

PREPARED BY AND RETURN TO:  
HAMPTON CITY ATTORNEY'S OFFICE  
ANGELA KING (VSB #76922)  
22 LINCOLN STREET  
HAMPTON, VIRGINIA 23669

Portion of Lawrence Avenue abutting  
45 Lawrence Avenue (LRSN 12006081);  
49 Lawrence Avenue (LRSN 12006082);  
2 Sargeant Street (LRSN 12006083);  
6 Sargeant Street (LRSN 12006084);  
38 Lawrence Avenue (LRSN 12006099); &  
34 Lawrence Avenue (LRSN 12006098)  
Consideration: \$0.00

*EXEMPTED FROM RECORDATION  
TAXES UNDER SECTION 58.1-811(C)(4)  
AND CLERK'S FEES UNDER SECTIONS  
17.1-266 AND 17.1-279.E*

## **VACATION AGREEMENT**

**(Portion of Lawrence Avenue abutting 45 Lawrence Avenue, 49 Lawrence Avenue, 2 Sargeant Street, 6 Sargeant Street, 38 Lawrence Avenue, and 34 Lawrence Avenue)**

**THIS VACATION AGREEMENT** (this "Agreement"), made this \_\_\_\_ day of \_\_\_\_\_, 2026, 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 "Grantor" for the purpose of indexing); **HAMPTON REDEVELOPMENT AND HOUSING AUTHORITY**, a political subdivision of the Commonwealth of Virginia, located at 811 W. Pembroke Avenue, Hampton, Virginia 23669 (the "Owner" and "Grantee" for the purpose of indexing); and **NORTH MALLORY QUAY LLC**, a Virginia limited liability company, located at 804 Prince Charles Court, Virginia Beach, Virginia 23452 (the "Contract Purchaser" and "Grantee" for the purpose of indexing only); the City and the Owner being collectively the "Parties."

### **RECITALS**

- A. Hampton Redevelopment and Housing Authority ("HRHA") is the current fee simple owner of certain parcels of property located in the City of Hampton known as 45

Lawrence Avenue (LRSN 12006081); 49 Lawrence Avenue (LRSN 12006082); 2 Sargeant Street (LRSN 12006083); 6 Sargeant Street (LRSN 12006084); 38 Lawrence Avenue (LRSN 12006099); and 34 Lawrence Avenue (LRSN 12006098) (together, the “HRHA Properties”);

- B. The City owns that certain 50’ public right-of-way known as Lawrence Avenue of which a 14,197+/- square foot (0.326+/- acre) portion abuts the HRHA Properties, being described as “PORTION OF LAWRENCE AVENUE HEREBY VACATED” (the “Vacation Area”) on the attached plat entitled, “PLAT OF RIGHT-OF-WAY VACATION PORTION OF LAWRENCE AVENUE CITY OF HAMPTON, VIRGINIA,” prepared by Robert D. Mann, L.S., Timmons Groups, dated July 14, 2026 (the “Plat”) which said Plat is attached hereto as **EXHIBIT A**;
- C. North Mallory Quay LLC (“NMQ”) and HRHA are parties to a development agreement which, in part, contemplates the transfer of the HRHA Properties from HRHA to NMQ and the closure and re-use of the Lawrence Avenue Vacation Area, and the vacation and adjustment of boundary lines between the HRHA Properties and several other parcels in the vicinity of the HRHA Properties in order to complete the proposed project (the “Development Agreement”);
- D. Transfer of the Vacation Area to HRHA, and subsequently to NMQ, is necessary to facilitate the Development Agreement, and accordingly, the Parties desire to enter into this Agreement setting forth the terms upon which the Parties agree to vacate the Vacation Area pursuant to Section 2.05 of the Hampton City Charter; and
- E. 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 right-of-way, and all property interests

affected by this Agreement are consistent with the best interests of the citizens of the City of Hampton.

**NOW, THEREFORE,** in consideration of the covenants, terms, and conditions contained herein, the Parties agree to the following:

1. The Parties agree that the recitals stated above are true and accurate and are hereby incorporated by reference.
2. In accordance with Section 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 \_\_\_\_\_, 2026, does, by these presents, release and vacate the following described property interest, to-wit:

All that certain lot, piece, or parcel of land containing 14,197+/- square feet (0.326+/- acre), more or less, situate, lying, and being in the City of Hampton, Virginia, and being designated as "PORTION OF LAWRENCE AVENUE HEREBY VACATED" on that certain plat containing 4 sheets entitled: "PLAT OF RIGHT-OF-WAY VACATION PORTION OF LAWRENCE AVENUE CITY OF HAMPTON, VIRGINIA," said plat bearing a date of July 14, 2026 (the "Plat"), which Plat is attached hereto as Exhibit "A" for reference and made a part of this legal description. The property above described being further referred to herein as the "Vacation Area".

