and Sewer System Improvements Project to J. Sanders Construction for a contract amount of \$696,112.

\_\_\_\_\_  
Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 25th day of September, 2007.

raleighsq.res

**MEMORANDUM**

DATE: September 25, 2007

TO: The Board of Directors

FROM: Michael D. Vergakis, Chief Engineer - Water, James City Service Authority

SUBJECT: Contract Award - Water Storage Tank Maintenance

A Request for Proposal (RFP) was solicited from qualified and experienced firms to perform maintenance services for the James City Service Authority’s (JCSA) water storage tanks. The work under this contract will include maintenance and repair on 40 water storage facilities ranging in size from 5,000 to 1.25-million gallons. The tanks under this contract include elevated storage tanks, ground storage tanks, and hydro-pneumatic storage tanks.

On August 5, 2007, public notice was provided in the form of a legal advertisement in the *Daily Press*, *Virginia Pilot*, and the *Richmond Times Dispatch*. In addition, faxed notices were sent to over 20 firms listed in the “Building and Construction Blue Book.”

A Pre-Proposal Conference was conducted on August 16, 2007, with five firms attending the meeting.

Superior Industrial Maintenance Company, located in Harrisburg, North Carolina, was the only firm to submit a response to the RFP. Superior Industrial Maintenance Company meets the criteria established in the RFP and has demonstrated expertise relative to the project including past performance, depth of response, firm’s financial responsibility, work schedule, and cost. Superior Industrial Maintenance Company was the contractor with JCSA for a similar contract from FY 03 through FY 07.

The resulting proposed contract from this RFP is for a one-year contract from the date of issuance with an option to renew for four additional years, one year at a time after the initial year. A negotiated fee schedule has been agreed upon which will be paid on an annual basis of \$254,944. The fee schedule is as follows:

<b>YEAR</b>	<b>JCSA</b>	<b>JCC</b>	<b>TOTAL</b>
FY 08	\$ 232,444	\$ 22,500	\$ 254,944
FY 09	251,394	3,550	254,944
FY 10	250,494	4,450	254,944
FY 11	249,494	5,450	254,944
FY 12	254,944		254,944
<b>TOTAL</b>	<b>\$1,238,770</b>	<b>\$ 35,950</b>	<b>\$1,274,720</b>

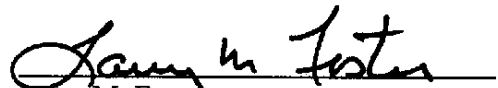
Contract Award - Water Storage Tank Maintenance  
September 25, 2007  
Page 2

Staff recommends adoption of the attached resolution authorizing the award of the Water Storage Tank Maintenance contract to Superior Industrial Maintenance Company.

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Michael D. Vergakis

CONCUR:



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Larry M. Foster

MDV/gs  
Tankmaint.mem

Attachment

**RESOLUTION**

**CONTRACT AWARD - WATER STORAGE TANK MAINTENANCE**

WHEREAS, a Request for Proposals has been advertised and evaluated for a Water Storage Tank Maintenance contract with the option to renew the contract for up to four one-year terms; and

WHEREAS, a pre-proposal conference was held with five firms attending; and

WHEREAS, only Superior Industrial Maintenance Company submitted a proposal, and that firm has been determined to be qualified and capable of providing the required services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the Water Storage Tank Maintenance contract to Superior Industrial Maintenance Company in an annual amount of \$254,944 over five years for a total of \$1,274,720.

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Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

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Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 25th day of September, 2007.

Tankmaint.res

MEMORANDUM

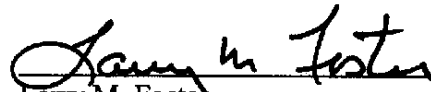
DATE: September 25, 2007  
TO: The Board of Directors  
FROM: Larry M. Foster, General Manager, James City Service Authority  
SUBJECT: Vacate Access Easement - 4015 Ironbound Road

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In approximately 2002, the James City Service Authority (JCSA) acquired a parcel at the above address and built a one-million-gallon capacity water storage tank. At the time of purchase, there was a 40-50 foot wide easement on the parcel that provided access to a property that was approximately 3,000 feet away. The easement was subsequently severed when Monticello Avenue was constructed. Nonetheless the easement remains on the JCSA parcel.

