

200402609

Prepared by: DuretteBradshaw PLC

Tax Map #: Portion of 51-A-41D

THIS DEED OF EASEMENT, is made and entered into this 30th day of September, 2004, by and between POPLAR HILL DEVELOPMENT GROUP, L.L.C., A Virginia Limited Liability Company ("Grantor"), and THE POPLAR HILL COMMUNITY DEVELOPMENT AUTHORITY, PRINCE EDWARD COUNTY, VIRGINIA, a public body politic and corporate and a political subdivision of the Commonwealth of Virginia ("Grantee"), whose address is Post Office Box 605, Farmville, Virginia 23901, having its mailing address at 113B East Second Street, Farmville, Virginia, 23901.

WITNESSETH:

WHEREAS, the Grantor owns certain real estate (the "Grantor Lands") lying and being in Farmville Magisterial District, Prince Edward County, Virginia, more particularly described on Exhibit "A" attached hereto, being Lot D containing 22.495 acres and Lot E containing 42.524 acres, of the premises which Poplar Hill Associates, L.L.C., a Virginia limited liability company, H-SC Poplar Hill, L L C, a Virginia limited liability company, Poplar Hill Community Development Authority, Prince Edward County Virginia, a Virginia corporation [sic] and Poplar Hill Development Group, L.L.C., a Virginia limited liability company, by Deed of Partition dated February 7, 2000, and recorded on February 8, 2000, at Deed Book 341, page 646, granted and conveyed to Grantor, and also being Parcel "D" and Parcel "E" as shown on that certain plat of Draper Aden Associates, Consulting Engineers/Surveyors dated December 12, 2001 and last revised September ~~30~~ 2004 entitled COMPILED PLAT SHOWING 435.1 +/- ACRES OF LAND, BEING THE REMAINDER OF POPLAR HILL FARM, (PARCELS #1 AND #2), PARCEL "T" AND PARCEL "U", LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, and recorded in Plat Cabinet _____, slides _____ through _____ in the Clerk's Office of the Circuit Court of Prince Edward County, Virginia (the "Plat"); and,

WHEREAS, Grantee owns certain real estate (the "Grantee Land") lying and being in Farmville Magisterial District, Prince Edward County, Virginia, more particularly described on Exhibit "B" attached hereto, being as to a portion thereof the same premises which Poplar Hill Associates, L.L.C., a Virginia limited liability company, H-SC Poplar Hill, L L C, a Virginia limited liability company, Poplar Hill Community Development Authority, Prince Edward County Virginia, a Virginia corporation [sic] and Poplar Hill Development Group, L.L.C., a Virginia limited liability company, by Deed of Partition dated February 7, 2000, and recorded on February 8, 2000, at Deed Book 341, page 661, granted and conveyed to Grantee, and as to a portion thereof the same premises which H-SC Poplar Hill, LLC, a Virginia limited liability company, and Poplar Hill Associates, L.L.C., a Virginia limited liability company, by Deed of Boundary Line Adjustment, Property Exchange and Partial Release dated September ~~30~~, 2004, and recorded on October __, 2004, at Deed Book ____, page ____, granted and conveyed to Grantee, and also being as to the entirety thereof Parcel #1 and Parcel "U" as shown on the Plat; and

WHEREAS, the Grantee desires to obtain, for the purpose of a right-of-way for ingress and egress, a permanent, non-exclusive easement for access over and across the Grantor Land, between the Grantee Land and U.S. Route 15; and

WHEREAS, the Grantor desires to grant to the Grantee such non-exclusive easement.

NOW, THEREFORE, in consideration of the premises herein contained and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantee, its successors and assigns, forever, a free and unobstructed easement, appurtenant to and running with the Grantee Land, for pedestrian and vehicular access between the Grantee Land and U.S. Route 15, over the following portion of the Grantor Land to-wit:

a right-of-way 50 feet in width, the centerline of which is along the centerline of the existing road beginning on the east side of U.S. Route 15, leaving U.S. Route 15 in a southerly direction along the centerline of Old Route 15, thence meandering in an easterly then southerly direction to the northern property line of Parcel "U" and the western property line of Parcel #1 as shown on the Plat, and as more particularly depicted on Exhibit "C" attached hereto.

