

VACATION AGREEMENT

THIS VACATION AGREEMENT made this 7th day of May, 2007, by and between the CITY OF HAMPTON, VIRGINIA, a Municipal Corporation, party of the first part, and WILLIAM R. JENNINGS and JEANNE G. JENNINGS, party of the second part; EAST HAMPTON UNITED METHODIST CHURCH, party of the third part; THOMAS A. BROSAM, party of the fourth part; STEVE R. LONG, party of the fifth part; and JASON L. MAINE and JAMEY F. MAINE, party of the sixth part.

WHEREAS, the party of the second part is the fee simple owner of Parcel D, Lot 30 and Part of Lot 32, Block 6, East Hampton Development Co. (more commonly known as 3 Magnolia Place), which abuts to the west of that certain street to be vacated, more particularly described as: Magnolia Place Alley (that 20' alley between 3 Magnolia Place and Boxwood Street S) as shown on the attached plat entitled, "20' Alley to Be Vacated Located in Block 6 of the East Hampton Development Co."; City of Hampton, Virginia, made by T. J. Savage, Jr., dated May 7, 2007, (hereinafter "the Plat"); and

WHEREAS, the party of the third part is the fee simple owner of Parcel A, Lots 18 and 19, Block 6, East Hampton Development Co. (more commonly known as Pembroke Avenue East 13) which abuts to the north of Magnolia Place Alley and of Lot 14 Block 6, East Hampton Development Co., (more commonly known as 6 Boxwood Street S), which abuts to the east of Magnolia Place Alley as shown on the Plat; and

WHEREAS, the party of the fourth part is the fee simple owner of Lot 13, Block 6, East Hampton Development Co. (more commonly known as 8 Boxwood Street S), which abuts to the east of Magnolia Place Alley, as shown on the Plat; and

WHEREAS, the party of the fifth part is the fee simple owner of Lot 12, Block 6, East Hampton Development Co. (more commonly known as 10 Boxwood Street S), which abuts to the east of Magnolia Place Alley, as shown on the Plat; and

WHEREAS, the party of the sixth part is the fee simple owner of Lot 11, Block 6, East Hampton Development Co. (more commonly known as 12 Boxwood Street S), which abuts to the east of Magnolia Place Alley, as shown on the Plat; and which constitutes the remaining land that abuts to Magnolia Place Alley; and

WHEREAS, it is the desire of the parties, that the heretofore described street be abandoned and conveyed to the party of the second part with the party of the third, forth, fifth and sixth thereby relinquishing any interest in any property it would receive as a result of the this vacation and directs that their interest instead be conveyed to the party of the second part; and

WHEREAS, the City of Hampton, Virginia, acting by and through its City Council is of the opinion that the heretofore described street is not now and will not be needed for public interest.

NOW, THEREFORE, in accordance with §2.05 of the City Charter for the City of Hampton, Virginia, the City of Hampton, Virginia, acting by and through its City Council at its duly held meeting on the _____ day of _____, 2007, does by these presents release, quit-claim, and vacate unto the party of the second part, WILLIAM JENNINGS and JEANNE G. JENNINGS, the following described property, to-wit:

Magnolia Place Alley, (that 20' alley between 3 Magnolia Place and Boxwood Street S) as shown on the attached plat entitled, “ “20’ Alley to Be Vacated Located in Block 6 of the East Hampton Development Co.”; City of Hampton, Virginia, made by T. J. Savage, Jr., dated May 7, 2007.

Parcel ID # 12B001 00 06030PT / RPC 12000467

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Subject, however, to any and all easements, restrictions and provisions of record affecting the said property.

IN WITNESS WHEREOF, the City of Hampton, Virginia, a municipal corporation, has caused its name to be signed by its Mayor, Ross A. Kearney, II, and its corporate seal to be affixed and attested by its Clerk, Katherine Glass, they having been duly authorized to do so; and

CITY OF HAMPTON, VIRGINIA

By: _____ Mayor

ATTEST:

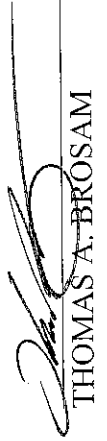
Clerk

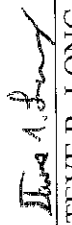

WILLIAM R. JENNINGS


JEANNE G. JENNINGS

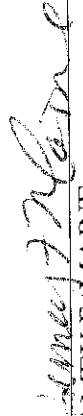
EAST HAMPTON UNITED METHODIST CHURCH

By: Edd H. Myr, Pastor


THOMAS A. BROSAM


STEVE R. LONG


JASON L. MAINE


JAMEY F. MAINE

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 7th day of May, 2007, was acknowledged before me this _____ day of _____, 2007, by Ross A. Kearney, II and Katherine Glass, Mayor and Clerk, respectively of the CITY OF HAMPTON, VIRGINIA.

