

Prepared by:

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Albemarle County Tax Map 61 (Belvedere Subdivision, Phase 4B)

*Tax Map Parcel 61-160R5
Consideration: \$10.00*

Prepared without the benefit of a title examination.

This deed is exempt from state recordation taxes pursuant to Va. Code Sec. 58.1-811(C)(4) and is exempt from the fees imposed by Va. Code Sec. 17-275 pursuant to Va. Code Sec. 17-266

DEED OF VACATION OF EASEMENT

This **DEED OF VACATION OF EASEMENT** ("Deed") is made as of this _____ day of May 2025, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia ("City"), "Grantor," and **BELVEDERE LONG HOLDINGS, LLC**, a Virginia limited liability company, "Grantee," whose address is 610 Rio Road West, Charlottesville, Virginia 22901.

RECITALS:

WHEREAS, Grantee owns certain real property in the County of Albemarle, Virginia, shown on the 2018 Deed of Easement (as defined below); and

WHEREAS, a Deed of Easement dated September 28, 2018, was recorded in the Albemarle County Clerk's Office as Instrument No. 201900000098 ("Original Deed of Easement") which included an Easement Plat, dated September 18, 2018, that established and dedicated, a 15' wide permanent natural gas line easement to the City as a public utility easement, as more particularly shown on the Easement Plat of the Original Deed of Easement and described below; and

WHEREAS, per Virginia Code § 15.2-2270, Grantee has requested vacation and release of the Easement by the City, described as follows:

The gas line easement dedicated to the City as a public easement by the Original Deed of Easement and, shown as an area on a plat entitled "PLAT VACATING A PORTION OF AN EXISTING GAS EASEMENT & CREATING A 15' GAS EASEMENT ALONG FOWLER STREET & BELVEDERE BOULEVARD, BELVEDERE SUBDIVISION PHASE 4B", dated February 17, 2025, attached hereto as Exhibit "A" ("2025 Vacation Plat"), said easement being labeled "15' GAS EASEMENT DB 5127 PG 140, CROSSHATCHED PORTION TO BE VACATED," and shall be referred to herein as the "Vacated Easement;" and

WHEREAS, by Ordinance adopted by City Council, attached hereto as Exhibit "B," the execution of this Deed of Vacation of Easement was authorized.

WITNESSETH:

NOW, THEREFORE, for and in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Incorporation of Recitals. The above recitals are incorporated herein as matters of contract and not mere recitals.
2. Vacation of Easements. The City hereby does hereby VACATE, RELEASE, and EXTINGUISH the Vacated Easement.
3. Abandonment. Any and all utility lines, pipes and facilities within the Vacated Easement ("Facilities") are hereby abandoned by the City and upon recordation of this Deed automatically inure to the Grantee who hereby accepts the Facilities to the extent they exist in "as-is, where-is" condition.
4. Indemnification: The City shall have no liability associated with the Facilities and Grantee shall indemnify and hold the City harmless against any claims or damages related to the Facilities or the Vacated Easement.

IN WITNESS WHEREOF, the Mayor of the City of Charlottesville, Virginia, has signed this Deed pursuant to an Ordinance adopted on May ____, 2025.

WITNESS the following signatures and seals.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____
Juandiego Wade, Mayor

COMMONWEALTH OF VIRGINIA
City of Charlottesville, Virginia

The foregoing instrument was acknowledged before me, a Notary Public in and for the aforesaid City and Commonwealth, by Juandiego Wade, Mayor of the City of Charlottesville, Virginia, on this _____ day of _____, 2025.

Notary Public

Registration #: _____

Approved as to form:

J. Vaden Hunt, Esq.
Deputy City Attorney

EXHIBIT “A”

2025 Vacation Plat

(see attached)

EXHIBIT “B”

Ordinance

(see attached)