

Issue Analysis Form

Date: September 14, 2021
Item: Acceptance of Deed of Right-of-Way
Lead Department(s): County Attorney
Contact Person(s): Dan Whitten



Description and Current Status

Faith Baptist Church of the City of Hopewell, Virginia owns 10.805 acres of land on State Route 646/Middle Road described as Tax Map Number 230(0A)00-005-0. The County will be improving State Route 646/Middle Road in anticipation of the construction of the new Elementary School. The work requires .085 acres of the property for the right-of-way for the road improvements on Middle Road.

Attached for the Board's review and acceptance is a Deed of Dedication of Right-of-Way between Faith Baptist Church of the City of Hopewell, Virginia and the County of Prince George.

Sample Motion: I move that the Board authorize the County Administrator to sign the Deed of Dedication of the right-of-way for Faith Baptist Church.

Government Path

- | | | |
|--|---|--|
| Does this require IDA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require BZA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does This require Planning Commission Action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does this require a public hearing? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If so, before what date? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Fiscal Impact Statement

County Impact

Notes

Board of Supervisors
County of Prince George, Virginia

Resolution

At a work session of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 14th day of September, 2021:

Present:

Floyd M. Brown, Jr., Chairman
Marlene J. Waymack, Vice Chair
Alan R. Carmichael
Donald Hunter
T. J. Webb

Vote:

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

RESOLUTION: DEED OF DEDICATION OF RIGHT-OF-WAY
LOCATED ON PARCEL ID: 230(0A)00-005-0 FOR STATE ROUTE
646/MIDDLE ROAD IMPROVEMENTS AND THE CONSTRUCTION
OF THE NEW ELEMENTARY SCHOOL

WHEREAS, the Prince George County Board of Supervisors has determined that it is in the best interest of the County and its citizens to improve State Route 646/Middle Road for the construction of the new Elementary School; and

WHEREAS, the County needs a right-of-way for the project on land owned by Faith Baptist Church of the City of Hopewell, Virginia Trust, Tax Map Parcel: #230(0A)00-005-0; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George this 14th day of September, 2021, does hereby authorize the County Administrator to sign the Deed of Dedication of Right-of-Way.

A Copy Teste:

Percy C. Ashcraft
County Administrator

This deed is exempt from the recordation taxes pursuant to § 58.1-811(A)(3) and § 58.1-811(C)(5).

Consideration: \$4,000.00

Prepared by:

Dan N. Whitten
County Attorney
6602 Courts Drive, Third Floor
Prince George, Virginia 22630
Telephone: (804) 722-8685
Fax: (804) 733-2539

Assessment: \$0.00

Tax Map No.: 230(OA)00-005-0 (Portion)

DEED OF DEDICATION OF RIGHT-OF-WAY

THIS DEED OF DEDICATION OF RIGHT-OF-WAY is made and entered into this ____ day of _____, 2021, by and between _____ Trustees of **FAITH BAPTIST CHURCH OF THE CITY OF HOPEWELL, VIRGINIA**, (GRANTOR) and **THE COUNTY OF PRINCE GEORGE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (GRANTEE) and **TOUCHSTONE BANK** party of the third part (also to be indexed as a GRANTOR).

WITNESSETH:

WHEREAS, the Grantor is the owner of a parcel of real estate described as Tax Map Number 230(OA)00-005-0 (the "Property"), as shown and designated as "10.805 ACRES FAITH BAPTIST CHURCH OF THE CITY OF HOPEWELL, VIRGINIA T.M #230(OA)00-005-0 D.B. 431, PAGE 16 (10.890 ACRES)" on a plat and survey entitled "PLAT SHOWING RIGHT OF WAY DEDICATION ACROSS THE PROPERTY OF FAITH BAPTIST CHURCH OF THE CITY OF HOPEWELL VIRGINIA LOCATED ON THE SOUTH SIDE OF STATE ROUTE 646, MIDDLE ROAD BLAND DISTRICT PRINCE GEORGE COUNTY, VIRGINIA" prepared by Gregory G. McGlothlin, Land

Surveyor, dated March 10, 2021 and revised August 11, 2021, a copy of which is attached hereto and to which reference is made for a more particular description.

