



CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE FOLLOWING ELECTRONIC RECORDS ARE TRUE AND ACCURATE REPRODUCTIONS OF THE ORIGINAL RECORDS OF JAMES CITY COUNTY GENERAL SERVICES DEPARTMENT- STORMWATER DIVISION; WERE SCANNED IN THE REGULAR COURSE OF BUSINESS PURSUANT TO GUIDELINES ESTABLISHED BY THE LIBRARY OF VIRGINIA AND ARCHIVES; AND HAVE BEEN VERIFIED IN THE CUSTODY OF THE INDIVIDUAL LISTED BELOW.

BMP NUMBER: 99187

DATE VERIFIED: July 5, 2016

QUALITY ASSURANCE TECHNICIAN: Jo Anna Ripley

LOCATION: WILLIAMSBURG, VIRGINIA

Brookhaven
99187

AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT

THIS AGREEMENT (the "Agreement"), made this 22nd day of January 201~~8~~⁶, by and between David G. Braxton, hereinafter referred to as Owner, and the COUNTY OF JAMES CITY, a political subdivision of the Commonwealth, hereinafter referred to the County.

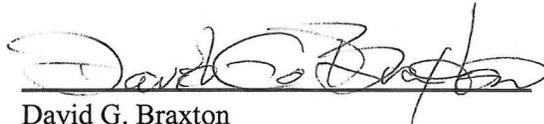
WHEREAS, Owner is the record owner of 149 Brook Haven Drive, Williamsburg, Virginia 23188 (the "Property");

WHEREAS, it is proposed by the County to install drainage improvements along Brook Haven Drive located in the County of James City, Virginia;

WHEREAS, as part of the project to improve the drainage along Brook Haven Drive, it is necessary that the County and/or its agents, enter upon the Property to construct an approximately one foot tall soil berm to better contain the stormwater along Brook Haven Drive within the road's right-of-way. An easement plat is attached herein and labeled Exhibit A;

NOW, THEREFORE, the parties mutually agree that the County or its agents will perform the Berm Construction on the Property by grading and filling the area, identified in Exhibit A "Plat Showing Temporary Construction Easement Dedicated to James City County from Clemenza F. & David G. Braxton Lot 6 Section 2 Brook Haven Subdivision" as a Variable Width Construction Easement (50 sf +/-), and stabilizing the disturbed area on the Property with grass vegetation. This easement will automatically extinguish one year after completion of construction or three years after execution of this Agreement. The remainder of the Property will be left in its original condition.

