As part of a residential housing project that is in support of the Virginia Tech Corporate Research Center, a water line easement to the Town of Blacksburg to connect with a main water line on Virginia Tech’s property in the area of the Wood Processing Lab has been requested to be corrected.
RESOLUTION FOR CORRECTIVE DEED EASEMENT FOR TOWN OF BLACKSBURG WATER LINE

WHEREAS, Virginia Polytechnic Institute and State University ("Virginia Tech") is the fee simple title owner of approximately 2,600 acres in the Town of Blacksburg ("TOB"), Prices Fork Magisterial District, Montgomery County, Virginia, ("Main Campus"); and,

WHEREAS, the Virginia Tech Corporate Research Center ("VTCRC") is located on approximately 230 acres ("VTCRC Park") adjoining Virginia Tech’s Main Campus; and,

WHEREAS, John W. Olver sold his fee simple title of approximately 7.025 acres adjoining both Virginia Tech Main Campus and the VTCRC Park to Vista Holdings, LLC in 2019; and,

WHEREAS, the Vista Holdings, LLC parcel has since been developed for residential housing in support of the VTCRC Park which required two connections to a Town of Blacksburg ("TOB") main water line for the efficient distribution and reinforcement of public water on the Vista Holdings, LLC parcel; and,

WHEREAS, utilizing the granted easement recorded in 2020 among the public land records at the Montgomery County Circuit Court Clerk’s Office under instrument number 20200001269, the TOB has since installed and made both water line connections; and,

WHEREAS, Virginia Tech has been requested by the TOB to correct its underground water line easement with the TOB to accurately reflect the aforementioned two main water line connections, which were installed slightly outside the original easement and now being within approximately thirteen feet (13.4’) in length by ten feet (10.2’) in width and located on Virginia Tech’s Main Campus in the area of the Wood Processing Lab as more particularly shown on the attached drawing entitled “Deed of Easement Exhibit for Vista Holdings LLC Showing an Expanded Public Utility Easement” dated November 10, 2022, and made by Parker Design Group; and,

WHEREAS, Virginia Tech desires to correct the water line easement with the TOB in support of updating the records to accurately reflect the exact location of the installed water line;
NOW, THEREFORE, BE IT RESOLVED, that the Executive Vice President and Chief Operating Officer, her successors and/or assigns, be authorized to execute a Corrective Deed of Easement for underground water lines to the Town of Blacksburg to accommodate and facilitate the efficient distribution and reinforcement of a public water system already installed on adjoining property in support of the Virginia Tech Corporate Research Center, in compliance with applicable policy and procedures for easements as permitted by the Higher Education Restructuring Act and Management Agreement with the Commonwealth of Virginia, and the Code of Virginia, 1950, as amended.

RECOMMENDATION:

That the above resolution authorizing the Executive Vice President and Chief Operating Officer, her successors and/or assigns, to execute a Corrective Deed of Easement for underground water lines to the Town of Blacksburg to accommodate and facilitate the efficient distribution and reinforcement of a public water system already installed on adjoining property in support of the Virginia Tech Corporate Research Center be approved.

March 20, 2023
CORRECTIVE DEED OF EASEMENT

This Corrective Deed of Easement ("Corrective Easement") is dated the 1st day of January, 2023, by and between VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY, an institution of higher education and an agency of the Commonwealth of Virginia, hereinafter called Grantor, and the TOWN OF BLACKSBURG, an incorporated municipality of the Commonwealth of Virginia, hereinafter called Grantee.

WITNESSETH

On February 3, 2020, Grantor granted and conveyed to Grantee a Deed of Easement for the installation of a public water main across lands in Montgomery County, Virginia. That Deed of Easement ("Easement") is recorded in the Montgomery County Circuit Clerk’s Office as Instrument Number 2020001269.

It has been determined that during construction, the water main was installed outside of the granted Easement.

The course, distance, and route of the easement needs to be corrected to reflect this change as described below.