3. **PROVIDED, HOWEVER,** that such release and vacation by the City shall be conditioned, without further need for action, upon the following:

- a. Owner shall dedicate, at no cost to the City, any necessary easements within the Vacation Area, as determined by the City, needed to address existing conditions, including but not limited to for City utilities and drainage.
- b. Owner shall dedicate to Dominion Virginia Energy, Verizon, Newport News Waterworks, and/or other utility or similar companies, at no cost to the City or the

companies, all such easements as are deemed necessary by the applicable entities to address existing above ground and underground facilities, including but not limited to utility poles, cables, and waterlines.

- c. The transfer of the HRHA Properties from HRHA to NMQ must occur, NMQ must submit a subdivision plat to the City for review and approval that facilitates the development of the HRHA Properties in accordance with the terms and conditions of the Development Agreement, and NMQ must dedicate to Dominion Virginia Energy, Verizon, Newport News Waterworks, Virginia Natural Gas, and/or other utility or similar companies, at no cost to the City, HRHA, or the companies, all such easements as are deemed necessary by the applicable entities to address new or relocated facilities associated with the development of the subdivision including but not limited to utility poles, cables, and waterlines.

**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 his/her/its name to be signed to this Agreement indicating his/her/its acceptance of same.

*[SIGNATURES COMMENCE ON FOLLOWING PAGE]*

CITY OF HAMPTON, VIRGINIA

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

COMMONWEALTH OF VIRGINIA,  
City of Hampton, to wit:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2026, 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 or designee

Approved as to Form:

By: \_\_\_\_\_  
City Attorney's Office

Approved as to Content:

By: \_\_\_\_\_  
Department of Public Works

*[SIGNATURES CONTINUE ON FOLLOWING PAGE]*

**ACCEPTANCE:**

**OWNER/GRANTEE:  
HAMPTON REDEVELOPMENT AND  
HOUSING AUTHORITY**

By: [Signature] (SEAL)

Name: AARU MA'AT

Title: EXECUTIVE DIRECTOR

COMMONWEALTH/STATE OF Virginia

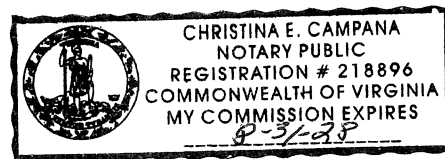
City/County of City of Hampton, to-wit:

I hereby certify on this 28th day of July, 2026 that the foregoing Vacation Agreement was acknowledged and accepted before me by AARU MA'AT (name), Executive Director (title), on behalf of Hampton Redevelopment and Housing Authority. He/She is known to me personally or provided N/A as identification.

[Signature]  
Notary Public

My Commission Expires: 8-31-2028

Registration No. 218896



[SIGNATURES CONCLUDE ON FOLLOWING PAGE]

CONTRACT PURCHASER/GRANTEE:  
NORTH MALLORY QUAY LLC

By: [Signature] (SEAL)

Name: Alan S. Resh

Title: MANAGER

COMMONWEALTH/STATE OF Virginia

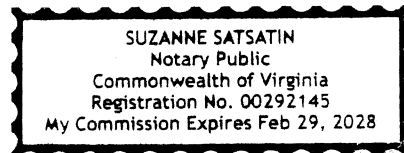
City/County of Virginia Beach, to-wit:

I hereby certify on this 16<sup>th</sup> day of July, 2026 that the foregoing Vacation Agreement was acknowledged and accepted before me by Alan Resh (name), Manager (title), on behalf of North Mallory Quay LLC. He/She is known to me personally or provided Virginia Drivers License as identification.