WHEREAS, the Grantor now desires to dedicate and convey to the Grantee a portion of the Property for right-of-way for the improvement of State Route 646, Middle Road; and

WHEREAS, the Grantee desires to accept the dedication of the right-of-way.

NOW, THEREFORE, for and in consideration of the sum of FOUR THOUSAND DOLLARS (\$4,000) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby dedicates, grants, and conveys to the public use with SPECIAL WARRANTY OF TITLE unto the Grantee, in fee simple, a right-of-way over and across the following described property situated in the **BLAND DISTRICT**, Prince George County, Virginia, to-wit:

PORTION OF TAX MAP # 230(0A)00-005-0

All that right-of-way for public use over and across Tax Map Parcel 230(0A)00-005-0, said right-of-way comprising an area of 0.085 acres, and being situated on a plat entitled "PLAT SHOWING RIGHT OF WAY DEDICATION ACROSS THE PROPERTY OF FAITH BAPTIST CHURCH OF THE CITY OF HOPEWELL VIRGINIA LOCATED ON THE SOUTH SIDE OF STATE ROUTE 646, MIDDLE ROAD BLAND DISTRICT PRINCE GEORGE COUNTY, VIRGINIA" prepared by Gregory G. McGlothlin, Land Surveyor, and dated March 9, 2021 and revised August 11, 2021, a copy of which is attached hereto and to which reference is made for a more particular description.

IT BEING a portion of the same property conveyed to Trustees of Faith Baptist Church of the City of Hopewell, Virginia from Ernest M. Voda and Elsie S. Voda by Deed dated June 6, 1997 and recorded June 13, 1997, of record in Deed Book 431 Page 16, in the Clerk's Office in the Prince George County Circuit Court.

Grantor covenants that it has the right to convey the right-of-way; that the Grantee shall have quiet and peaceful enjoyment and possession of said right-of-way, and that the

Grantor will execute such further assurances of the said grant herein contained as may be requisite.

This conveyance of right-of-way is subject to all easements, restrictions, covenants and conditions of record insofar as they legally affect the property herein conveyed.

The contractor completing road improvements to Middle Road shall fix any damage to the Property caused by the contractor.

The Grantee shall ensure that the Property still has an appropriate line of site from the Property's entrance after the road improvements to Middle Road are completed. If the Virginia Department of Transportation (VDOT) requires the Grantor to relocate the sign after the road improvements are completed, the Grantee will pay for all costs associated with relocating the sign.

The Party of the Third Part joins in this Deed of Dedication to evidence its release and consent to dedication of the right-of-way herein dedicated from the terms and obligations of that certain Deed of Trust from Trustees of Faith Baptist Church of the City of Hopewell, Virginia to Bank of McKenney, dated February 2, 2017 and recorded on February 3, 2017 as Instrument Number 170000317 in the Clerk's Office aforesaid.

WITNESS the following signature(s):

**GRANTOR: FAITH BAPTIST CHURCH OF
THE CITY OF HOPEWELL, VIRGINIA**

**BY: _____ (SEAL)
George Dembeck, Trustee of Faith Baptist
Church of the City of Hopewell, Virginia**

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF _____, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that George Dembeck, Trustee of Faith Baptist Church of the City of Hopewell, Virginia, whose name is signed to the foregoing Deed of Dedication of Right-of-Way, personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this ____ day of _____, 20 ____.

NOTARY PUBLIC

My commission expires _____.

Notary certificate number _____.

GRANTOR: FAITH BAPTIST CHURCH OF THE CITY OF HOPEWELL, VIRGINIA

BY: _____ (SEAL)
T. Shane Brinson, Trustee of Faith Baptist Church of the City of Hopewell, Virginia

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF _____, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that T. Shane Brinson, Trustee of Faith Baptist Church of the City of Hopewell, Virginia, whose name is signed to the foregoing Deed of Dedication of Right-of-Way, personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this ____ day of _____, 20 ____.

NOTARY PUBLIC

My commission expires _____.

Notary certificate number _____.