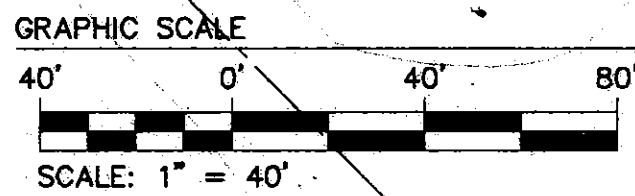
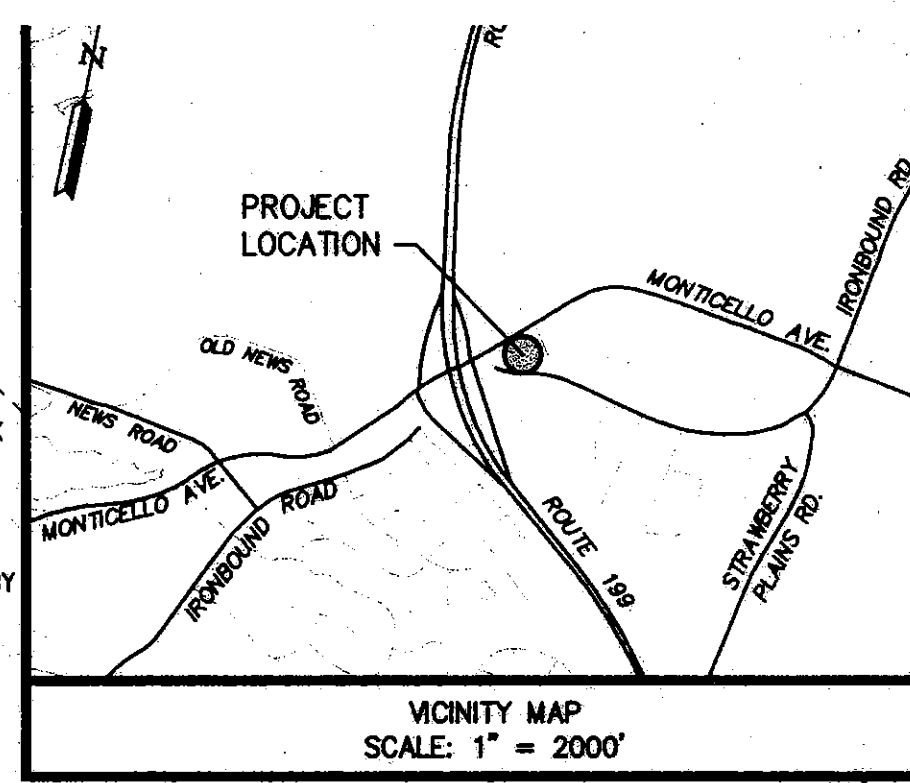
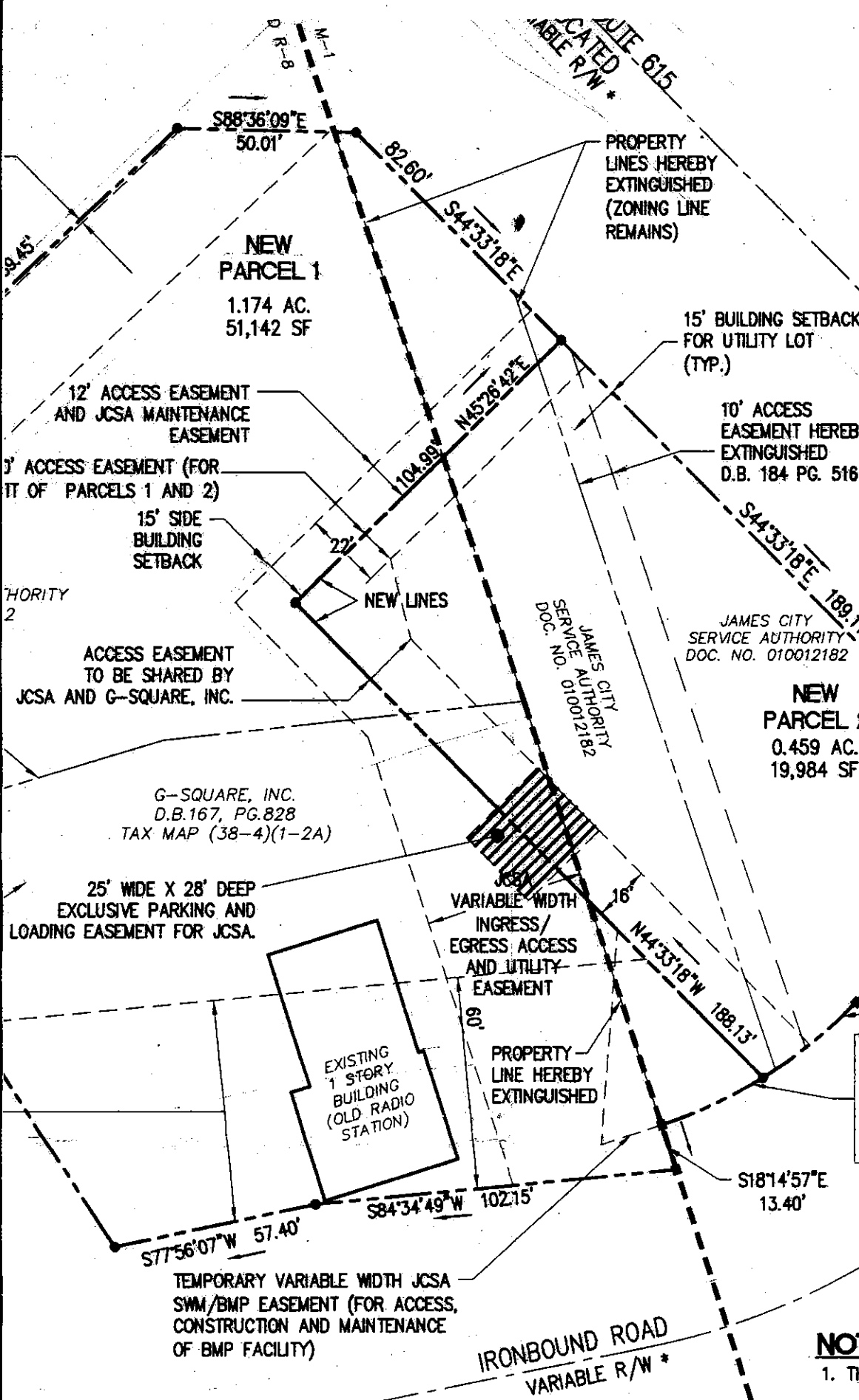
The existence of the easement was identified while designing Section 9 New Town/Settlers Market Place, which is on the opposite side of Monticello Avenue from the JCSA parcel.