[Signature]  
Notary Public

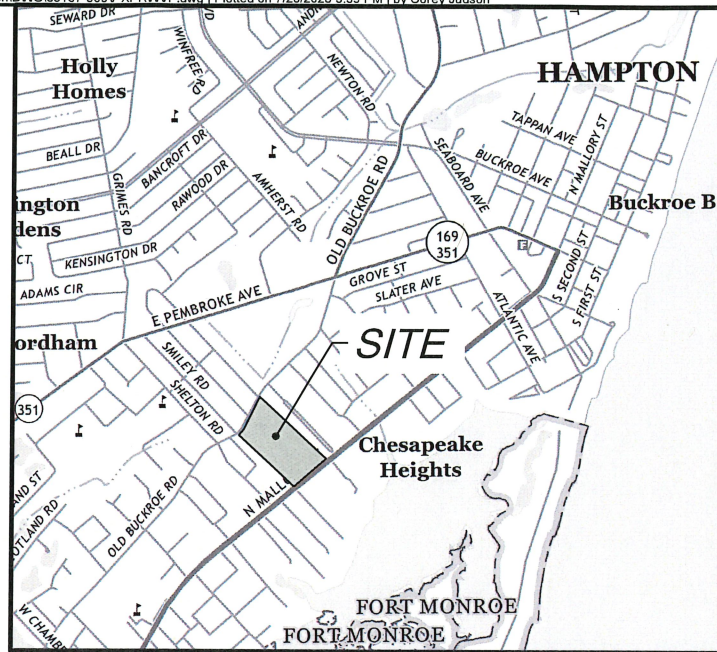
My Commission Expires: Feb 29, 2028

Registration No. 00292145



[END OF SIGNATURES]

EXHIBIT A – VACATION PLAT



**VICINITY MAP**

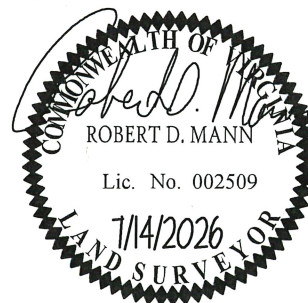
SCALE: 1" = 2,000'

**LEGEND**

- ⊙ IPF IRON PIPE FOUND
- PROPERTY CORNER (NO MONUMENT SET)
- ⊙ ROD/F IRON ROD FOUND
- MON CONCRETE MONUMENT (FOUND)

**SURVEY NOTES:**

1. SURVEY CONTROL POINTS ESTABLISHED USING REAL-TIME KINEMATIC GPS UTILIZING VIRTUAL REFERENCE STATION (VRS) - RTK HXGN SMARTNET SERVICE PROVIDED BY LEICA GEOSYSTEMS.  
  
HORIZONTAL DATUM: VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83.
2. BASED ON FEMA FLOOD INSURANCE RATE MAPS FOR THE CITY OF HAMPTON, THIS PROPERTY LIES IN FLOOD ZONES "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN; AND ZONE "X" (SHADED), AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, AS SHOWN ON MAP NUMBERS 5155270020H, DATED REVISED MAY 16, 2016.
3. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THIS PROPERTY IS SUBJECT TO EASEMENTS, SURVITUDES, COVENANTS, AND RESTRICTIONS OF RECORD.
4. PROPERTY LINES SHOWN HEREON ARE BASED ON A CURRENT FIELD BOUNDARY SURVEY, DEEDS, DOCUMENTS AND PLATS OF RECORD.



