

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 21ST DAY OF NOVEMBER, NINETEEN HUNDRED NINETY-FOUR, AT 8:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

David L. Sisk, Chairman
Robert A. Magoon, Jr., Vice Chairman
Perry M. DePue
Jack D. Edwards
Stewart U. Taylor

David B. Norman, Secretary
John E. McDonald, Treasurer
Frank M. Morton, III, County Attorney
Larry M. Foster, General Manager

B. MINUTES - August 15, 1994

Mr. Sisk asked if there were corrections or additions to the minutes.

Mr. Edwards made a motion to approve the minutes.

The motion passed by unanimous voice vote.

C. BOARD CONSIDERATIONS

1. Vacation of Sewer Easement on James City County Tax Parcel (24-3)(1-34)

Mr. Larry M. Foster, General Manager, stated that James City Service Authority no longer needs a portion of the sewer easement on the parcel for the Route 60 West - Toano Sewer Project, conveyed in 1978 by Frederick C. and Sharon L. Maloney.

Staff recommended approval of the resolution and execution of deed of conveyance.

Mr. Sisk made a motion to approve the resolution.

The motion passed by unanimous voice vote.

RESOLUTION

VACATION OF SEWER EASEMENT ON JAMES CITY COUNTY

TAX PARCEL (24-3)(1-34)

WHEREAS, the James City Service Authority acquired certain sanitary sewer easements on James City County Tap Map Parcel (24-3)(1-34) from Frederick C. and Sharon L. Maloney by deed dated March 23, 1978, of record in Deed Book 185 Page 158; and

WHEREAS, a portion of the aforementioned sanitary sewer easements are no longer needed due to acquisition of new easements and relocation of the sanitary sewer line; and

WHEREAS, the James City Service Authority desires to vacate that portion of the sanitary sewer easement no longer needed and convey its rights and privileges to Frederick C. and Sharon L. Maloney, property owners of record of James City County Tax Map Parcel (24-3)(1-34).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that it does hereby grant, convey, vacate, release, and quit claim all of its rights, title, and interests in and to that certain sanitary sewer easement identified as "Exist. 10' San. Sewer Easement Hereby Vacated (Shown Thus)", on that certain plat entitled "PLAT FOR SEWER EASEMENT FROM; FREDERICK C. AND SHARON L. MALONEY TO: JAMES CITY SERVICE AUTHORITY, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA," dated March 16, 1993, revised May 7, 1993, and made by AES Consultant Engineers, Williamsburg, Virginia.

BE IT FURTHER RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, does hereby authorize and direct its Chairman to execute that certain deed dated November 21, 1994, which conveys the above described easement to Frederick C. and Sharon L. Maloney.

2. Vacation of Existing Easement, Shellbank Woods Subdivision

Mr. Foster stated that when Shellbank Woods Subdivision was developed, a well lot and access easement was dedicated to James City Service Authority; the owner plans to sell the property and the prospective buyer desires to have the easement vacated. He further stated that JCSA had no plans to construct a well on the property.

Staff recommended approval of the resolution.

Mr. Edwards made a motion to approve the resolution.

The motion passed by unanimous voice vote.

RESOLUTION

EASEMENT ABANDONMENT/PROPERTY SELL

WHEREAS, the JCSA was given a well lot and easement to access a well lot when the Shellbank Woods Subdivision was developed; and

WHEREAS, the well lot and easement have not been used nor are there plans to use the lot or easement in the future; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby approves the transfer of the easement located on Lot 1 as shown on the Shellbank Woods, Phase I Subdivision Plat (Plat Book 35, Page 88).

BE IT FURTHER RESOLVED that the Board further authorizes the General Manager to advertise and sell the well lot served by the easement to the highest bidder.

3. Setting Public Hearing - Amendment to Regulation Governing Utility Services

Mr. Foster requested advertising a public hearing to hear proposed changes to the regulations governing utility service regarding development paying for extension of system facilities.

Mr. Sisk made a motion to approve setting the public hearing.

The motion passed by unanimous voice vote.

D. **BOARD REQUESTS AND DIRECTIVES - None**

Mr. Taylor made a motion to adjourn.

The motion passed by unanimous voice vote.

The Board adjourned at 8:07 p.m.



David B. Norman
Secretary to the Board

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RECORDATION TAX EXEMPT PER CODE OF VIRGINIA, 1950,
AS AMENDED, SECTION 58.1-811 A (3)

THIS DEED, made this 21st day of November, ^{1994_{net}} 1993, by and between JAMES CITY SERVICE AUTHORITY, created by the County of James City, Virginia, organized and existing under the laws of the Commonwealth of Virginia, hereinafter referred to as "GRANTOR;" and FREDERICK C. MALONEY and SHARON L. MALONEY, husband and wife, hereinafter referred to as "GRANTEE."

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) cash and other good and valuable consideration, the receipt of which is hereby acknowledged, the said GRANTOR does hereby Grant, Convey, Release, and Quit Claim unto the GRANTEE, all of its rights, title, and interest in, and to, the following described property, to-wit:

All that certain lot, piece, or parcel of land lying and situate in Powhatan District, James City County, Virginia, shown as hatched area and designated as: "Exist. 10' San. Sewer Easement Hereby Vacated (shown thus)," on that certain plat entitled: "EASEMENT FROM: FREDERICK C. AND SHARON L. MALONEY TO: JAMES CITY SERVICE AUTHORITY, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA,," dated March 16, 1993, revised May 7, 1993, made by: AES Consulting Engineers, Williamsburg, Virginia, which said plat is attached hereto, to be recorded herewith for a more complete description of the easement herein conveyed.

