

**Reviewed by:**

Terry L. Plymouth  
19 Ducette Drive  
Hampton, VA 23669

Portion of Easement at 19 Ducette Drive  
(LRSN 13001038)

Consideration: \$0.00

**After Recording, Return to:**

Veronica E. Meade  
City Attorney's Office  
City of Hampton  
22 Lincoln Street  
Hampton, VA 23669

EXEMPTION FROM GRANTOR'S TAX UNDER  
VIRGINIA CODE § 58.1-811(C)(4)

**VACATION AGREEMENT**  
**(Portion of Sanitary Sewer Easement at 19 Ducette Drive)**

**THIS VACATION AGREEMENT** (this "Agreement"), made this \_\_\_\_ day of May, 2017, by and between the CITY OF HAMPTON, VIRGINIA, a municipal corporation of the Commonwealth of Virginia located at 22 Lincoln Street, Hampton, Virginia 23669 (the "City"), and **TERRY L. PLYMOUTH**, owner of the property located at 19 Ducette Drive, Hampton, Virginia 23666 (the "Owner").

**WHEREAS**, the City holds a sanitary sewer easement over the rear portion of Owner's property at 19 Ducette Drive (LRSN 13001038), a portion of which comprises 376 square feet (0.0086 acre), more or less, located in the City of Hampton and more particularly described as:

All that certain lot, piece, or parcel of land containing 376 square feet (0.0086 acre), more or less, situate, lying, and being in the City of Hampton, Virginia, and being described as "376 SQ. FEET[,] AREA OF EASEMENT BEING VACATED" as shown on that certain plat entitled: "VACATION PLAT OF A PORTION OF SANITARY SEWER EASEMENT BELONGING TO THE CITY OF HAMPTON," said plat bearing a date of April 5, 2017 and signed April 25, 2017 by Randall R. Parker, Parker Surveying, Inc., 6858 Michael Lane, Hayes, Virginia 23072, which is attached hereto as Exhibit "A" for reference and made a part of this legal description (the "Vacation Area");

**WHEREAS**, Owner owns the residential property located at 19 Ducette Drive (LRSN 13001038);

**WHEREAS**, the City holds a sanitary sewer over the rear portion of Owner's property comprising 2,214 square feet (0.0508 acre), more or less;

**WHEREAS**, Owner requests the vacation of an area comprising 376 square feet (0.0086 acre), more or less (the "Vacation Area"), to construct a two-car detached garage;

**WHEREAS**, pursuant to § 34-120 of the City Code, the City waives the purchase price of the Vacation Area because the easement was conveyed to the City without charge via the subdivision plat including Owner's property that was recorded in May 2004; and

**WHEREAS**, the City, acting by and through its City Council, is of the opinion that the Vacation Area is not now and will not be needed for public interest.

**NOW, THEREFORE**, in accordance with Chapter 34, Article V of the Hampton City Code, the City of Hampton, Virginia, acting by and through its City Council at its duly held meeting on the 24<sup>th</sup> day of May, 2017, does by these presents release, quit-claim, and vacate unto Owner the following described property interest, to-wit:

All that certain lot, piece, or parcel of land containing 376 square feet (0.0086 acre), more or less, situate, lying, and being in the City of Hampton, Virginia, and being described as "376 SQ. FEET[,] AREA OF EASEMENT BEING VACATED" as shown on that certain plat entitled: "VACATION PLAT OF A PORTION OF SANITARY SEWER EASEMENT BELONGING TO THE CITY OF HAMPTON," said plat bearing a date of April 5, 2017, and signed April 25, 2017 by Randall R. Parker, Parker Surveying, Inc., 6858 Michael Lane, Hayes, Virginia 23072, which is attached hereto as Exhibit "A" for reference and made a part of this legal description.

**IN WITNESS WHEREOF**, the City of Hampton, Virginia, a municipal corporation of the Commonwealth of Virginia, has caused its name to be signed to this Agreement by its City Manager or her duly Authorized Designee, and its corporate seal to be affixed and attested by its Clerk, Katherine K. Glass, they having been duly authorized to do so. Owner likewise has caused its name to be signed to this Agreement.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

THE CITY OF HAMPTON, VIRGINIA

By: \_\_\_\_\_  
City Manager / Authorized Designee

COMMONWEALTH OF VIRGINIA,  
City of Hampton, to wit:

On this \_\_\_\_\_ day of May, 2017, I hereby certify that the foregoing Vacation Agreement was executed before me by \_\_\_\_\_, City Manager or Authorized Designee for the City of Hampton, Virginia. She/He is known to me personally.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
Registration No.: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Clerk

COMMONWEALTH OF VIRGINIA,  
City of Hampton, to wit:

On this \_\_\_\_\_ day of May, 2017, I hereby certify that the foregoing Vacation Agreement was executed before me by Katherine K. Glass, Clerk of Council for the City of Hampton, Virginia. She is known to me personally.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
Registration No.: \_\_\_\_\_

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Deputy City Attorney

ACCEPTANCE:

By: Terry L. Plymouth  
Terry L. Plymouth

COMMONWEALTH OF VIRGINIA

City/County of Hampton, to-wit:

I hereby certify on this 25 day of April, 2017 that the foregoing Vacation Agreement was acknowledged before me by Terry L. Plymouth. He is known to me personally or provided VA DL as identification.

Natasha Michelle Hamilton FKA Natasha Hamilton  
Notary Public

My Commission Expires: 07/31/2020  
Registration No. 7513456