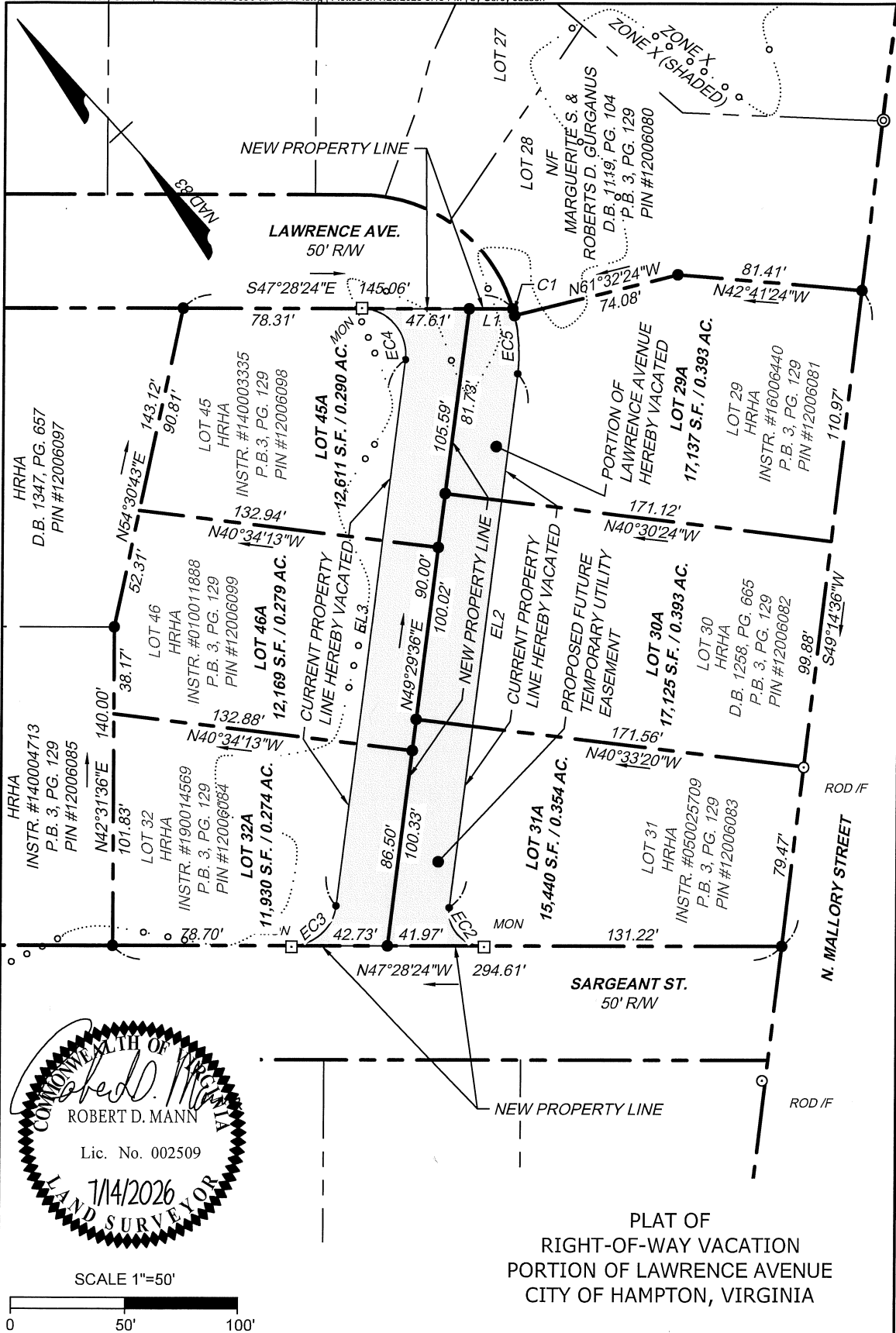
PLAT OF  
RIGHT-OF-WAY VACATION  
PORTION OF LAWRENCE AVENUE  
CITY OF HAMPTON, VIRGINIA

THIS DRAWING PREPARED AT THE  
**HAMPTON ROADS PENINSULA OFFICE**  
800 Tech Center Parkway, Suite 103 | Newport News, VA 23606  
TEL 757.782.3041 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

|                    |                     |
|--------------------|---------------------|
| CITY OF HAMPTON    | VIRGINIA            |
| DATE: 7/14/2026    | SCALE: AS SHOWN     |
| SHEET 1 OF 4       | J.N.: 69187         |
| DRAWN BY: M.LITTLE | CHECKED BY: R. MANN |

**TIMMONS GROUP**



**TIMMONS GROUP**

**EASEMENT CURVE TABLE**

| <b>CURVE</b> | <b>RADIUS</b> | <b>LENGTH</b> | <b>TANGENT</b> | <b>DELTA</b> | <b>CHORD BEARING</b> | <b>CHORD</b> |
|--------------|---------------|---------------|----------------|--------------|----------------------|--------------|
| C1           | 70.00'        | 3.00'         | 1.50'          | 2°27'33"     | S27°09'17"W          | 3.00'        |

**EASEMENT CURVE TABLE**

| <b>CURVE</b> | <b>RADIUS</b> | <b>LENGTH</b> | <b>TANGENT</b> | <b>DELTA</b> | <b>CHORD BEARING</b> | <b>CHORD</b> |
|--------------|---------------|---------------|----------------|--------------|----------------------|--------------|
| EC2          | 15.00'        | 25.39'        | 16.94'         | 96°58'00"    | S1°00'36"W           | 22.46'       |
| EC3          | 20.00'        | 28.98'        | 17.70'         | 83°02'00"    | S88°59'24"E          | 26.51'       |
| EC4          | 20.00'        | 33.85'        | 22.59'         | 96°58'00"    | N1°00'36"E           | 29.95'       |
| EC5          | 70.00'        | 28.79'        | 14.60'         | 23°34'06"    | S37°42'34"W          | 28.59'       |

