

Albemarle County Parcel ID:
06000-00-00-078A0

This instrument prepared by and
upon recording return to:
Valerie W. Long, Esq. (VSB no. 42968)
Williams Mullen, P.C.
321 East Main Street, Suite 400
Charlottesville, Virginia 22902

**EXEMPT FROM RECORDATION TAXES PURSUANT TO SECTION 58.1-811(A)(3)
OF THE CODE OF VIRGINIA (1950), AS AMENDED**

QUITCLAIM DEED AND RESERVATION OF EASEMENTS

THIS QUITCLAIM DEED AND RESERVATION OF EASEMENTS (this “Deed”) is made as of this ____ day of _____, 2022, by and between the **SCHOOL BOARD OF THE COUNTY OF ALBEMARLE**, a political subdivision of the Commonwealth of Virginia, to be indexed as grantor and grantee (the “School Board”), whose address is 401 McIntire Rd, Charlottesville, VA 22902, and **RIVANNA WATER AND SEWER AUTHORITY**, a body politic and corporate created pursuant to the Virginia Water and Waste Authorities Act (the “Authority”), to be indexed as grantor and grantee, whose address is 695 Moores Creek Lane, Charlottesville, Virginia, 22902.

W I T N E S S E T H:

WHEREAS, the School Board is the owner of that certain parcel of real property located in Albemarle County, Virginia (the “County”) designated by the current tax maps of the County as tax map parcel 60-78A, being the property conveyed to the School Board by deed of Mildred Hart Woodward and Fletcher D. Woodward dated November 23, 1949, recorded in the Clerk’s Office of the Circuit Court of the County at Deed Book 287, page 414 (“Parcel 60-78A”);

WHEREAS, the Authority is the owner of that certain real property (the “Authority Parcel”) containing approximately 0.3730 acres, located in the County, and shown as “125’ x 130’ Lot, Rivanna Water and Sewer Authority, Deed Book 546 Page 643,” on that certain plat prepared by Draper Aden Associates entitled “Special Lot Subdivision for Albemarle-Berkeley Pump Station,” dated June 28, 2021, last revised September 9, 2021 (the “Plat”), which Plat is attached hereto as Exhibit A, recorded herewith, and made a part hereof; being the property conveyed to the Authority by Deed from the School Board dated March 13, 1974, recorded in the Clerk’s Office in Deed Book 546, page 643 (the “1974 Deed”), upon which is located a wastewater pump station owned and operated by the Authority and known as the Albemarle-Berkeley Wastewater Pump Station (the “Existing Pump Station”);

WHEREAS, the Authority has determined that it no longer requires the use or ownership of a portion of the Authority Parcel for operation of the Existing Pump Station, and the School Board has determined that it in turn requires the use and ownership of such portion of the Authority Parcel for its own future infrastructure needs;

WHEREAS, the Authority desires to convey its interest in such land to the School Board, and the School Board desires to accept such interest in such land, each subject to the reservation of certain easements as described herein.

NOW THEREFORE, in consideration of the premises above, \$10.00 cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto agree as follows:

The Authority does hereby QUITCLAIM, RELEASE, GRANT and CONVEY unto the School Board, its successors and assigns, without warranty, any and all right, title, and interest the Authority may possess in and to that certain parcel of real property located in the County, containing 0.1865 acres, shown and labeled as “Lot Y” on the Plat (“Lot Y”), which land shall be added to and combined with Parcel 60-78A, as shown on the Plat.

The School Board does hereby QUITCLAIM, RELEASE, GRANT and CONVEY unto the Authority, its successors and assigns, without warranty, any and all right, title, and interest the School Board may possess in and to that certain parcel of real property located in the County, containing 0.1865 acres, shown and labeled as “Lot X” on the Plat (“Lot X”).

The Authority’s conveyance of Lot Y to the School Board is made expressly subject to the reservation of the following easements:

1. Temporary Access and Construction Easement: The Authority hereby reserves to itself, its successors and assigns, for the benefit of Lot X, a temporary access and construction easement over the entirety of Lot Y, labeled on the Plat as “Proposed Temporary Access and Construction Easement, Rivanna Water and Sewer Authority, 8,125 square feet” (the Temporary Easement Area”), to allow the Authority and its employees, agents, and contractors to carry out the following actions within the Temporary Easement Area (collectively, the “Temporary Easement”):
 - a. Removal of any equipment or facilities owned or previously used by the Authority, from the Temporary Easement Area;
 - b. Access to Lot X and the Authority’s Existing Pump Station for general operational and maintenance purposes, including any improvements to the Existing Pump Station;
 - c. Access to Lot X to construct a new replacement pump station and associated utilities and equipment on Lot X (the “Replacement Pump Station”), and for construction staging and materials storage in connection with such construction;

- d. Access to Lot X to demolish and remove the Existing Pump Station and all equipment and facilities associated therewith, and for construction staging and materials storage in connection with such demolition and removal; and
- e. Such other reasonable activities as the Authority reasonably determines to be necessary or appropriate in connection with subparagraphs 1(a) through 1(d) herein.

