

RECORDATION COVER SHEET

TYPE OF INSTRUMENT:	DEED OF DEDICATION AND EASEMENT
DATE OF INSTRUMENT:	<u>9/13</u> , 2021
NAME OF GRANTORS:	1) JOHN CLAYTON <u>ASHTON, III, TRUSTEE</u> <u>UNDER ASHTON FAMILY TRUST DATED</u> <u>JULY 31, 2014</u> 2) SHARON COCHRAN <u>ASHTON, TRUSTEE</u> <u>UNDER ASHTON FAMILY TRUST DATED</u> <u>JULY 31, 2014</u>
NAME OF GRANTEE:	<u>TOWN OF PURCELLVILLE, VIRGINIA</u>
COUNTY WHERE PROPERTY LOCATED:	LOUDOUN
ELECTION DISTRICT WHERE PROPERTY LOCATED:	BLUE RIDGE
BRIEF DESCRIPTION OF PROPERTY:	151 S. MAPLE AVE, PURCELLVILLE, VA
DEED BOOK AND PAGE NUMBER WHERE PROPERTY ACQUIRED:	INSTRUMENT NO. 201409030049088
PLAT PREPARED BY:	BOWMAN CONSULTING GROUP, LTD.
TAX MAP IDENTIFICATION NO.:	/35A2/3/1///1B
PARCEL IDENTIFICATION NO.:	488-20-4169
NOTE:	EXEMPT FROM RECORDATION FEES PURSUANT TO SECTIONS 58.1-811(A)(3) 58.1- 811(C)(4)
THIS INSTRUMENT PREPARED BY AND RETURN TO:	TOWN OF PURCELLVILLE 221 SOUTH NURSERY AVENUE PURCELLVILLE, VA 20132

THIS DEED OF DEDICATION AND EASEMENT (the "**Deed**") is made this 13 day of September, 2021, by and between **JOHN CLAYTON ASHTON, III, TRUSTEE UNDER ASHTON FAMILY TRUST DATED JULY 31, 2014** and **SHARON COCHRAN ASHTON, TRUSTEE UNDER ASHTON FAMILY TRUST DATED JULY 31, 2014** (hereinafter referred to collectively as "**Owner**"); and the **TOWN OF PURCELLVILLE, VIRGINIA**, a municipal corporation (hereinafter referred to as "**Town**").

RECITALS:

R1. The Owner is the owner and proprietor of certain real property (the "**Property**") identified by Loudoun County land records as Parcel Identification Number 488-20-4169.

R2. The Property is situate in the Town of Purcellville, Virginia, Owner having acquired the Property by deed recorded among the land records of Loudoun County, Virginia, as INSTRUMENT NUMBER 201409030049088.

R3. It is the desire of the Town to perform roadway and drainage improvements along a portion of S. Maple Avenue. These improvements include, but are not limited to, installation of sidewalk, curb and gutter, storm sewer pipe and appurtenances, and new asphalt. The Town has fully explained to the Owner how the planned improvements affect the Property. Both parties desire that these public improvements be made.

R4. In order that the aforementioned public improvements can be made, it is the desire and intent of Owner to grant and convey unto the Town fee simple right of way, a temporary construction easement and a temporary construction entrance easement in the locations identified as "Proposed Right of Way," "Proposed Temporary Construction Easement" and "Proposed Temporary Construction Entrance Easement" on the plat entitled "COMPILED PLAT SHOWING 2,225 SQUARE FEET FEE TAKE AREA AND VARIOUS EASEMENTS BEING GRANTED TO THE TOWN OF PURCELLVILLE, VIRGINIA; PROPERTY OF JOHN CLAYTON ASHTON, III TRUSTEE AND SHARON COCHRAN ASHTONM TRUSTEE UNDER THE ASHTON FAMILY TRUST DATED JULY 31, 2014" dated May 28, 2020 and prepared by Bowman Consulting Group, Ltd. of Leesburg, Virginia, certified land surveyors (the "**Plat**"), which Plat is attached hereto.

R5. The Property is not subject to the lien of any Deed of Trust.

RIGHT-OF-WAY DEDICATION

The Owner does hereby grant, dedicate, and convey unto the Town in fee simple the **two thousand two hundred twenty-five (2,225) square feet** of Right of Way for public street purposes as shown on the Plat. This dedication is made in accordance with the statutes made and provided therefore.

