

Prepared by:

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P.O. Box 911, Charlottesville, VA 22902*

City Tax Map #29-178 (501 Cherry Avenue)

*Tax Map Parcel 29-178
Consideration: \$10.00*

Prepared without the benefit of a title examination.

This Deed is exempt from state recordation taxes pursuant to Virginia Code § 58.1-811(C)(4) and is exempt from the fees imposed by Virginia Code § 17-275, pursuant to Virginia Code § 17-266

DEED OF VACATION OF EASEMENT

This **DEED OF VACATION OF EASEMENT** ("Deed") is made as of this _____ day of _____ 2025, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia ("City"), "Grantor," and **501 CHERRY, LLC**, a Virginia limited liability company, "Grantee, whose address is 224 14th St. NW, Charlottesville, Virginia 22903.

RECITALS:

WHEREAS, Grantee owns certain real property in the City, shown on the 1984 Deeds of Easement (as defined below); and

WHEREAS, a Deed of Easement, dated September 9, 1984, was recorded in the City Clerk's Office as Deed Book 456, Page 305, which included an Easement Plat, dated October 17, 1983, that established and dedicated a 12' storm sewer easement and 4' construction easement to the City, and a Deed of Easement dated November 29, 1984 ("Original Deeds of Easement"), which included the Easement Plat, dated October 18, 1983, that established and dedicated a 4' construction easement to the City, as more particularly shown on the Easement Plat of the Original Deeds of Easement and described below; and

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

The storm sewer and construction easements dedicated to the City as a public easements by the Original Deed of Easement and, shown as an area on a plat entitled "EASEMENT PLAT OF TAX MAP PARCEL 29-178 CITY OF CHARLOTTESVILLE VIRGINIA", dated March 10, 2025, attached hereto as **Exhibit "A"** ("2025 Vacation Plat"), said easement being labeled "PORTION OF 12' STORM SEWER EASEMENT AND 4' CONSTRUCTION EASEMENT 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 Easements.
3. Abandonment. Any and all utility lines, pipes and facilities within the Vacated Easements ("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 has signed this Deed pursuant to an Ordinance adopted on _____, 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)