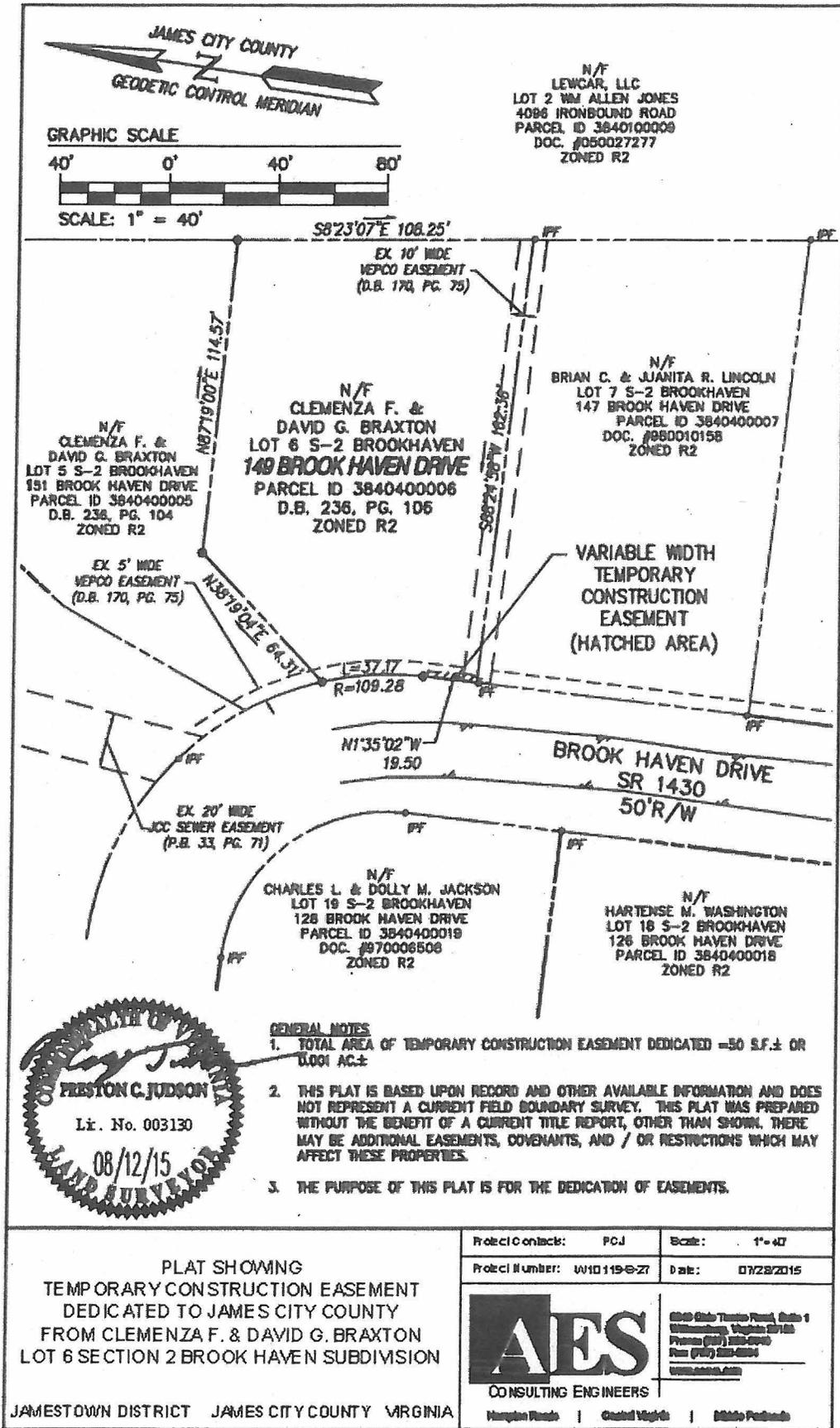
WITNESS the following signatures:



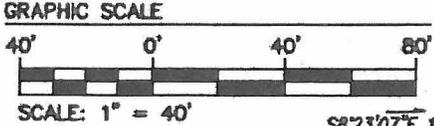
David G. Braxton
Owner



Bryan J. Hill
County Administrator
James City County



JAMES CITY COUNTY
 GEODETIC CONTROL MERIDIAN



N/F
 LEWCAR, LLC
 LOT 2 WM ALLEN JONES
 4086 IRONBOUND ROAD
 PARCEL ID 3840100009
 DOC. #050027277
 ZONED R2

N/F
 CLEMENZA F. &
 DAVID G. BRAXTON
 LOT 5 S-2 BROOKHAVEN
 151 BROOK HAVEN DRIVE
 PARCEL ID 3840400005
 D.B. 236, PG. 104
 ZONED R2

N/F
 CLEMENZA F. &
 DAVID G. BRAXTON
 LOT 6 S-2 BROOKHAVEN
 149 BROOK HAVEN DRIVE
 PARCEL ID 3840400006
 D.B. 236, PG. 105
 ZONED R2

N/F
 BRIAN C. & JUANITA R. LINCOLN
 LOT 7 S-2 BROOKHAVEN
 147 BROOK HAVEN DRIVE
 PARCEL ID 3840400007
 DOC. #960010158
 ZONED R2

VARIABLE WIDTH
 TEMPORARY
 CONSTRUCTION
 EASEMENT
 (HATCHED AREA)

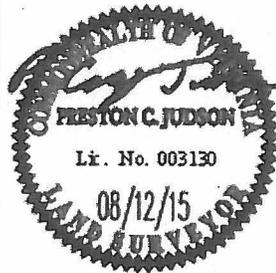
EX 5' WIDE
 WEPCO EASEMENT
 (D.B. 170, PG. 75)

EX 10' WIDE
 WEPCO EASEMENT
 (D.B. 170, PG. 75)

EX 20' WIDE
 JCC SEWER EASEMENT
 (P.B. 33, PG. 71)

N/F
 CHARLES L. & DOLLY M. JACKSON
 LOT 19 S-2 BROOKHAVEN
 126 BROOK HAVEN DRIVE
 PARCEL ID 3840400019
 DOC. #970006508
 ZONED R2