Given under my hand this _____ day of _____, 2007.

My Commission Expires: _____

Notary Public

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 7th day of May, 2007, was acknowledged before me this 30 day of May, 2007, by WILLIAM R. JENNINGS.

Given under my hand this 20 day of May, 2007.

Cynthia Clamm

Notary Public

My Commission Expires: 5/31/2010

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 7th day of May, 2007, was acknowledged before me this 20 day of May, 2007, by JEANNE G. JENNINGS.

Given under my hand this 20 day of May, 2007.

Cynthia Clamm

Notary Public

My Commission Expires: 5/31/2010

PREPARED BY:
Thomas L. Hunter
The Law Firm of
Thomas L. Hunter, P.C.
910 W. Mercury Blvd.
Suite 2A
Hampton, VA 23666
757.825.0400

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 5th day of June, 2007, was acknowledged before me this 5 day of June, 2007, by Ed Merry as Pastor of EAST HAMPTON UNITED METHODIST CHURCH.

Given under my hand this 5th day of June, 2007.

Barbara A. Fowler



My Commission Expires: 3/31/2010

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 7th day of May, 2007, 2007, was acknowledged before me this 20 day of May, 2007, by THOMAS A. BROSAM

Given under my hand this 20 day of May, 2007.

Cynthia Clemon

Notary Public

My Commission Expires: 5/31/2010

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 7th day of May, 2007, was acknowledged before me this 20 day of May, 2007, by STEVE R. LONG.

Given under my hand this 20 day of May, 2007.

Cynthia Clemon

Notary Public

My Commission Expires: 5/31/2010

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 7th day of May, 2007, was acknowledged before me this 9th day of MAY, 2007, by JASON L. MAINE.

Given under my hand this 9th day of MAY, 2007.


Notary Public

My Commission Expires: 10/31/08

I was originally commissioned as
Barbara J. Williams, Notary Public

COMMONWEALTH OF VIRGINIA
City of Hampton, to-wit:

The foregoing instrument bearing date on the 7th day of May, 2007, was acknowledged before me this 9th day of MAY, 2007, by JAMEY F. MAINE.

Given under my hand this 9th day of MAY, 2007.


Notary Public

My Commission Expires: 10/31/08

I was originally commissioned as
Barbara J. Williams, Notary Public

PREPARED BY:
Thomas L. Hunter
The Law Firm of
Thomas L. Hunter, P.C.
910 W. Mercury Blvd.
Suite 2A
Hampton, VA 23666
757.825.0400

LOT 18
HAMPTON UNITED METHODIST CHURCH
D.B. 279, P. 102

LOT 17
HAMPTON UNITED METHODIST CHURCH
D.B. 1277, P. 1464

PARCEL 'A'

586°16'E

PIPE
FD.

PARCEL 'D'

20.00'

PIPE
FD.

LOT 14

HAMPTON UNITED METHODIST CHURCH
D.B. 1277, P. 1464

LOT 13

THOMAS A. BROSAM
DOC. No. 030022700

LOT 12

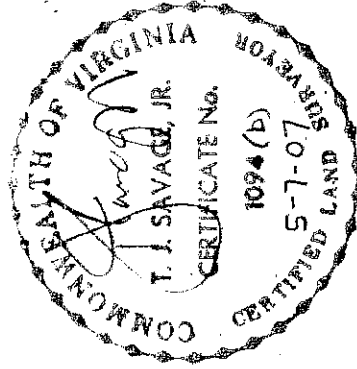
STEVE R. LONG
DOC. No. 010017999

LOT 11

JASON L. MAINE, et ux
DOC. No. 040029460

5. BOXWOOD STREET

MAGNOLIA STREET (VARIABLE R/W)



CERTIFIED LAND SURVEYOR

F.B. 194 PG. 74

PLAT OF THE PROPERTY OF
CITY OF HAMPTON

20' ALLEY TO BE VACATED
LOCATED IN BLOCK 6 OF THE
EAST HAMPTON DEVELOPMENT CO.
CITY OF HAMPTON, VIRGINIA

THOMAS J. SAVAGE, JR.
SURVEYOR AND LAND PLANNER
1796 CARRIAGE DRIVE
HAMPTON, VIRGINIA

SCALE: 1" = 20' DATE: MAY 7, 2007