The Temporary Easement shall automatically expire upon the Authority's completion of the installation of the Replacement Pump Station and the removal of the Existing Pump Station, and written notice from the Authority to the School Board of such completion.

2. Permanent Access Easement: The Authority hereby reserves to itself, its successors and assigns, and as an appurtenance to Lot X, a perpetual, non-exclusive right, privilege and easement over, upon, across and through the area shown as "Proposed 30' and Variable Width Access Easement, Rivanna Water and Sewer Authority, 14,613 square feet" on the Plat (the "Permanent Access Easement Area"), for the purposes of pedestrian and vehicular access, ingress and egress to Lot X, including such access to Lot X as may be carried out in connection with the Authority's use and enjoyment of the Temporary Easement (the "Permanent Access Easement").

Notice and Acknowledgement of Remaining Underground Facilities

The Authority recently demolished a concrete emergency storage basin, which was formerly a wastewater treatment facility, that spanned the boundaries of both Lot X and Lot Y as well as general area of Parcel 60-78A adjacent to both (the "Basin"). The Authority completed this demolition project in 2020 (the "2020 Project"). Pursuant to regulatory approvals of the 2020 Project, certain remnants of the Basin remain in, on, or adjacent to Lots X and Y as follows:

- Buried Concrete Anchors, generally located on the North and West sides of the Basin.
- Portions of the existing Chlorination Facility greater than 2' below grade; generally located to the North of the Basin.
- Below grade Septic and Settling Tanks, generally located to the East of the Basin.
- Abandoned Sanitary Sewer Piping, generally located to the East of the Basin.
- Abandoned 3/4" Water Line, generally located to the West of the Basin.

Such remaining remnants of the Basin and their general locations are shown in more detail on the plans prepared by Short Elliot Hendrickson entitled "As Built for Albemarle – Berkeley Wastewater Pump Station Storage Basin Demolition, Albemarle County, Virginia, RWSA RFB No. 365," dated June 4, 2020, and attached hereto and recorded herewith as Exhibit B. All other portions of the Basin were demolished and removed during the 2020 Project. By its execution and delivery of this Deed, the School Board

acknowledges and consents to the remnants of the Basin remaining in place on and around Parcel Y as described herein.

This conveyance is subject to all easements, reservations, restrictions, conditions and other encumbrances contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above-described property which have not expired by a time limitation contained therein or have not otherwise become ineffective, expressly including all such easements conveyed to the Authority in the 1974 Deed and as shown on the Plat.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

[Signature Page 1 of 2 of
Quitclaim Deed and Reservation of Easements]

WITNESS the following signatures and seals:

RIVANNA WATER & SEWER AUTHORITY

By: _____ (SEAL)
William I. Mawyer, Jr., P.E.,
Executive Director

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2022 by William I. Mawyer, Jr., P.E., Executive Director of the Rivanna Water & Sewer Authority, on behalf of the Authority.

Notary Public

My Commission Expires: _____
Notary Registration No.: _____

[Signatures continue on following page]

[Signature Page 2 of 2 of
Quitclaim Deed and Reservation of Easements]

**SCHOOL BOARD OF THE COUNTY OF
ALBEMARLE**

By: _____ (SEAL)

Printed Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ___ day of _____,
2022 by _____ [Name], _____ [Title]
of the School Board of the County of Albemarle, on behalf of the School Board.

Notary Public

My Commission Expires: _____
Notary Registration No.: _____

[END OF SIGNATURES]

EXHIBIT A

Plat prepared by Draper Aden Associates entitled “Special Lot Subdivision for Albemarle-Berkeley Pump Station,” dated June 28, 2021, last revised September 9, 2021

Attached hereto.

EXHIBIT B:

As Built for Albemarle – Berkeley Wastewater Pump Station Storage Basin Demolition,
Albemarle County, Virginia, RWSA RFB No. 365,” dated June 4, 2020

Attached Hereto

45381333.5