This meeting has been advertised as a public hearing to receive public comment on the proposed easement vacation. After receiving public comment, staff recommends approval of the attached resolution, which will authorize the General Manager to sign the appropriate documents to vacate the easement.

  
Larry M. Foster

LMF/gs  
IBvacateease.mem

Attachments



**NOTE:**  
ALL PERIMETER RIGHTS-OF-WAYS TO THESE PROPERTIES ARE GREATER THAN 50 FEET IN WIDTH.

- NOTES:**
1. THIS PLAT WAS BASED UPON INFORMATION OF RECORD
  2. THE PARCEL(S) ARE CURRENTLY ZONED R-8 (RURAL RESIDENTIAL DISTRICT), AND M-1 (LIMITED BUSINESS / INDUSTRIAL DISTRICT)
  3. ALL LOTS TO BE SERVED BY PUBLIC WATER AND SEWER SERVICES.
  4. ALL UTILITIES ARE TO BE PLACED UNDERGROUND.
  5. UNLESS OTHERWISE NOTED, ALL DRAINAGE EASEMENT DESIGNED ON THIS PLAT SHALL REMAIN PRIVATE.
  6. TAX PARCEL NUMBERS : G-SQUARE INC. (38-4)(1-2A); JCSA (38-4)(1-53) AND PORTION OF (38-4)(1-50) AND REMAINDER OF PROPERTY FORMERLY RICHARDSON (TAX MAP NO. (38-4) (1-3E)).
  7. ALL FORMER INTERIOR LOT LINE ARE HEREBY EXTINGUISHED.
  8. ALL PERIMETER RIGHTS-OF-WAYS TO THESE PROPERTIES ARE GREATER THAN 50 FEET IN WIDTH.

**AREA TABULATION**

PARCEL 1	
G-SQUARE INC.	
FORMER AREA	0.549 AC.
NEW AREA	1.174 AC.
PARCEL 2	
JCSA	
FORMER AREA	1.084 AC.
NEW AREA	0.459 AC.

BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT REPRESENTS THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND JAMES CITY, VIRGINIA, REGARDING THE PLATTING OF

*G. T. Wilson, Jr.*  
G. T. WILSON, JR., C.L.S.

AND PROPERTY LINE EXTINGUISHMENT IS IN ACCORDANCE WITH EXISTING SUBDIVISION PLAT RECORDED TO RECORD.

DATE



No.	DATE	REVISION / COMMENT / NOTE	BY

Designed <b>AES</b>	Drawn <b>AES</b>
Scale <b>1"=40'</b>	Date <b>12/21/01</b>
Project No. <b>8651-20</b>	
Drawing No. <b>1 OF 1</b>	

**RESOLUTION**

**VACATE ACCESS EASEMENT - 4015 IRONBOUND ROAD**

WHEREAS, the James City Service Authority (JCSA) owns a parcel of property located at 4015 Ironbound Road where a one-million-gallon water storage facility is located; and

WHEREAS, it has been determined that an unneeded access easement is located on the property and the parcel has been severed by the construction of Monticello Avenue from the parcel for which the access easement was created; and

WHEREAS, the easement is no longer needed and is an impediment to the JCSA parcel.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, after conducting a public hearing, authorizes the General Manager to sign the appropriate document to vacate the easement.

\_\_\_\_\_  
Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 25th day of September, 2007.

IBvacateease.res



Prepared by and return to:  
Geddy, Harris, Franck & Hickman, L.L.P.  
1177 Jamestown Road  
Williamsburg, Virginia 23185

Parcel Nos.: 3840100052  
3840100002  
3840100057  
3840100051  
3840100056  
3840100054  
3840100002A

**DEED OF RELEASE**

**THIS DEED OF RELEASE**, is made this \_\_\_\_ day of \_\_\_\_\_, 2007, by and between **NEW TOWN ASSOCIATES, LLC**, a Virginia limited liability company, **AIG BAKER WILLIAMSBURG, L.L.C.**, a Delaware limited liability company, and **SETTLERS MARKET DEVELOPERS, LLC**, a Virginia limited liability company, **G-SQUARE, INC.**, a Virginia corporation, and **JAMES CITY SERVICE AUTHORITY**, an authority created pursuant to the Virginia Water and Waste Authorities Act, all of which parties to be indexed as Grantors and Grantees.

WHEREAS, by Deed dated August 18, 1959 recorded in the Office of the Clerk of Circuit Court for James City County, Virginia (the "Clerk's Office") in Deed Book 71, page 176, Carlton C. Casey and Olive D. Casey, Williamsburg Broadcasting Company, Incorporated, a Virginia corporation, and Lelia C. Lawson established an easement for ingress and egress and laying of utilities forty feet in width (as subsequently widened and extended, the "Access Way Easement") which is shown and described as "40' ACCESS R/W" on that certain plat entitled "PLAT SHOWING LOT & 10 ACRE PARCEL BELONGING TO CARLTON C. & OLIVE D. CASEY TO BE CONVEYED TO WILLIAMSBURG BROADCASTING CO. AND 40 FT. WIDE PARCEL TO BE DEDICATED AS ACCESS RIGHT OF WAY TO 10 ACRE PARCEL, JAMES CITY COUNTY, VIRGINIA", dated August 11, 1959, made by Wetherill D. Thomas, C.S., and recorded in the Clerk's Office in Plat Book 17, page 45, upon portions of three parcels

of property situate in James City County, Virginia owned by each of parties to that Deed, respectively, for the use and benefit of those properties abutting the Access Way Easement; and

WHEREAS, by Deed of Easement dated December 27, 1977 recorded in the Clerk's Office in Deed Book 184, page 513, A. B. Smith, Jr. and Edwina M. Smith, Philip O. Richardson and Mary N. Richardson, William L. Person, Jr. and Frances C. Person, as grantors, subjected a 10' wide strip of their property which abuts the Access Way Easement to widen the Access Way Easement to 50' in width for the length of their property as shown and designated as "10' additional ingress and egress easement" on that certain plat of survey entitled "PLAT OF PROPOSED WIDENING OF RIGHT OF WAY ADJACENT TO 'NEW QUARTER' LYING IN BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA", dated October 17, 1974, revised June 16, 1976, made by L. V. Woodson, C.L.S., a copy of which is recorded in the Clerk's Office in Plat Book 35, page 6; and

WHEREAS, the Access Way Easement was extended in length as shown on that certain plat entitled "PLAT SHOWING SURVEY OF A TRACT OF LAND STANDING IN THE NAME OF CHARLTON C. CASEY JAMESTOWN DISTRICT JAMES CITY COUNTY, VIRGINIA", dated June 9, 1960, made by McManus, Mrock & McManus, and recorded in the Clerk's Office in Plat Book 19, page 24; and

WHEREAS, the parties to this Deed of Release are the current owners of the properties abutting the Access Way Easement and are the beneficial owners of the Access Way Easement; and

WHEREAS, the parties to this Deed of Release desire to vacate and terminate the Access Way Easement.