Being a portion of the same property as that conveyed to the Grantor by Deed dated March 23, 1978, and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia, in Deed Book 185, Page 158.

WITNESS the following signatures and seals:

JAMES CITY SERVICE AUTHORITY

BY: David L. Sisk (SEAL)
DAVID L. SISK
CHAIRMAN, BOARD OF DIRECTORS

COMMONWEALTH OF VIRGINIA

COUNTY OF JAMES CITY, to wit:

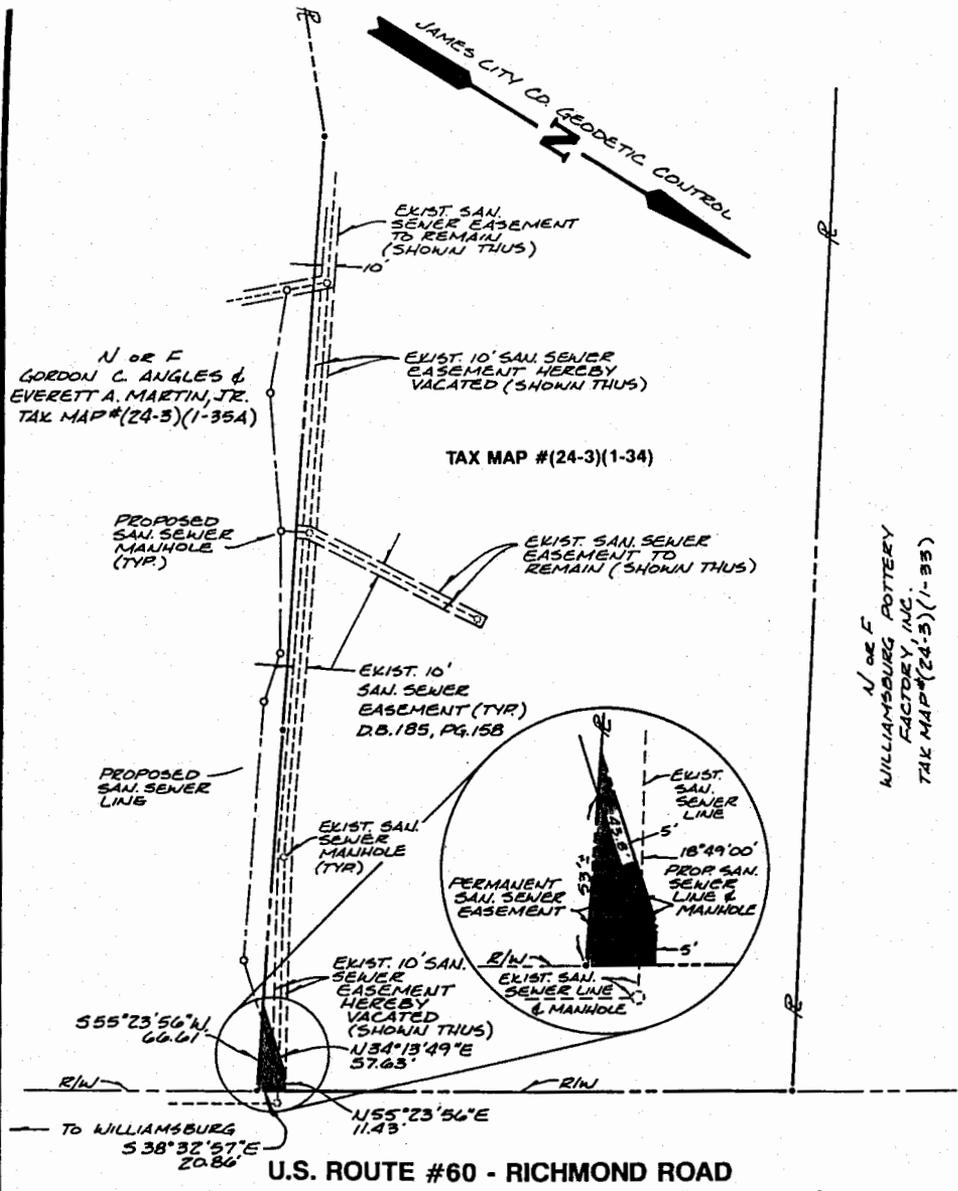
I, Wicki Ann Spragg, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that DAVID L. SISK, Chairman of the James City Service Authority Board of Directors, whose name is signed to the foregoing writing bearing date on the 21st day of November, ~~1993~~¹⁹⁹⁴, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand this 23 day of November, ~~1993~~¹⁹⁹⁴ was.

Wicki Ann Spragg
NOTARY PUBLIC

My commission expires on: March 31, 1996

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NOTE: SHADED AREA DENOTES PERMANENT SEWER EASEMENT
 AREA PERMANENT SEWER EASEMENT = 812 S.F.± OR 0.019 ACRES±



AES Consulting Engineers Engineers, Surveyors, Planners Williamsburg, Virginia

PLAT FOR SEWER EASEMENT
FROM: FREDERICK C. & SHARON L. MALONEY
TO: JAMES CITY SERVICE AUTHORITY

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Scale: 1" = 100' Ref.: D.B.185, PG.158 D.B.113, PG.573 Date: 3/16/93 Job No.: 7806-2

REV'D. PROPOSED SEWER & EASEMENTS 5/7/93