

NOTICE OF PUBLIC HEARING

The Northampton County Board of Supervisors will conduct a public hearing on Tuesday, June 14, 2016 at 7:00 p.m. in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the following matter:

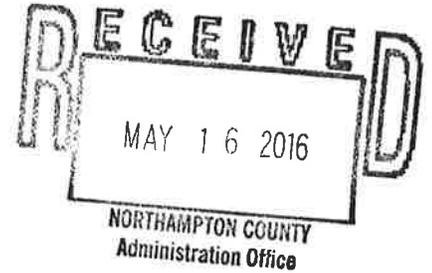
Consider the possible transfer of property to the Commonwealth of Virginia as described below:

That portion of State Route 642 (Old Cape Charles Road) located between the boundary of the lands of the landowner and the centerline of State Route 642, from approximate centerline Station 121+60 to approximate centerline Station 121+70. The source being a portion of the property acquired by the Landowner from Sally Tazewell and Ella W. Tazewell to William L. Scott by Deed dated May 12, 1883 and recorded September 13, 1883 in Deed Book 41, Page 213, in the Office of the Clerk of the Circuit Court of the County of Northampton. It being a portion of the land taken by Certificate of Take No. C-516006 recorded in the Northampton Circuit Court as Instrument No. 160000366 on March 7, 2016.

Handicapped assistance available. Please telephone (757) 678-0440 at least 48 hours in advance.

NORRIS & ST. CLAIR, P.C.
Attorneys at Law

John S. Norris, Jr.
Richard W. Ratajczak
James P. St. Clair
Jonathan L. Stone



May 10, 2016

Northampton County - Virginia
c/o Katherine Nunez, City Administrator
Post Office Box 66
Eastville, VA 23347

Re: RIGHT OF WAY – Property of Northampton County, Town of Cape Charles, Bay Creek South LLC, Wilhelmina Bosse, SouthPort Investors LLC, Crosby H. Johnson and Edith E. Johnson, the Heirs and/or Devisees of Thora Scott Ronalds McElroy, or unknown heirs and devisees, as their interests may appear
State Project: 0642-065-577, RW201, Parcel 015 UPC# 103391
Property Address: Old Cape Charles Road & SR642
Certificate of Take No: C-516006 - \$1,600.00 recorded as 160000366 on 3/07/16

Dear Ms. Nunez:

I have been retained by the Commissioner of Highways (“Commissioner”) to represent his interests in condemnation proceedings for the referenced property. My file indicates that you represent Northampton County, a party having a possible interest in this property. I further understand that Northampton County is willing to execute a Quit Claim Deed in favor of the Commissioner, transferring its interests in the subject property. To that end, I enclose a Deed for execution by an authorized representative of Northampton County, which should be returned to me for recordation along with a copy of a resolution authorizing the conveyance.

Please let me know if you have questions in this regard. Your anticipated cooperation is appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "John S. Norris, Jr.", written over a large, stylized flourish.

John S. Norris, Jr.

JSN/eaw
Enclosure

cc: Thomas L. Busch - VDOT

TAX MAP # N/A
G-PIN # N/A

PREPARED BY

John S. Norris, Jr., Esquire
VSF # 15860
Norris & St. Clair, P.C.
2840 S. Lynnhaven Road
Virginia Beach, VA 23452-6715

UPC 103397
Parcel 015

Exempted from recordation taxes
and fees under Sections 58.1-811(A)(3),
58.1-811(C)(5), 58.1-3315, 25.1-418,
42.1-70, 17.1-266, and 17.1-279(E)

This **DEED OF GIFT AND DONATION** is made this ____ day of _____, 2016, by and between the **BOARD OF SUPERVISORS OF NORTHAMPTON COUNTY, VIRGINIA**, Grantor (whether one or more), and the **COMMONWEALTH OF VIRGINIA, GRANTEE**,

WITNESSETH:

WHEREAS, by a meeting of the Grantor on _____, 2016, a resolution was duly passed on _____, 2016 authorizing the conveyance by Grantor to Grantee of the following described parcel of land in fee, *said meeting being a public hearing held pursuant to Section 15.2-1800 of the Code of Virginia (1950), as amended*;