For the sum of One Dollar ($1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in accordance with Section 23.1-1000 et seq. of the Code of Virginia (1950), as amended, Grantor grants unto Grantee, its successors and assigns, the perpetual right, privilege, and easement of right-of-way, approximately thirteen (13.4') in length by ten (10.2') in width, being a new total of twenty-three feet (23.2') centered on the water line to be installed, containing approximately 0.0072 acre, to lay, erect, construct, operate, maintain and repair an underground water line and all related equipment, accessories and appurtenances necessary in connection therewith, hereinafter called facilities, for the purpose of providing public potable water service, under, upon and across the lands of the Grantor as more particularly shown and described on a drawing entitled “Deed of Easement...
Exhibit for Vista Holdings LLC Showing an Expanded Public Utility Easement" dated November 10, 2022, and made by Parker Design Group, which drawing is attached hereto and made a part hereof; and being part of that real estate acquired by Grantor by deed dated May 25, 1942 from John D. Shufflebarger and Mary L. Shufflebarger, his wife, which deed is recorded in the Clerk's Office of the Circuit Court of Montgomery County, Virginia, in Deed Book 126, Page 43.

Grantor hereby ratifies, adopts, and confirms this Corrective Easement, acknowledging that the easement covers the description set out above and attached hereto as if this description was originally set out in the Easement.

Grantee joins this Corrective Easement to acknowledge that the Easement being granted is limited to the course, distance, and route described herein and attached hereto.

All other terms of the Easement shall continue in full force and effect. The Easement and this Corrective Easement shall be construed as one and the same instrument.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.)
WITNESS the following signatures and seals.

Grantor:

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY

By: _____________________________________
Amy Stoakley Sebring
Executive Vice President and Chief Operating Officer

Commonwealth of Virginia,
County of Montgomery, to-wit:

I, __________________________ ______, a Notary Public in and for the jurisdiction aforesaid, certify that the foregoing instrument was acknowledged before me this _____
day of _______________, 2023, by Amy Stoakley Sebring, Executive Vice President
and Chief Operating Officer, Virginia Polytechnic Institute and State University, an
agency of the Commonwealth of Virginia and an institution of higher education, acting for
and on behalf of the said agency.

_________________________________
Notary Public

My commission expires: ______________________

Notary registration number: ____________________

[Notary Seal]

Approved as to form and legal sufficiency:

By: Special Assistant Attorney General
Grantee:

TOWN OF BLACKSBURG, VIRGINIA

By: ______________________________

Marc Verniel
Town Manager, Town of Blacksburg
Authorized to Accept this Easement by Town Council Resolution ____.

Commonwealth of Virginia,
County of Montgomery, to-wit:

I, _______________________, a Notary Public in and for the jurisdiction aforesaid, certify that the foregoing instrument was acknowledged before me this _____ day of ______________, 2023, by Marc Verniel, Town Manager, Town of Blacksburg, Virginia, an incorporated municipality of the Commonwealth of Virginia, acting for and on behalf of the said municipality.

_________________________________
Notary Public

My commission expires: __________________________

Notary registration number: ________________________

[Notary Seal]

Approved as to form and legal sufficiency:

_________________________________
By: Town Attorney
ATTACHMENT M

ATTACHMENT M

VIRGINIA LAND RECORD COVER SHEET
Commonwealth of Virginia    VA. CODE §§ 17.1-223, -227.1, -249
FORM A - COVER SHEET CONTENT
Instrument Date: 1/27/2020
Instrument Type: OPM
Number of Parcels: 5    Number of Pages: 1
[ ] City [x] County

MONTGOMERY CIRCUIT COURT

Tax Exempt?    VIRGINIA/FEDERAL CODE SECTION

[ ] Grantor:

[ ] Grantee:

Business/Name

1    × Grantor: VISTA HOLDINGS, LLC

2    × Grantor: VPI BUILDING AND LAND

1    × Grantee: TOWN OF BLACKSBURG, VIRGINIA

Grantee Address

Name: TOWN OF BLACKSBURG, VIRGINIA

Address: 300 S. MAIN STREET

City: BLACKSBURG    State: VA    Zip Code: 24060

Consideration: $0.00    Existing Debt: $0.00    Actual Value/Assumed: $0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: $0.00    Fair Market Value Increase: $0.00

Original Book No.: Original Page No.: Original Instrument No.: 

Prior Recording At: [ ] City [ ] County    Percentage In This Jurisdiction: 100%

Book Number: Page Number: Instrument Number:

Parcel Identification Number/Tax Map Number: 035228/317-9-4

Short Property Description:

Current Property Address: 1701 KRAFT DRIVE

City: BLACKSBURG    State: VA    Zip Code: 24060

Instrument Prepared By: PARKER DESIGN GROUP, INC.    Recording Paid By: TOWN OF BLACKSBURG, VIRGINIA

Recording Returned To: CLINT E. PENDLETON

Address: PARKER DESIGN GROUP, INC., 2122 CAROLINA AVENUE, SW

City: ROANOKE    State: VA    Zip Code: 24014
VIRGINIA LAND RECORD COVER SHEET
Commonwealth of Virginia  VA. CODE §§ 17.1-223, -227.1, -249

FORM B – ADDITIONAL GRANTORS/GRANTEES

Instrument Date: 1/27/2020

Instrument Type: OPM

Number of Parcels: 5 Number of Pages: 1

[ ] City [X] County MONTGOMERY
CIRCUIT COURT

Grantor Business/Name

3 × Grantor: VIRGINIA TECH CRC, INC.