WITNESS the following signatures and seals:


POPLAR HILL DEVELOPMENT GROUP, LLC

By: 
Southard S. Brumfield

Its: Manager

COMMONWEALTH OF VIRGINIA
COUNTY OF PRINCE EDWARD

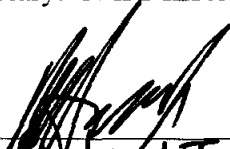
The foregoing instrument was acknowledged before me this 28th day of September, 2004, by Southard S. Brumfield, Manager of Poplar Hill Development Group, L.L.C. as and for the act of the Company.

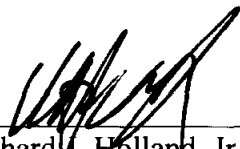

NOTARY PUBLIC

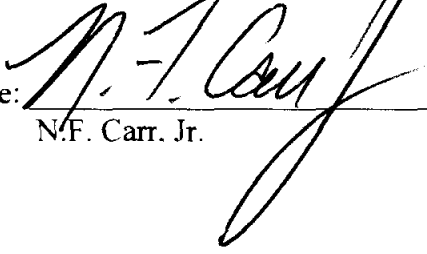
My Commission Expires: 08.31.07.

INTENDING TO BE LEGALLY BOUND, for itself and its successors and assigns, the undersigned Trustees and Beneficiary pursuant to Deed of Trust dated 02-07-00 and recorded in the Clerk's Office of the Circuit Court of Prince Edward County, Virginia at Book 341, Page 677 et seq., consents and subordinates the lien of such Deed of Trust to the foregoing Access Easement.

Beneficiary: FARMERS BANK, WINDSOR, VA

By: 
Name: Richard J. Holland, Jr.
Title: President & CEO

Trustee: 
Name: Richard J. Holland, Jr.

Trustee: 
Name: N.F. Carr, Jr.

Commonwealth of Virginia
County of Isle of Wight

:
: SS:
:

On this, the 29th day of September, 2004, before me, the undersigned officer, personally appeared Richard J. Holland, Jr., who acknowledged himself to be a Trustee under the Deed of Trust covering the Development Land of Poplar Hill Development Group, L.L.C., a Virginia limited liability company, and in that capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Shirley G. Robinson
NOTARY PUBLIC

My Commission Expires: September 30, 2005

Commonwealth of Virginia
County of Rockingham

:
: SS:
:

On this, the 01 day of September, 2004, before me, the undersigned officer, personally appeared N. F. Carr, Jr., who acknowledged himself to be a Trustee under the Deed of Trust covering the Development Land of Poplar Hill Development Group, L.L.C., a Virginia limited liability company, and in that capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

Shirley B. Robinson
NOTARY PUBLIC

My Commission Expires: September 30, 2005

Commonwealth of Virginia
County of Isle of Wight

:
: SS:
:

On this, the 27 day of September, 2004, before me, the undersigned officer, personally appeared Richard S. Holland, Jr. who acknowledged himself/herself to be the President & CEO of Farmers Bank, Windsor, VA. Beneficiary under the Deed of Trust covering the Development Land of Poplar Hill Development Group, L.L.C., a Virginia limited liability company, and in that capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the bank by himself/herself as President & CEO.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Shirley D. Robinson
NOTARY PUBLIC

MY COMMISSION EXPIRES:

September 30, 2005

**EXHIBIT A
GRANTOR LAND**

ALL THOSE CERTAIN tracts or parcels of land situated in Farmville Magisterial District, Prince Edward County, Virginia, being more particularly described and identified as Parcels D and E on the Plat prepared by Draper Aden Associates, Project No. P-R99392-22, consisting of the following individual plats:

1. COMPILED PLAT SHOWING 435.1+/- ACRES OF LAND, BEING THE REMAINDER OF POPLAR HILL FARM (PARCELS #1 AND #2), PARCEL "T" AND PARCEL "U", LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated December 12, 2001, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 # 1 and #2
2. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "J", AN 81.615 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 # 3
3. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "L", AN 87.729 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 # 4
4. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "M", A 47.058 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 # 5
5. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "N", A 29.141 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD

COUNTY, VIRGINIA, dated August 27, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 #1

6. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "O", A 16.428 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 #2
7. "COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "Q", A 24.288 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 #3
8. "COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "S", A 35.348 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 #4
9. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "T", A 21.249 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 31, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 #5

BEING the same premises which Poplar Hill Associates, L.L.C., H-SC Poplar Hill, LLC, Poplar Hill Community Development Authority, Prince Edward County, Virginia and Poplar Hill Development Group, L.L.C. by Deed of Partition dated February 7, 2000 and recorded February 8, 2000 in the Clerk's Office of the Circuit Court of Prince Edward County, Virginia, in Deed Book 341, page 646 granted and conveyed unto Poplar Hill Development Group, L.L.C.

**EXHIBIT B
GRANTEE LAND**

ALL THOSE CERTAIN tracts or parcels of land situated in Farmville Magisterial District, Prince Edward County, Virginia, totaling in the aggregate 313.008 acres, more or less, being more particularly described and identified as Parcels #1 and U on the Plat prepared by Draper Aden Associates, Project No. P-R99392-22, consisting of the following individual plats:

1. COMPILED PLAT SHOWING 435.1+/- ACRES OF LAND, BEING THE REMAINDER OF POPLAR HILL FARM (PARCELS #1 AND #2), PARCEL "T" AND PARCEL "U", LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated December 12, 2001, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 #1 and #2
2. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "J", AN 81.615 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 #3
3. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "L", AN 87.729 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 #4
4. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "M", A 47.058 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 310 #5
5. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "N", A 29.141 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 #1
6. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "O", A 16.428 ACRE DIVISION OF LAND LOCATED

IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 # 2

7. "COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "Q", A 24.288 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 27, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311. # 3
8. "COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "S", A 35.348 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311. # 4
9. COMPILED PLAT SHOWING THE RECONFIGURATION OF PARCEL "T", A 21.249 ACRE DIVISION OF LAND LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA, dated August 31, 2004, last revised September 30, 2004 and recorded in the aforesaid Clerk's Office in Plat Cabinet A Slide 311 # 5

TOGETHER WITH a non-exclusive easement for ingress and egress, over and across the Farm from the Property to Route 15 (the "Access Easement") granted by Deed of Partition dated February 7, 2000, recorded February 8, 2000, in Deed Book 341, Page 661, and as shown on that certain approved site plan on file in the Planning Office of Prince Edward County, Virginia, and entitled, "Poplar Hill Golf Course, Prince Edward County, Virginia, Conceptual Land Use Plan and Golf Course Routing", prepared by Draper Aden Associates, dated November 3, 1999 (the "Site Plan"), as confirmed by Confirmatory Access and Utility Easement Agreement dated September 30, 2004, and recorded ~~2004~~, 2004, at Instrument Number 200402010 10-8-

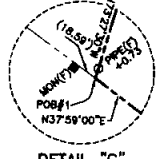
TOGETHER WITH a non-exclusive easement to provide utility services to the Property, over and across the Farm, including but not limited to, sanitary sewer, water, electrical power and telephone (the "Utility Easement") granted by Deed of Partition dated February 7, 2000, recorded February 8, 2000, in Deed Book 341, Page 661, and as indicated on those two plans, one entitled "POPLAR HILL PER-FIGURE 2-PROPOSED SEWER SYSTEM" and the other entitled "POPLAR HILL PER-FIGURE 1-PROPOSED WATER SYSTEM" both prepared by Draper Aden Associates (collectively, the "Utility Plan"), as confirmed by Confirmatory Access and Utility Easement Agreement dated September 30, 2004, and recorded 10-8-04 2004, at Instrument Number 200402010

BEING as to a portion thereof, a portion of the property conveyed to Poplar Hill Community Development Authority, Prince Edward County Virginia, by Deed of Partition dated February 7, 2000 and recorded February 8, 2000 in the aforesaid Clerk's Office of the Circuit Court of Prince Edward County, Virginia at Deed Book 341, page 661, and FURTHER BEING the property conveyed to The Poplar Hill Community Development Authority, Prince Edward County, Virginia, by Deed of Boundary Line Adjustment, Property Exchange and Partial Release, dated September 30, 2004 and recorded in the aforesaid Clerk's Office as Instrument Number 200402608.