In consideration of the sum of One Dollar (\$1.00) paid by the **GRANTEE** to the **GRANTOR**, and other good and valuable consideration including the good will to be derived therefrom and the contribution to the improvements of the roads of the Commonwealth, the receipt and sufficiency of which is hereby acknowledged, the **GRANTOR** hereby quitclaims, releases and remises unto the **GRANTEE**, in fee simple, without warranty, the land located in the County of Northampton and more particularly described as follows:

That portion of State Route 642 (Old Cape Charles Road) located between the boundary of the lands of the landowner and the centerline of State Route 642, from approximate centerline Station 121+60 to approximate centerline Station 121+70.

The source being a portion of the property acquired by the Landowner from Sally Tazewell and Ella W. Tazewell to William L. Scott by Deed dated May 12, 1883 and recorded September 13, 1883 in Deed Book 41, Page 213, in the Office of the Clerk of the Circuit Court of the County of Northampton.

It being a portion of the land taken by Certificate of Take No. C-516006 recorded in the

Northampton Circuit Court as Instrument No. 160000366 on March 7, 2016.

For a more particular description of the land herein conveyed, reference is made to Sheets No. 4, 4(1)RW, 5, 5RW, 6, and 6RW of the plans for Route 642, State Highway Project 0642-065-577, RW-201, and showing outlined in RED the land conveyed in fee simple, as recorded in the State Highway Plat Book 9, Pages 131-139.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect its property have been fully explained to its authorized representative.

The Grantor covenants and agrees for itself, its successors and assigns, that the consideration hereinabove mentioned and paid to it shall be in lieu of any and all claims to compensation for land, and for damages, if any, to the remaining lands of the Grantor which may result by reason of the use to which the Grantee will put the land to be conveyed, including such drainage facilities as may be necessary.

WITNESS the following signature and seal:

**BOARD OF SUPERVISORS OF
NORTHAMPTON COUNTY, VIRGINIA**

By _____ (SEAL)
Name _____
Title _____

APPROVED AS TO FORM:

County Attorney

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, whose title is _____, on behalf of the Board of Supervisors of Northampton County, Virginia.

Notary Public

My Commission expires _____
Notary Registration No.: _____

RESOLUTION

CAPE CHARLES HARBOR ACCESS ROAD DONATION

WHEREAS, the Cape Charles Harbor Access Road Project, identified as priority number one within Northampton County's Six Year Secondary Road Improvement Plan, will create expanded economic development opportunity for underdeveloped and impoverished Northampton County by providing a much-needed highway access connecting sea-lane and rail-based shipping, deep-water access, and the Route 13 north/south highway corridor serving the Atlantic seacoast; and

WHEREAS, this road project is scheduled to commence during the Fall of 2016 and requires the donation of certain properties to the Commonwealth of Virginia.

NOW, THEREFORE, BE IT RESOLVED, that the Northampton County Board of Supervisors does hereby transfer its interest in said property to the Commonwealth of Virginia and authorizes the Chairman and/or County Administrator to execute such documentation as may be required to effect such transfer of property as identified below:

That portion of State Route 642 (Old Cape Charles Road) located between the boundary of the lands of the landowner and the centerline of State Route 642, from approximate centerline Station 121+60 to approximate centerline Station 121+70. The source being a portion of the property acquired by the Landowner from Sally Tazewell and Ella W. Tazewell to William L. Scott by Deed dated May 12, 1883 and recorded September 13, 1883 in Deed Book 41, Page 213, in the Office of the Clerk of the Circuit Court of the County of Northampton. It being a portion of the land taken by Certificate of Take No. C-516006 recorded in the Northampton Circuit Court as Instrument No. 160000366 on March 7, 2016.

Adopted this _____ day of _____, 2016.

NORTHAMPTON COUNTY BOARD OF SUPERVISORS

By: _____
Chairman

ATTEST:

County Administrator/Clerk