

Prepared by & Return to:  
W.F. Mason, Jr., Esquire  
302 Washington Avenue  
Roanoke, Virginia 24016

Title Insurance: None

Tax Map # 0300000102

DEED OF EASEMENT

THIS DEED made and entered into this 30<sup>th</sup> day of January 2008, by and between WESTLAKE REAL ESTATE INVESTMENT LIMITED COMPANY, a Virginia Limited Liability Company, GRANTOR, and WESTLAKE WASTEWATER, LLC, a Virginia Limited Liability Company, GRANTEE, whose address is 40 Village Springs Dr., Suite 21, Hardy, Virginia, 24101.

WITNESSETH

THAT FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) cash in hand paid by the Grantee unto the Grantor and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto the Grantee, a non-exclusive twenty (20) foot wide sanitary sewer pipeline easement as particularly described on Exhibit "A" (the "Easement"), and a ten (10) wide temporary construction easement for ninety (90) days from the date of this deed, as particularly described on Exhibit "B" (the "Construction Easement") which Easements are located on the property described on Exhibit "C" (the "Property").

This conveyance is made subject to all recorded easements, restrictions, and conditions affecting the hereinabove described property.

The Grantee by its acceptance and recordation of this deed agrees that it shall maintain, replace and repair any sewer pipeline constructed or installed in the Easement conveyed hereby, and shall re-pave, re-grade and repair and seed any soil or pavement disturbed by the construction or maintenance of any sewer pipeline to its prior condition. The Grantee further agrees that the Grantor, and any of its successors and assigns which have purchased or will purchase any of the Property, shall have the right to connect to and discharge sewage for treatment into any sewer pipeline within the easement herein granted and have such discharges treated, provided, however, that the sewer facility or facilities connected to the sewer line have

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sufficient capacity for such sewer treatment, and the party requesting same shall pay unto the Grantee a connection fee for such sewer connection equal to the amount that the Grantee is charging to its other customers at such time as the connection is requested.

The Grantor reserves the right to relocate, at its expense, the Easement hereby conveyed and any sewer pipeline located therein, for development or construction purposes, provided however, that such relocation of the easement, or the sewer pipeline located therein, shall not unreasonably interfere with the Grantees use of such sewer pipeline.

These terms and conditions hereof shall be a covenant running with the Easement and with the Property and be binding on any successors, and grantees thereof.

WITNESS the following signatures and seals:

GRANTOR:

WESTLAKE REAL ESTATE INVESTMENT  
LIMITED COMPANY

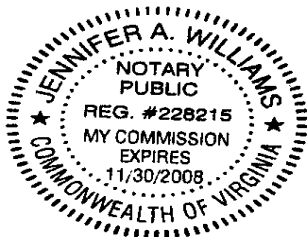
By [Signature] (SEAL)  
President of the Manager, Oak Development  
Limited Company