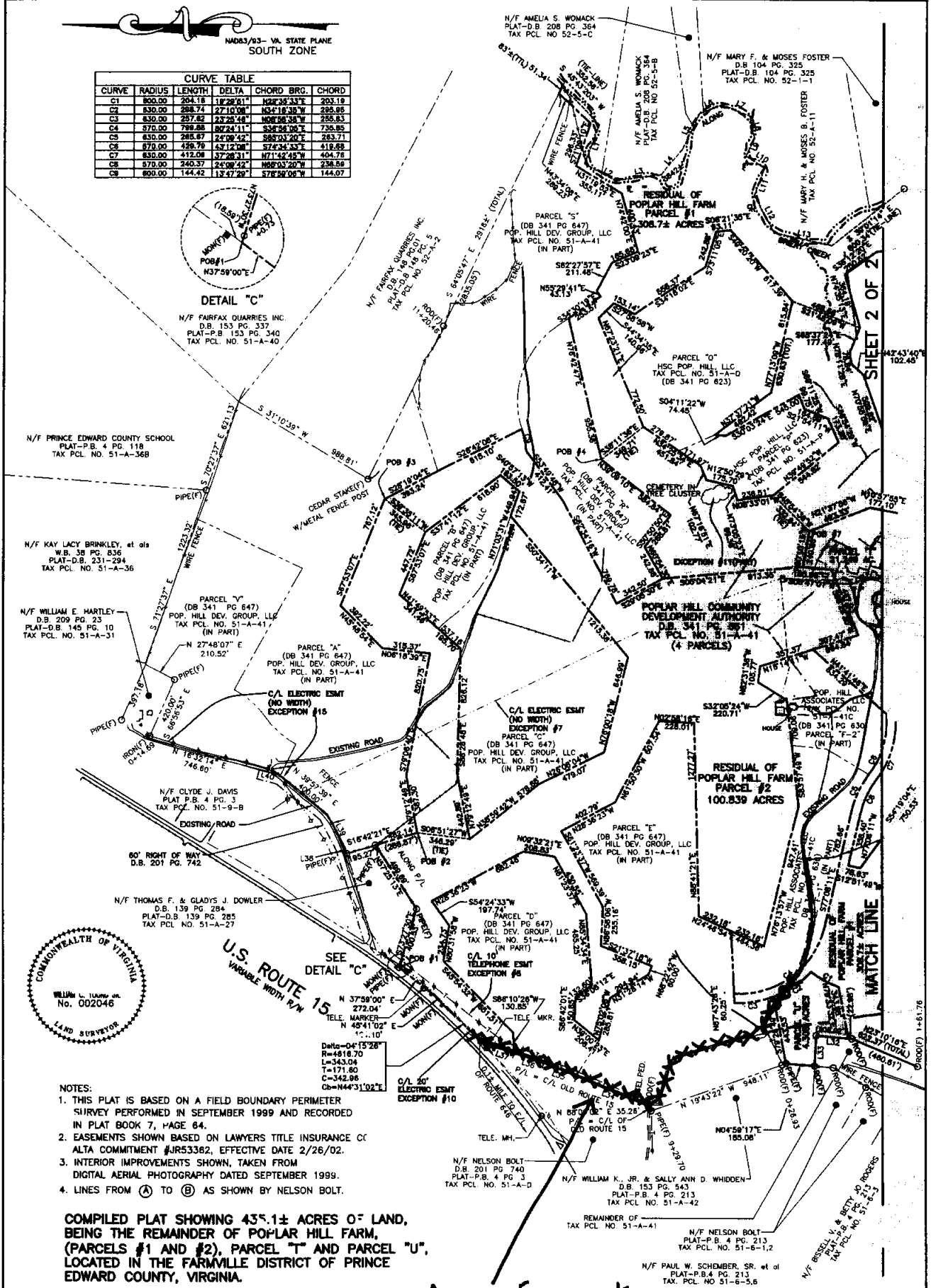
EXHIBIT "C"
DEPICTION OF EASEMENT AREA



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	600.00	204.18	11°29'11"	N26°35'33"E	203.19
C2	630.00	294.74	27°10'00"	N32°18'38"W	295.06
C3	630.00	277.42	23°25'44"	N06°06'38"W	256.83
C4	370.00	729.88	80°24'11"	S35°04'10"E	735.95
C5	630.00	285.87	24°02'42"	S68°03'20"E	283.71
C6	670.00	429.79	43°12'00"	S74°34'33"E	419.88
C7	630.00	412.00	37°28'31"	N71°42'45"W	404.78
C8	570.00	240.37	24°08'42"	N68°03'20"W	238.59
C9	600.00	144.42	12°47'29"	S78°59'04"W	144.07



DETAIL "C"
N/F FAIRFAX QUARRIES INC.
D.B. 153 PG. 337
PLAT-D.B. 231-294
TAX PCL. NO. 51-A-40



N/F PRINCE EDWARD COUNTY SCHOOL
PLAT-P.B. 4 PG. 118
TAX PCL. NO. 51-A-36B

N/F KAY LACY BRINKLEY, et als
W.B. 38 PG. 836
PLAT-D.B. 231-294
TAX PCL. NO. 51-A-36

N/F WILLIAM E. HARTLEY
D.B. 209 PG. 23
PLAT-D.B. 231-294
TAX PCL. NO. 51-A-31

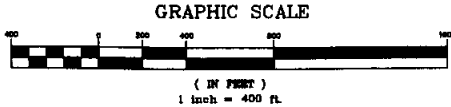
N/F CLYDE J. DAVIS
PLAT-P.B. 4 PG. 3
TAX PCL. NO. 51-9-B

N/F THOMAS F. & GLADYS J. DOWLER
D.B. 139 PG. 284
PLAT-D.B. 139 PG. 285
TAX PCL. NO. 51-A-27



