

Prepared by:
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912 East High Street
Charlottesville, VA 22902

Albemarle County Parcel ID Nos.: 09100-00-00-01100, 09100-00-00-01500 and 09100-00-00-00900

This instrument is exempt from taxation under Virginia Code §§ 58.1-811(A)(3) and/or 58.1-811(C)(4) and from Clerk's fees under Virginia Code § 17.1-266.

RIGHT-OF-WAY MODIFICATION AGREEMENT

THIS RIGHT-OF-WAY MODIFICATION AGREEMENT (this "Agreement"), dated this ____ day of _____, 2020, is by and among the **SCHOOL BOARD OF THE COUNTY OF ALBEMARLE, VIRGINIA** (the "School Board"), to be indexed as the Grantor, and **DAVID S. WITMER** and **ANNA MARIE WITMER**, husband and wife (the "Witmers"), and **JASPER L. HAYNES** and **MALLIE P. HAYNES**, husband and wife (the "Hayneses" and together with the Witmers, the "Grantees").

WITNESS:

WHEREAS, the School Board is the owner of that certain real property (the "School Property") located in Albemarle County, Virginia shown as "T.M. 91-11, School Board County of Albemarle, Virginia" on that certain exhibit prepared by Shimp Engineering, P.C., dated May 13, 2020, last revised September 9, 2020, entitled "Galaxie Farm Lane ROW Vacation Plat," which such exhibit is attached hereto and incorporated herein as Exhibit A (the "Exhibit"); and

WHEREAS, David S. Witmer and Anna Marie Witmer are the owners of that certain real property located in Albemarle County, Virginia shown as "T.M. 91-9, 5.09 Acres, David S. Witmer & Anna Marie Witmer" (the "Witmer Property") on the Exhibit; and

WHEREAS, Jasper L. Haynes and Mallie P. Haynes are the owners of that certain real property located in Albemarle County, Virginia shown as "T.M. 91-15, 8.27 Acres, Jasper L. Haynes & Mallie P. Haynes" (the "Haynes Property") on the Exhibit; and

WHEREAS, that certain variable width right-of-way named Galaxie Farm Lane, shown and designated as “Ex. Galaxie Farm Lane ROW Unchanged” and “ROW to be Vacated” on the Exhibit (together, the “Existing ROW”), currently provides access to the School Property, the Witmer Property, and the Haynes Property to/from State Route 20 (Scottsville Road); and

WHEREAS, the Grantees desire to redevelop the Witmer Property and Haynes Property, which necessitates the minor relocation of the Existing ROW.

NOW, THEREFORE, the parties do hereby AGREE and CONSENT as follows:

1. The Existing ROW is hereby relocated to that certain area shown and designated as “Relocation of Galaxie Farm Lane ROW Per SUB202000098” and “Ex. Galaxie Farm Lane ROW Unchanged” on the Exhibit (together, the “Revised ROW”).

2. That certain area shown and designated as “ROW To Be Vacated” is hereby vacated.

3. The Grantees, their successors and/or assigns, shall provide continuous access from the properties of the School Board to State Route 20 (Scottsville Road) during the construction of the Revised ROW.

4. The Grantees, their successors and/or assigns, shall maintain the improved portions of the Revised ROW at their expense until such improved portions of the Revised ROW are accepted by the Virginia Department of Transportation (VDOT) and/or Albemarle County, Virginia for public access and maintenance.

[SIGNATURE PAGES IMMEDIATELY FOLLOW]

WITNESS the following duly authorized signatures and seals:

**SCHOOL BOARD OF THE COUNTY OF
ALBEMARLE, VIRGINIA**, a political
subdivision of the Commonwealth of Virginia

By: _____

Print Name:

Title:

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by _____, as _____ of the School
Board of the County of Albemarle, Virginia, a political subdivision of the Commonwealth, on its
behalf.

My commission expires: _____.

Notary Public

Notary Registration No.: _____

GRANTEE

David S. Witmer

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by David S. Witmer.

My commission expires: _____.

Notary Public

Notary Registration No.: _____

GRANTEE

Anna Marie Witmer

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by Anna Marie Witmer.

My commission expires: _____.

Notary Public

Notary Registration No.: _____

GRANTEE

Jasper L. Haynes

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by Jasper L. Haynes.

My commission expires: _____.

Notary Public

Notary Registration No.: _____

GRANTEE

Mallie P. Haynes

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by Mallie P. Haynes.

My commission expires: _____.

Notary Public

Notary Registration No.: _____

Exhibit A

the Exhibit

Road Plan for Galaxie Farm Subdivision