GRANTOR: FAITH BAPTIST CHURCH OF THE CITY OF HOPEWELL, VIRGINIA

**BY: _____ (SEAL)
Larry Abernathy, Trustee of Faith Baptist Church of the City of Hopewell, Virginia**

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF _____, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Larry Abernathy, Trustee of Faith Baptist Church of the City of Hopewell, Virginia, whose name is signed to the foregoing Deed of Dedication of Right-of-Way, personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this ____ day of _____, 20 ____.

NOTARY PUBLIC

My commission expires _____.

Notary certificate number _____.

**GRANTOR: FAITH BAPTIST CHURCH OF THE
CITY OF HOPEWELL, VIRGINIA**

**BY: _____ (SEAL)
Bryan Reid, Trustee of Faith Baptist Church of the
City of Hopewell, Virginia**

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF _____, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Bryan Reid, Trustee of Faith Baptist Church of the City of Hopewell, Virginia, whose name is signed to the foregoing Deed of Dedication of Right-of-Way, personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this ____ day of _____, 20____.

NOTARY PUBLIC

My commission expires _____.

Notary certificate number _____.

TOUCHSTONE BANK

BY: Micel M. Fernandez (SEAL)

STATE OF Virginia
COUNTY/CITY OF Chester, TO-WIT:

I, Stephanie R. Rushin, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that _____, whose name is signed on behalf of Touchstone Bank to the foregoing Deed of Dedication of Right-of-Way, personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this 25th day of August, 2021.

Stephanie R. Rushin

NOTARY PUBLIC

My commission expires 368198 March 31, 2022

Notary certificate number 368198.



The foregoing conveyance is hereby accepted by the County of Prince George, Virginia in accordance with Virginia Code § 15.2-1803 (1950) as amended, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance on behalf of the County of Prince George, as evidenced by a resolution authorizing the same adopted by the Prince George County Board of Supervisors on _____, 20 __; and is approved as to form as evidenced by the signature of the County Attorney for the County of Prince George.

WITNESS the following signature:

COUNTY OF PRINCE GEORGE, VIRGINIA

BY: _____
Percy Ashcraft, County Administrator

COMMONWEALTH OF VIRGINIA
COUNTY OF PRINCE GEORGE, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Percy Ashcraft, County Administrator, whose name is signed on behalf of the County of Prince George, Virginia to the foregoing Deed of Dedication of Right-of-Way, personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this ____ day of _____, 20 ____.

NOTARY PUBLIC

My commission expires _____.

Notary certificate number _____.

APPROVED AS TO FORM:

Dan N. Whitten, County Attorney

OWNER'S CONSENT and DEDICATION

The platting or dedication of the following described land as shown on this plat containing 10.805 acres, more or less, and designated as **RIGHT OF WAY DEDICATION** situated in Bland District, Prince George County, Virginia, is with the free consent and in accordance with the desires of the undersigned owners, proprietors, and trustees, if any.

Faith Baptist Church of the City of Hopewell Virginia

By: George P. Dembeck, Trustee

By: T. Shane Brinson, Trustee

By: Larry Abernathy, Trustee

By: Bryan Reid, Trustee

CITY/COUNTY OF COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____ BY _____

NOTARY PUBLIC
NOTARY REGISTRATION NUMBER: _____
MY COMMISSION EXPIRES: _____

CITY/COUNTY OF COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____ BY _____

NOTARY PUBLIC
NOTARY REGISTRATION NUMBER: _____
MY COMMISSION EXPIRES: _____

CITY/COUNTY OF COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____ BY _____

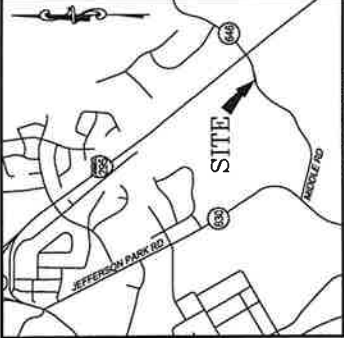
NOTARY PUBLIC
NOTARY REGISTRATION NUMBER: _____
MY COMMISSION EXPIRES: _____

CITY/COUNTY OF COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____ BY _____

NOTARY PUBLIC
NOTARY REGISTRATION NUMBER: _____
MY COMMISSION EXPIRES: _____

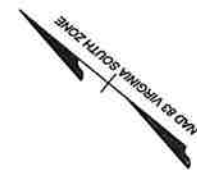
Based on graphic determination, this property is in zone "X" of the HUD defined flood hazard area as shown on F.E.M.A. Flood Insurance Rate Map, Community Panel #51145C0160B dated May 16, 2012.