4 × Grantor: VIRGINIA TECH FOUNDATION

Grantee Business/Name

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

Grantee: .................................................................

(Area Above Reserved For Deed Stamp Only)
VIRGINIA LAND RECORD COVER SHEET
Commonwealth of Virginia  VA. CODE §§ 17.1-223, -227.1, -249

FORM C – ADDITIONAL PARCELS

Instrument Date: 1/27/2020
Instrument Type: OPM
Number of Parcels: 5  Number of Pages: 1
[ ] City [X] County  MONTGOMERY  CIRCUIT COURT

Parcels Identification/Tax Map
Prior Recording At:
[ ] City [ ] County
Percentage In This Jurisdiction: 100%
Book Number:  Page Number:
Instrument Number:
Parcel Identification Number (PIN)/Tax Map Number: 035217/317-9-5
Short Property Description:

Current Property Address: 2001 KRAFT DRIVE
City: BLACKSBURG  State: VA  Zip Code: 24060

Prior Recording At:
[ ] City [ ] County  Percentage In This Jurisdiction: 100%
Book Number:  Page Number:  Instrument Number: 
Parcel Identification Number/Tax Map Number: 003989/317-3-A
Short Property Description:

Current Property Address: 1800 RESEARCH CENTER DRIVE
City: BLACKSBURG  State: VA  Zip Code: 24060
ATTACHMENT M

VIRGINIA LAND RECORD COVER SHEET
Commonwealth of Virginia  VA. CODE §§ 17.1-223, -227.1, -249

FORM C – ADDITIONAL PARCELS

Instrument Date: 1/27/2020

Instrument Type: OPM

Number of Parcels: 5  Number of Pages: 1

City [X] County MONTGOMERY
CIRCUIT COURT

Parcels Identification/Tax Map

Prior Recording At:

City [ ] County ____________________________

Percentage In This Jurisdiction: 100%

Book Number: ______________  Page Number: ______________

Instrument Number: ______________

Parcel Identification Number (PIN)/Tax Map Number: 006527/317-3-13

Short Property Description: __________________________________________________________________________
________________________________________________________________________________________________________

Current Property Address: 1902 RESEARCH CENTER DRIVE

City: BLACKSBURG  State: VA  Zip Code: 24060

Prior Recording At:

City [ ] County ____________________________  Percentage In This Jurisdiction: 100%

Book Number: ______________  Page Number: ______________  Instrument Number: ______________

Parcel Identification Number/Tax Map Number: 070905/256-A-1

Short Property Description: __________________________________________________________________________
________________________________________________________________________________________________________

Current Property Address: 615 SOUTHGATE DRIVE

City: BLACKSBURG  State: VA  Zip Code: 24060

FORM CC-1570 (MASTER, PAGE FOUR OF FOUR) 1019
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Cover Sheet C
LINE TABLE

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GENERAL NOTES:
1. TAX #: 317-3 13
2. PROPOSED PUE EXPANSION IS IN REFERENCE TO INSTR. #2020001462, #2020001269 (DEEDS), AND 2020001266 (PLAT).
3. THIS DEED EXHIBIT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND IS SUBJECT THERE TO. THEREFORE, THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE PROPERTY NOT SHOWN HEREON.
4. PROPERTY ADDRESS: 1902 RESEARCH CENTER DRIVE, BLACKSBURG
5. OWNER ADDRESS: PO BOX 10397, BLACKSBURG

DEED OF EASEMENT EXHIBIT FOR VISTA HOLDINGS LLC

SHOWING A NEW EXPANDED PUBLIC UTILITY EASEMENT PRICES FORK MAGISTERIAL DISTRICT TOWN OF BLACKSBURG MONTGOMERY COUNTY, VIRGINIA
SCALE: 1"=30'
NOVEMBER 10, 2022