N/F
 HARTENSE M. WASHINGTON
 LOT 18 S-2 BROOKHAVEN
 126 BROOK HAVEN DRIVE
 PARCEL ID 3840400018
 ZONED R2



- GENERAL NOTES**
- TOTAL AREA OF TEMPORARY CONSTRUCTION EASEMENT DEDICATED = 50 S.F. ± OR 0.001 AC. ±
 - THIS PLAT IS BASED UPON RECORD AND OTHER AVAILABLE INFORMATION AND DOES NOT REPRESENT A CURRENT FIELD BOUNDARY SURVEY. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, OTHER THAN SHOWN. THERE MAY BE ADDITIONAL EASEMENTS, COVENANTS, AND / OR RESTRICTIONS WHICH MAY AFFECT THESE PROPERTIES.
 - THE PURPOSE OF THIS PLAT IS FOR THE DEDICATION OF EASEMENTS.

PLAT SHOWING
 TEMPORARY CONSTRUCTION EASEMENT
 DEDICATED TO JAMES CITY COUNTY
 FROM CLEMENZA F. & DAVID G. BRAXTON
 LOT 6 SECTION 2 BROOK HAVEN SUBDIVISION

JAMESTOWN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contact:	PCJ	Scale:	1" = 40'
Project Number:	W10119-S-27	Date:	07/28/2015

AES
 CONSULTING ENGINEERS

6000 Glen Turner Road, Suite 1
 Williamsburg, Virginia 23186
 Phone (800) 222-2242
 Fax (757) 222-2242
 www.aes.com

Virginia License | Certified Valuers | Multiple Professions

Prepared by and return to:
Wayland N. Bass P.E.
287 Mclaws Circle, Suite I
Williamsburg, VA 23185-5649
Phone: (757)259-1441

080016897

Tax Parcel Number(s): 3840300014A

RECORDATION TAX IS EXEMPT PURSUANT TO THE CODE OF VIRGINIA, 1950, AS AMENDED, SECTION 58.1-811 (A)(3) AND (C)(1).

**DEED OF EASEMENT
DRAINAGE EASEMENT**

This DEED OF EASEMENT made this 24 day of JUNE 2008 by and between ALBERT JOHNSON AND WILBERT JONES hereinafter referred to as "Grantors"; and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as "Grantee".

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors do grant and convey with GENERAL WARRANTY unto Grantee the following rights in and to certain real property situate, lying, and being in James City County, Virginia, to-wit:

The privilege and easement in perpetuity of right-of-way to construct, lay, maintain, repair inspect, improve, replace, and alter, and at will remove within the permanent easement hereinafter described and referred to works and systems for the transmission of stormwater and related services, over, upon, across, and under property of the Grantors, said permanent easement being further described on a certain plat entitled, "PLAT OF EASEMENT LOT 14 A, SECTION 1, BROOK HAVEN PREPARED FOR JAMES CITY COUNTY" Drawing or Job Number 9801-S-06 dated April 16, 2008, made by AES Consulting Engineers, a copy of which is attached hereto and made a part hereof and to which reference is here made for a more accurate description of the easements herein conveyed (the "Easement Area").

Said real estate having been conveyed to the Grantors by Deed recorded December 13, 1972 in Deed Book 141, page 141 in the Office of the Clerk of the Circuit Court of the City of Williamsburg and the County of James City.

The further terms and conditions of this grant are as follows:

a. The Grantee may (but is not required to) trim, cut, remove, and clear all trees, limbs, undergrowth, and any and all other obstructions within the Easement Area that may in any manner, in the Grantee's sole discretion, endanger or interfere with the proper and efficient construction or operation of the works and systems therein or thereon, and the Grantee shall have all other rights and privileges as are reasonable necessary or convenient for the full enjoyment and use of the easement herein granted for the aforesaid purpose.

b. The granting of this easement neither expressly nor impliedly constitutes any payment or the waiver of any obligation for the payment by the Grantors or their successors or assign of any fee or charge or obligation whatsoever, now due and payable or hereafter to become due and payable to the Grantee or to any person, firm, governmental body, or other corporation whatsoever.

c. The Grantee will exercise reasonable care to protect the Grantors' property from damage or injury occasioned in the enjoyment of the easement and rights herein granted.

The Grantors further covenant that they have the right to convey the said easement; that the Grantee shall have quiet and peaceful enjoyment and possession of said easement and that the Grantors will execute such further assurances of the said grants and easements herein contained as may be requisite.