**LINE TABLE**

| <b>LINE</b> | <b>BEARING</b> | <b>LENGTH</b> |
|-------------|----------------|---------------|
| L1          | S47°28'24"E    | 19.14'        |

**EASEMENT LINE TABLE**

| <b>LINE</b> | <b>BEARING</b> | <b>LENGTH</b> |
|-------------|----------------|---------------|
| EL2         | S49°29'36"W    | 236.44'       |
| EL3         | N49°29'36"E    | 241.79'       |



PLAT OF  
RIGHT-OF-WAY VACATION  
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|---------------------------|----------------------------|
| <b>CITY OF HAMPTON</b>    | <b>VIRGINIA</b>            |
| <b>DATE: 7/14/2026</b>    | <b>SCALE: NTS</b>          |
| <b>SHEET 3 OF 4</b>       | <b>J.N.: 69187</b>         |
| <b>DRAWN BY: M.LITTLE</b> | <b>CHECKED BY: R. MANN</b> |

**TIMMONS GROUP** . . . . .

## PROPERTY REFERENCE TABLE

| LOT NO. | LRSN     | OWNER                                     | ACQUIRED FROM                      | CONVEYANCE DEED REFERENCE |
|---------|----------|-------------------------------------------|------------------------------------|---------------------------|
| 29      | 12006081 | HAMPTON REDEVELOPMENT & HOUSING AUTHORITY | CHRISTOPHER A. EASLEY              | INSTR. #160006440         |
| 30      | 12006082 | HAMPTON REDEVELOPMENT & HOUSING AUTHORITY | DEPARTMENT OF HOUSING & URBAN DEV. | D.B. 1258, PG. 665        |
| 31      | 12006083 | HAMPTON REDEVELOPMENT & HOUSING AUTHORITY | WILLIAM J. & LINDA G. STUTT        | INSTR. #050025709         |
| 32      | 12006084 | HAMPTON REDEVELOPMENT & HOUSING AUTHORITY | STARTING FIVE INVESTMENTS LLC      | INSTR. #190014569         |
| 46      | 12006099 | HAMPTON REDEVELOPMENT & HOUSING AUTHORITY | ROBERT T. & DOROTHY J. HAMMOND     | INSTR. #010011888         |
| 45      | 12006098 | HAMPTON REDEVELOPMENT & HOUSING AUTHORITY | TERRY G. MASON, SR.                | INSTR. #140003335         |

## AREA TABLE

| PARCELS    | OLD AREA (S.F.) | OLD AREA (AC.) | NEW LOT        | NEW AREA (S.F.) | NEW AREA (AC.) |
|------------|-----------------|----------------|----------------|-----------------|----------------|
| LOT 29     | 15,125          | 0.347          | LOT 29A        | 17,137          | 0.393          |
| LOT 30     | 14,641          | 0.336          | LOT 30A        | 17,125          | 0.393          |
| LOT 31     | 12,922          | 0.297          | LOT 31A        | 15,440          | 0.354          |
| LOT 32     | 9,680           | 0.222          | LOT 32A        | 11,929          | 0.274          |
| LOT 45     | 9,912           | 0.228          | LOT 45A        | 12,611          | 0.290          |
| LOT 46     | 9,934           | 0.228          | LOT 46A        | 12,169          | 0.279          |
| TOTAL AREA | 72,214          | 1.658          | TOTAL NEW AREA | 86,411          | 1.984          |

## RIGHT-OF-WAY AREA TABLE

| PARCEL               | AREA (S.F.) | AREA (ACRES) |
|----------------------|-------------|--------------|
| VACATED RIGHT-OF-WAY | 14,197      | 0.326        |



PLAT OF  
RIGHT-OF-WAY VACATION  
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| DATE: 7/14/2026    | SCALE: NTS          |
| SHEET 4 OF 4       | J.N.: 69187         |
| DRAWN BY: M.LITTLE | CHECKED BY: R. MANN |

**TIMMONS GROUP** . . .