



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- STORMW ATER DIVISION; WERE SCANNED IN THE REGULAR COURSE OF BUSINESS PURSUANT TO GUIDELINES ESTABLISHED BY THE LIBRARY OF VIRGINIA AND ARCHIVES; AND HA VE BEEN VERIFIED IN THE CUSTODY OF THE INDIVIDUAL LISTED BELOW.

BMPNUMBER: PC061

DATE VERIFIED: April 14, 2016

QUALITY ASSURANCE TECHNICIAN: Charles E. Lovett II

A handwritten signature in cursive script that reads "Charles E. Lovett II".

LOCATION: WILLIAMSBURG, VIRGINIA

PC061

013917

INSPECTION/MAINTENANCE OF RUNOFF CONTROL FACILITY

THIS DECLARATION, made this 1 day of June, 1997, between L. Lewis Walling, II, and all successors in interest, hereinafter referred to as the "COVENANTOR(S)," owner(s) of the following property: Suldenut, Section II All Sections

and James City County, Virginia, hereinafter referred to as the "COUNTY."

WITNESSETH:

We, the COVENANTOR(S), with full authority to execute deeds, mortgages, other covenants, and all rights, titles and interests in the property described above, do hereby covenant with the COUNTY as follows:

1. The COVENANTOR(S) shall provide maintenance for the runoff control facility, hereinafter referred to as the "FACILITY," located on and serving the above-described property to ensure that the FACILITY is and remains in proper working condition in accordance with approved design standards, and with the law and applicable executive regulations.

2. If necessary, the COVENANTOR(S) shall levy regular or special assessments against all present or subsequent owners of property served by the FACILITY to ensure that the FACILITY is properly maintained.

3. The COVENANTOR(S) shall provide and maintain perpetual access from public right-of-ways to the FACILITY for the COUNTY, its agent and its contractor.

4. The COVENANTOR(S) shall grant the COUNTY, its agent and its contractor a right of entry to the FACILITY for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining or repairing the FACILITY.

5. If, after reasonable notice by the COUNTY, the COVENANTOR(S) shall fail to maintain the FACILITY in accordance with the approved design standards and with the law and applicable executive regulations, the COUNTY may perform all necessary repair or maintenance work, and the COUNTY may assess the COVENANTOR(S) and/or all property served by the FACILITY for the cost of the work and any applicable penalties.

6. The COVENANTOR(S) shall indemnify and save the COUNTY harmless from any and all claims for damages to persons or property arising from the installation, construction, maintenance, repair, operation or use of the FACILITY.

7. The COVENANTOR(s) shall promptly notify the COUNTY when the COVENANTOR(S) legally transfers any of the COVENANTOR(S)' responsibilities for the FACILITY. The COVENANTOR(S)' shall supply the COUNTY with a copy of any document of transfer, executed by both parties.

8. The covenants contained herein shall run with the land and shall bind the COVENANTOR(S) and the COVENANTOR(S)' heirs, executors, administrators, successors and assignees, and shall bind all present and subsequent owners of property served by the FACILITY.

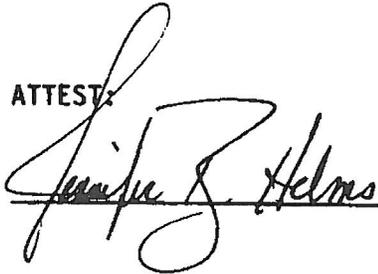
9. This DECLARATION shall be recorded in the County Land Records.

IN WITNESS WHEREOF, the COVENANTOR(S) have executed this DECLARATION OF COVENANTS as of this 1 day of June, 1994.

COVENANTOR(S)



ATTEST:



COVENANTOR(S)

ATTEST:

COMMONWEALTH OF VIRGINIA

~~CITY/COUNTY OF~~ YORK

The foregoing instrument was acknowledged before me this 1st day of JUNE 1994, by C. LEWIS WALTRIP II.


STANLEY J. DYKSTRA

Notary Public

My Commission expires: 31 JULY 1997

Approved as to form:



0261U
Revised 6/92

Legal Description

BOOK 702 PAGE 437

FIELDCREST - SECTION V

Beginning at a point, said point being the southeasterly corner of Lot 13, Section 4, Fieldcrest subdivision, thence following along the easterly line of Lot 13, N 05°28'00"E a distance of 70.27' to a point; thence continuing along the said easterly line of Lot 13, along the arc of a curve to the left whose radius is 135.00', arc length is 58.90', tangent distance is 29.93', chord distance is 58.44', chord bearing is N 07°02'00"W and whose central angle is 25°00'00" to a point on the extended 50' right of way known as Deerfield Court; thence crossing said Deerfield Court N 70°28'00"E a distance of 50.00' to a point on the easterly right of way line of the said extended Deerfield Court; thence departing from Deerfield Court following along the southerly line of the "Pump Station" parcel of Section 4, Fieldcrest subdivision the following courses and distances: N70°28'00"E a distance of 100.00'; S19°32'00"E a distance of 25.00'; N70°28'00"E a distance of 100.00' to a point on the line of land now or formerly owned by David M. Murray; thence along the line of land owned now or formerly owned by David M. Murray, the following courses and distance: S39°36'52"E a distance of 268.86'; S24°24'58"E a distance of 250.38'; S03°50'53"W a distance of 56.46'; S27°24'34"E a distance of 231.47' to a point on the northerly line of the land now or formerly owned by Frances White; thence following along the northerly line of the land of Frances White, S71°42'16"W a distance of 296.04' to a point on the easterly right of way line of the extended 50' right of way known as Deerfield Court; thence S71°28'56"W a distance of 50.00' to a point on the westerly right of way line of the aforesaid Deerfield Court; thence continuing along the northerly line of the land now or formerly owned by France White, S71°43'15"W a distance of 672.74' to a point on the newly dedicated right of way line of Greensprings Road (State Route #614), thence N18°28'09"W a distance of 653.29' to a point on the southerly line of Section 4, Fieldcrest subdivision; thence following along said southerly line of section 4, Fieldcrest subdivision, N57°58'13"E a distance of 382.67' to a point, thence, continuing along said southerly line of section 4, Fieldcrest subdivision, N88°27'12"E a distance of 228.69' to the southeasterly corner of Lot 13, Section 4, Fieldcrest subdivision, being the point and place of beginning, containing 16.43 acres, and more particularly described on plan by Rickmond Engineering, Inc. which last revision date is May 27, 1994 and entitled "Fieldcrest - Section V - Lot Layout, James City County, Virginia."

VIRGINIA: City of Williamsburg and County of James City, to Wit:

In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City the
Edloe Morecock, III day of Aug 19 94. This deed
 Certified Land Surveyor #1397 was presented with certificate annexed and
 admitted to record at 1:32 o'clock
 Tests: Helene S. Ward, Clerk
 by [Signature]
 Deputy Clerk

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