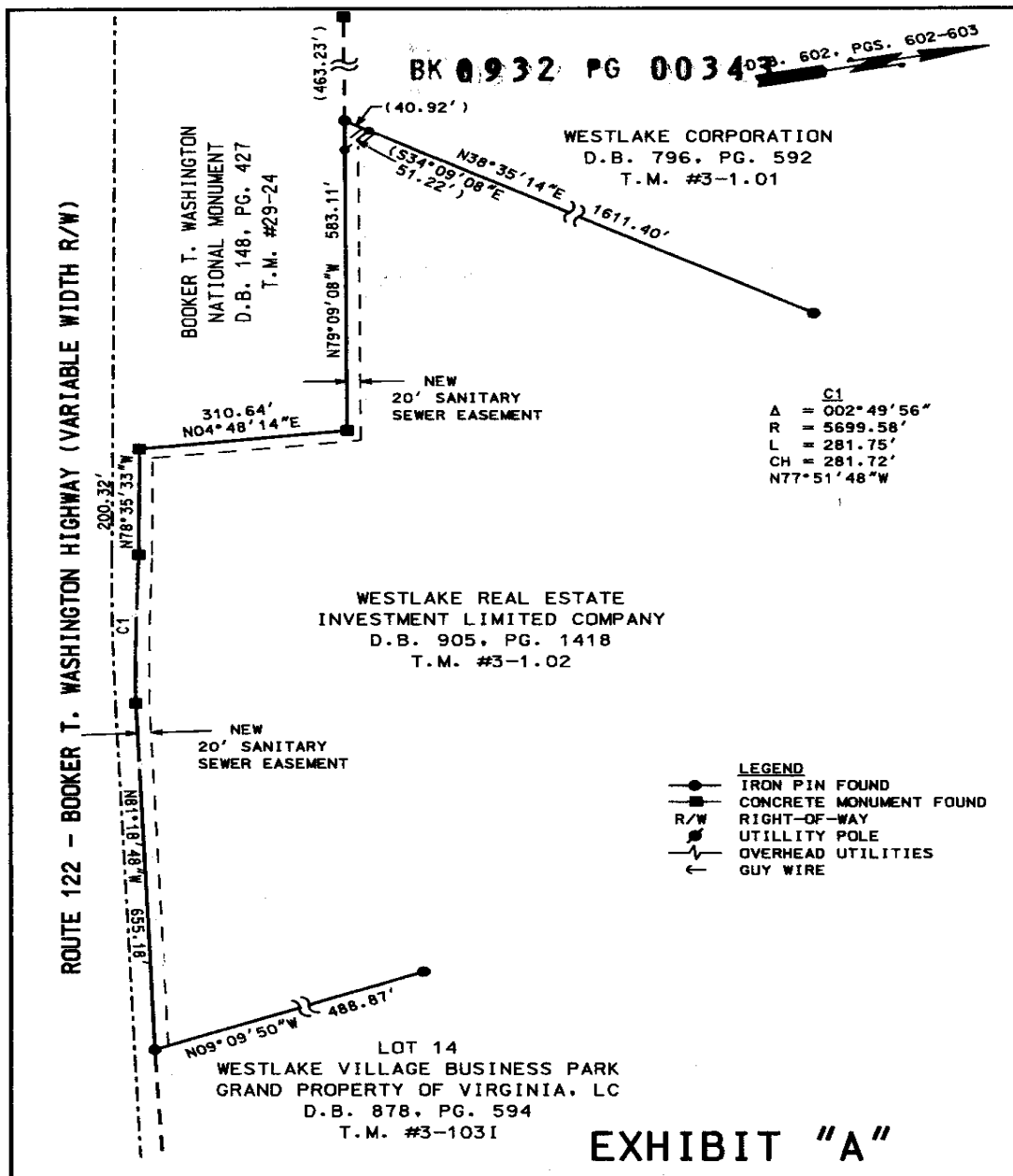
STATE OF VIRGINIA  
CITY OF ROANOKE

The foregoing Deed was acknowledged before me by W.F. Mason, Jr., President of the Manager, Oak Development Limited Company this 30 day of January, 2008.

My Commission Expires:

[Signature]  
Notary Public





BY GRAPHIC SCALING ONLY. THIS PROPERTY IS LOCATED IN ZONE "C" (AREA OF MINIMAL FLOODING) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP. NO FIELD SURVEYING WAS PERFORMED TO MAKE THIS DETERMINATION

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.

THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE ENCROACHMENTS OR EASEMENTS EXCEPT AS SHOWN.

BERKLEY HOWELL & ASSOC., P.C. 306 ENTERPRISE DRIVE, SUITE C FOREST, VIRGINIA 24503 (434) 385-7548	PLAT SHOWING NEW 20' SANITARY SEWER EASEMENT FOR WESTLAKE WASTEWATER, LLC GILLS CREEK DISTRICT - FRANKLIN CO., VA	
SCALE: 1" = 200'	DATE: 1-28-08	COMM. NO. 030066
		F.B. REF. N/A

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**EXHIBIT "A"**

**Legal Description of the 20 Foot Sewer Easement Property**

To Be Determined By Survey

BK 0932 PG 00345

**EXHIBIT "B"**

**Construction Easement**

To Be Determined By Survey



THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.

THIS PLAT HAS BEEN PREPARED  
FROM AN ACTUAL FIELD SURVEY  
DONE AS PER DATE OF THIS  
PLAT AND THERE ARE NO  
VISIBLE ENCROACHMENTS OR  
EASEMENTS EXCEPT AS SHOWN.

PLAT SHOWING  
NEW 10' TEMPORARY CONSTRUCTION EASEMENT  
FOR WESTLAKE WASTEWATER, LLC  
GILLS CREEK DISTRICT - FRANKLIN CO., VA

F.B. REF. N/A
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**EXHIBIT "C"**

**The Property**

All of Tract 3 containing 42.450 acres as shown on a plat of Survey of the Divisions of the Saunders Estate made by Fred C. Howell, P.L.S., of Berkley-Howell & Associates, P.C., dated August 10, 1995, consisting of two sheets which plat of survey is of record in Deed Book 602, page 602.

BEING a part of the same property conveyed to John Shifflet and Jeanne Saunders Shifflet by deed dated the 13<sup>th</sup> day of May, 1997, of record in the Clerk's Office of the Circuit Court for the County of Franklin, Virginia in Deed Book 602, Page 613.

INSTRUMENT # 0800001706  
RECORDED IN THE CLERK'S OFFICE OF  
FRANKLIN COUNTY ON  
Feb. 25, 2008 AT 4:44pm  
TERESA J. BROWN, CLERK  
BY: Jessica J. Franklin (DC)