TEMPORARY CONSTRUCTION EASEMENT and TEMPORARY CONSTRUCTION ENTRANCE EASEMENT

The Owner does hereby grant and convey unto the Town, its successors and assigns, a temporary construction easement and temporary construction entrance easement as shown on the Plat and as hereafter described, for the purpose of grading and construction through, upon, and across the Easement Area. This temporary construction easement and temporary construction entrance easement shall automatically become null and void at such time as construction is complete and the work is accepted by the Town and no additional recording shall be necessary to vacate such easements.

The above-described temporary construction easement and temporary construction entrance easement are subject to the following conditions:

1. The Town, its agents and assigns, shall have full and free use of said easement areas for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the rights granted by the easements including the right of access to and from the easements and the right to use adjoining land where necessary; provided, however, that this right to use adjoining land shall be exercised only during periods of actual construction or grading, and then only to the minimum extent necessary for such construction and grading, and further, this right shall not be construed to allow the Town to erect any building or structure of a permanent nature on such adjoining land.
2. The Town shall have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities in or near the Easement Area being conveyed, deemed by the Town to interfere with proper and efficient construction and grading; provided,

however, that the Town, at its own expense, shall restore the Easement Area to the extent it was disturbed by the Town.

3. The Owner reserves the right to make use of the Easement Area herein granted in a manner that is consistent with the rights herein conveyed and that does not interfere with the use of the Easement Area by the Town for the purposes named; provided, however, that if Owner makes any use of the Easement Area that increases the Town's operation, maintenance, or restoration costs, then the Owner shall pay such increase in costs.

SUCCESSORS AND ASSIGNS BOUND

UNLESS OTHERWISE INDICATED HEREIN, the easements granted herein shall be perpetual and shall run with the land, and shall be binding upon the Owner, its successors and/or assigns and shall inure to the benefit of the Town, its successors and assigns.

MISCELLANEOUS

Headings used in this Deed are for convenience purposes only and are not intended to affect the express terms herein set forth.

This Deed is made in accordance with the statutes made and provided in such cases; with the approval of the proper authorities of Town of Purcellville, Virginia, as shown by the signatures affixed to the Deed; and is with the free consent and in accordance with the desire of Owner, the owner and proprietor of the land depicted on the Plat, as aforesaid.

The undersigned warrant that this Deed is made and executed pursuant to authority properly granted by the organization on whose behalf they are signing.

IN WITNESS WHEREOF, the parties hereto have caused this Deed to be executed, under seal.

FURTHER WITNESS the following signatures and seals.

OWNER:

JOHN CLAYTON ASHTON, III, TRUSTEE
UNDER ASHTON FAMILY TRUST DATED
JULY 31, 2014

By John Clayton Ashton III (SEAL)
Name John Clayton Ashton III
Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF Prince William to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that JOHN CLAYTON ASHTON, III, TRUSTEE UNDER ASHTON FAMILY TRUST DATED JULY 31, 2014, whose name is signed to the foregoing Deed, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this 13th day of September, 2021.

Caron D. Roem
Notary Public

My Commission Expires: 12/31/2024

My Notary Registration Number: 7856334



OWNER:

SHARON COCHRAN ASHTON, TRUSTEE
UNDER ASHTON FAMILY TRUST DATED
JULY 31, 2014

By: Sharon Cochran Ashton (SEAL)
Name: SHARON COCHRAN ASHTON
Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF Pine Bluff to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that SHARON COCHRAN ASHTON, TRUSTEE UNDER ASHTON FAMILY TRUST DATED JULY 31, 2014, whose name is signed to the foregoing Deed, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this 13th day of September, 2021.

Caron D. Roem
Notary Public

My Commission Expires: 12/31/2024

My Notary Registration Number: 7856334



The Foregoing Easements Are Hereby Accepted
Pursuant To Virginia Code Section 15.2-1803

APPROVED AS TO LEGAL FORM: TOWN OF PURCELLVILLE, VIRGINIA

Town Attorney

By: _____ (SEAL)
Name: _____
Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF LOUDOUN, to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify
that _____ as _____
of TOWN OF PURCELLVILLE, VIRGINIA, whose name is signed to the foregoing Deed,
appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2021.

Notary Public

My Commission Expires: _____

My Notary Registration Number: _____