- NOTES:
1. THIS PLAT IS BASED ON A FIELD BOUNDARY PERIMETER SURVEY PERFORMED IN SEPTEMBER 1999 AND RECORDED IN PLAT BOOK 7, PAGE 64.
 2. EASEMENTS SHOWN BASED ON LAWYERS TITLE INSURANCE CO ALTA COMMITMENT #JRS3382, EFFECTIVE DATE 2/26/02.
 3. INTERIOR IMPROVEMENTS SHOWN, TAKEN FROM DIGITAL AERIAL PHOTOGRAPHY DATED SEPTEMBER 1999.
 4. LINES FROM (A) TO (B) AS SHOWN BY NELSON BOLT.

COMPILED PLAT SHOWING 435.1± ACRES OF LAND, BEING THE REMAINDER OF POPLAR HILL FARM, (PARCELS #1 AND #2), PARCEL "T" AND PARCEL "U", LOCATED IN THE FARMVILLE DISTRICT OF PRINCE EDWARD COUNTY, VIRGINIA.



Access Easement

Draper Aden Associates
CONSULTING ENGINEERS/SURVEYORS
8080 VILLA PARK DRIVE
RICHMOND, VIRGINIA 23228

DATE: 12/12/01 SCALE: 1" = 400'
DRAWING BY: [Signature] CHECKED: WCY
PROJECT NO. P-R06302-22

INSTRUMENT #200402609
RECORDED IN THE CLERK'S OFFICE OF
PRINCE EDWARD COUNTY ON
OCTOBER 8, 2004 AT 04:17PM
EARLMA R. BLESSING, CLERK

RECORDED BY: JNG

Jacki Blanton, DC

~~Grantor's Tax: \$~~
Examined and Mailed/Delivered To:

Date: 10-7-04 *Dixie Cochran*