This survey was prepared without the benefit of a title binder and may therefore not show all existing easements or other pertinent facts which may affect the property.



VICINITY MAP SCALE 1"=2000'

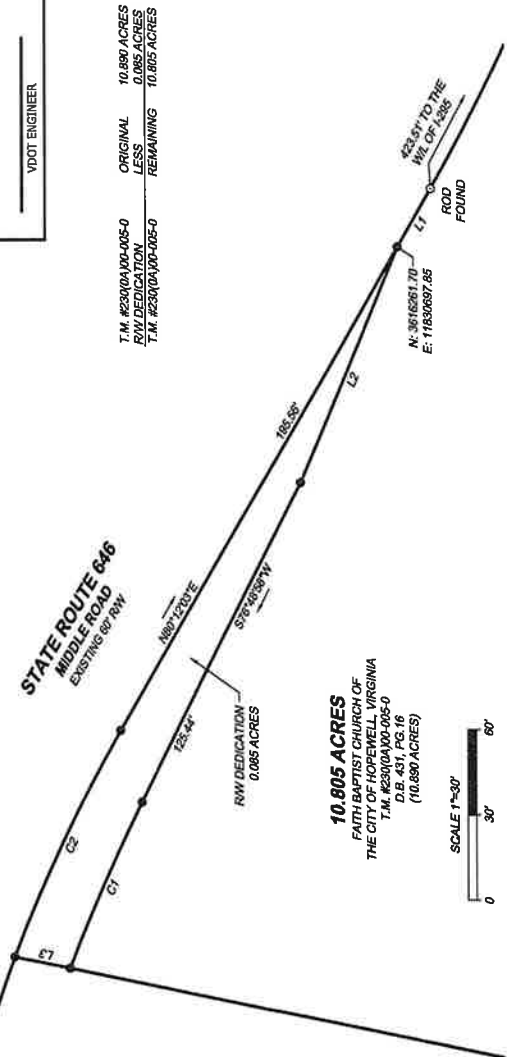
APPROVED FOR RECORDEMENT IN PRINCE GEORGE COUNTY, VIRGINIA THIS PLAT SHALL BE RECORDED WITHIN SIX (6) MONTHS OF THE DATE OF APPROVAL



LINE	BEARING	LENGTH
L1	S80°12'03"W	23.75'
L2	S72°43'55"W	86.31'
L3	N27°43'52"W	19.65'

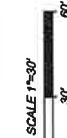
MF
HERBERT A. &
NANCY B. PHILLIPKANE
T.M. #2300A00-014-0
INST. #000002078

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	666.00'	63.67'	31.66'	5°29'39"	S74°04'39"W	63.64'
C2	542.96'	87.83'	44.05'	9°16'44"	S75°33'41"W	87.83'



T.M. #2300A00-005-0 ORIGINAL 10.890 ACRES
RW DEDICATION LESS 0.085 ACRES
T.M. #2300A00-005-0 REMAINING 10.805 ACRES

10.805 ACRES
FAITH BAPTIST CHURCH OF THE CITY OF HOPWELL, VIRGINIA
T.M. #2300A00-014-0
O.B. 431, P.C. 16
(10.890 ACRES)



PLAT SHOWING
**RIGHT OF WAY DEDICATION ACROSS
THE PROPERTY OF FAITH BAPTIST
CHURCH OF THE CITY OF HOPWELL
VIRGINIA LOCATED ON THE SOUTH SIDE
OF STATE ROUTE 646, MIDDLE ROAD**
BLAND DISTRICT
PRINCE GEORGE COUNTY, VIRGINIA



SURVEYOR'S CERTIFICATE
I hereby certify that to the best of my knowledge and belief, all of the requirements of the Board of Supervisors and Ordinances of the County of Prince George, Virginia, regarding the platting of subdivisions within the County have been complied with. Given under my hand this 11th day of August, 2021.

Gregory G. McGlothlin L.S., No. 2557