**WITNESSETH:** That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby release and remise all of their respective easement rights created in and by the Access Way Easement and do hereby vacate and terminate the Access Way Easement in its entirety.

**WITNESS** the following signatures and seals:

NEW TOWN ASSOCIATES, LLC,  
a Virginia limited liability company

By: \_\_\_\_\_

Title: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA

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

The foregoing Deed of Release was acknowledged before me by \_\_\_\_\_ the \_\_\_\_\_ of New Town Associates, LLC, on behalf of the company, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

Registration number: \_\_\_\_\_

(signatures continue on following page)

AIG BAKER WILLIAMSBURG, L.L.C.  
a Delaware limited liability company

By: AIG Baker Shopping Center Properties, L.L.C.,  
its sole member

By: \_\_\_\_\_  
Alex D. Baker, President

STATE OF ALABAMA

COUNTY OF \_\_\_\_\_, to-wit:

The foregoing Deed of Release was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by Alex D. Baker, President of AIG Baker Shopping Center Properties, L.L.C., the sole member of AIG Baker Williamsburg, L.L.C., on behalf of the company.

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

My commission expires: \_\_\_\_\_

Registration number: \_\_\_\_\_

(signatures continue on following page)

SETTLERS MARKET DEVELOPERS, LLC  
a Virginia limited liability company

By:   
Joseph R. Baranowski

Title: Member

STATE OF CONNECTICUT

COUNTY OF HARTFORD, to-wit:

The foregoing Deed of Release was acknowledged before me this 24<sup>th</sup> day of August, 2007, by Joseph R. Baranowski, a Member of Settlers Market Developers, LLC, on behalf of the company.

  
Notary Public

My commission expires: TARA DIGNAM

NOTARY PUBLIC

MY COMMISSION EXPIRES 12/31/2010

Registration number: \_\_\_\_\_

(signatures continue on following page)

G-SQUARE, INC.,  
a Virginia corporation

By: \_\_\_\_\_

Title: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA

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

The foregoing Deed of Release was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by \_\_\_\_\_, the \_\_\_\_\_ of G-Square, Inc., on behalf of the corporation.

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

My commission expires: \_\_\_\_\_

Registration number: \_\_\_\_\_

(signatures continue on following page)

JAMES CITY SERVICE AUTHORITY

By: \_\_\_\_\_

Title: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA

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

The foregoing Deed of Release was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by \_\_\_\_\_, the \_\_\_\_\_ of James City Service Authority, on behalf of the authority.

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

My commission expires: \_\_\_\_\_

Registration number: \_\_\_\_\_

Prepared by and return to:  
Geddy, Harris, Franck & Hickman, L.L.P.  
1177 Jamestown Road  
Williamsburg, Virginia 23185

## JAMES CITY SERVICE AUTHORITY

### NOTICE OF PUBLIC HEARING

The Board of Directors of James City Service Authority will conduct a Public Hearing on Tuesday, September 25, 2007, at 7:00 p.m. in the County Government Center Board Room, 101-F Mounts Bay Road, James City County, Virginia, to consider the following:

A resolution authorizing the conveyance of a 900-square-foot easement to Crown Castle International, Inc. for the location of a 35-foot-high cellular telephone tower and control building on a parcel of land owned by the James City Service Authority for the operation of a one-million-gallon water storage tank. The easement will be located on James City County Parcel No. 4920100006A and is located on the east side of Route 199 just south of Mounts Bay Road.

All interested persons are invited to attend the hearing. A copy of the plat is on file in the James City Service Authority's Office (Building E), and may be viewed during normal office hours at the County Government Center, 101 Mounts Bay Road, James City County, Virginia.

Persons requiring an accommodation in order to participate in the hearing should call 253-6728, County Administration, three days prior to the meeting.

Sanford B. Wanner  
County Administrator

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