[Remainder of page left intentionally blank]

Albert Johnson
ALBERT JOHNSON
Wilbert Jones
WILBERT JONES



COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

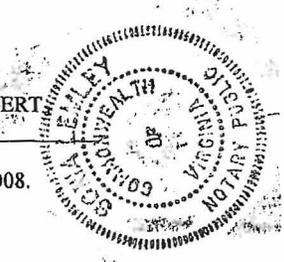
I, the undersigned Notary Public for the jurisdiction aforesaid, do certify that ALBERT JOHNSON, whose name is signed to the foregoing, writing, dated JUNE 24, 2008, has acknowledged the same before me in my jurisdiction aforesaid. GIVEN under my hand this 24 day of June, 2008.

Lewis Lemley
Notary Public Registration No. 7162504

My commission expires: Feb 28, 2012

COMMONWEALTH OF VIRGINIA
COUNTY OF JAMES CITY, to wit:

I, the undersigned Notary Public for the jurisdiction aforesaid, do certify that WILBERT JONES, whose name is signed to the foregoing, writing, dated June 24, 2008, has acknowledged the same before me in my jurisdiction aforesaid. GIVEN under my hand this 24 day of June, 2008.



Lewis Lemley
Notary Public Registration No. 7162504

My commission expires: Feb 28, 2012

The form of this Deed of Easement is approved and, pursuant to Resolution of the Board of Supervisors of James City County, Virginia, duly adopted on the 17th day of May 1993, this conveyance is hereby accepted on behalf of said County.

Adam R. Kinsman
Adam R. Kinsman
Deputy County Attorney

July 1, 2008
Date

Page 3 of 3

VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 7-8-2008
at 1:31 PM. The taxes imposed by Virginia Code
Section 58.1-801, 58.1-802 & 58.1-814 have been paid.

STATE TAX LOCAL TAX ADDITIONAL TAX
\$ _____ \$ _____ \$ _____

TESTE: BETSY B. WOOLRIDGE, CLERK
BY: Betsy B. Woolridge Clerk

PLAT ATTACHED

N/F
THE MIDLANDS TOWNHOUSES
T.M.(38-4)(15-1A)

N87°23'25"W 100.00'

EXISTING 15' DRAINAGE
& UTILITY EASEMENT
(P.B. 30, PG. 31)

RECORD MERIDIAN
PLAT BOOK 30, PAGE 31

AREA OF LOT 14A
20,000 S.F.±
0.459 ACRES±

LOT 15
T.M.(38-4)(3-15)

S02°36'35"W 200.00'

N02°36'35"E 200.00'

PROPOSED DRAINAGE
EASEMENT
(AREA = 425 S.F.)

N87°23'25"W
42.50'

S02°36'35"W
10.00'

S87°23'25"E
42.50'

N02°36'35"E
10.00'

82± TO C/L OF
BROOK HAVEN DRIVE

TEL PED

CATV PED

50.00'

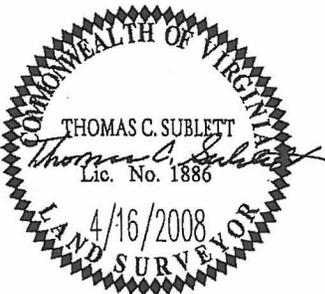
RIP RAP

S87°23'25"E 100.00'

EXISTING 10' DRAINAGE
& UTILITY EASEMENT
(P.B. 30, PG. 31)

BROOK HAVEN DRIVE
(50' PUBLIC R/W)

18" RCP



NOTE:
1. THIS PLAT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. IT IS
PREPARED FOR DRAINAGE EASEMENT PURPOSES ONLY.

TAX PARCEL: (38-4)(3-14A)
STREET ADDRESS: #129 BROOK HAVEN DRIVE



CONSULTING ENGINEERS
WILLIAMSBURG • RICHMOND • GLOUCESTER

5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040 Fax (757) 220-8994

PLAT OF EASEMENT
LOT 14A, SECTION 1, BROOK HAVEN
PREPARED FOR JAMES CITY COUNTY

JAMESTOWN DISTRICT

JAMES CITY COUNTY

VIRGINIA

Scale: 1"=30'

Ref: PLAT BOOK 30, PAGE 31

Date: 4/16/08

Job No: 9801-S-06

S:\J085\1280113-Survey\ub-brook haven\dwg\sur\vr10.15\2801-S-ub.dwg 4/24/2008 10:12:46 AM EJI