

Tax Map No.: Part of 26-1

This document may be returned to
the person presenting it for recordation.

Prepared by:
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P.O. Box 5
White Stone, VA 22578

There is no title insurance underwriter.
Prepared without benefit of title examination.

THIS PERPETUAL RIGHT OF WAY AND MAINTENANCE
EASEMENT is made this 12 day of June, 2017, by and between
DAVID T. McELHANEY and **SANDRA J. McELHANEY**, husband and wife,
and **LAWRENCE E. McHUGH** ("Grantors") and **GLEBE HARBOR - CABIN**
POINT PROPERTY OWNER'S ASSOCIATION, INC. and the **BOARD OF**
SUPERVISORS OF WESTMORELAND COUNTY, VIRGINIA ("Grantees"):

WHEREAS, Grantors by deed dated August 28, 2003, which is
recorded among the land records of Westmoreland County in Deed Book
614, Page 703, are owners of a parcel of land not a part of the Glebe Harbor
Subdivision but adjacent to their respective lots in said subdivision,
containing 1.5844 acres and commonly known as and hereinafter referred to
as the "Sand Spit" (part of Tax Map #26-1), and

WHEREAS, said Sand Spit, with its current improvements, protects
the entrance channel to Weatherall Creek (North branch of Glebe Creek),
an integral part of this waterfront community, and Grantee, **GLEBE**
HARBOR - CABIN POINT PROPERTY OWNERS' ASSOCIATION, INC.,
as property manager of the subdivision's common assets, including said
channel, requires reasonable access thereto in order to maintain both the
Sand Spit and the channel, and

WHEREAS, Grantee, **BOARD OF SUPERVISORS OF WESTMORELAND COUNTY, VIRGINIA** proposes to administer the Sand Spit as part of the Glebe Harbor Cabin Point Sanitary District and also requires reasonable access thereto in order to maintain both the Sand Spit and the channel, and

WHEREAS, Grantor, in consideration of Grantee **GLEBE HARBOR – CABIN POINT PROPERTY OWNERS' ASSOCIATION, INC.**'s earlier assignment of its right to purchase the Sand Spit, agreed to establish in favor of that Grantee a perpetual access easement to the Sand Spit and a perpetual maintenance easement to the Sand Spit and its improvements; and

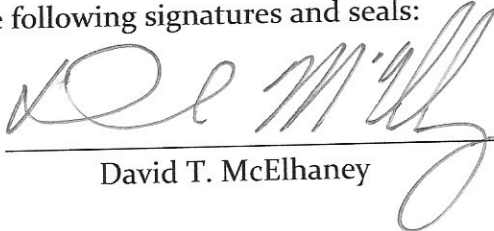
WHEREAS, Grantee, **BOARD OF SUPERVISORS OF WESTMORELAND COUNTY, VIRGINIA** has requested similar rights in the Sand Spit for purposes of administering it as part of the sanitary district;

NOW THEREFORE, WITNESSETH, for and in consideration of the foregoing premises, and other good and valuable consideration, receipt of which is hereby acknowledged, Grantors do hereby grant and convey unto Grantees, their successors and assigns, (1) a perpetual easement of right of way for access from the end of State Route 1503 (North Glebe Road) to the Sand Spit located in close proximity to the division line between Lot 311, Section 4, Glebe, Harbor currently owned by McElhaney and the "Outlet Lot" currently owned by McHugh, the width of which is to be no more than reasonably necessary to access the Sand Spit for maintenances or construction purposes, the costs of said access to be solely the responsibility of Grantee, and (2) a perpetual maintenance easement over, upon and across the entire Sand Spit, to maintain and repair any existing structures and the right to build additional structures in the sole discretion of Grantees, including but not limited to additional jetties, sea walls,

breakwaters, etc., the costs of said construction to be solely the responsibility of Grantees.

Rights of the **BOARD OF SUPERVISORS OF WESTMORELAND COUNTY, VIRGINIA** under this agreement shall terminate immediately upon the termination or dissolution of the Glebe Harbor Cabin Point Sanitary District for any reason.

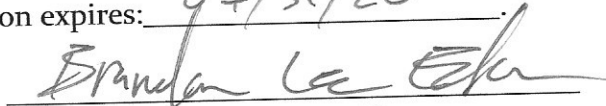
WITNESS the following signatures and seals:

 (SEAL)
David T. McElhaney

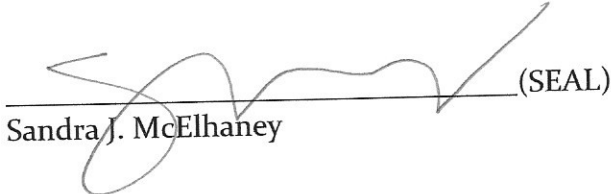
COMMONWEALTH OF VIRGINIA
COUNTY OF Fairfax, to-wit

The forgoing instrument was acknowledged before me this 9th day of June, 2017 by David T. McElhaney.

My commission expires: 07/31/20


NOTARY PUBLIC

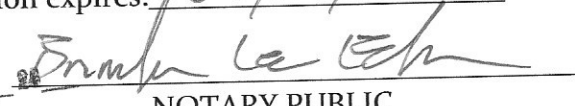


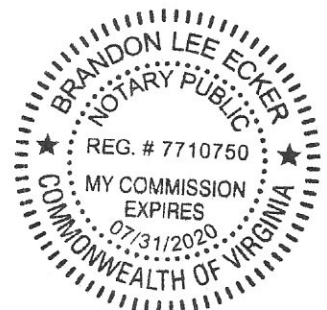
 (SEAL)
Sandra J. McElhaney

COMMONWEALTH OF VIRGINIA
COUNTY OF Fairfax, to-wit

The forgoing instrument was acknowledged before me this 9th day of June, 2017 by Sandra J. McElhaney.

My commission expires: 07/31/20


NOTARY PUBLIC



in the Clerk's Office of the Commonwealth of Virginia
Westmoreland County

The foregoing instrument, (with plat attached) was
this day presented; and with certificate(s) annexed,
admitted to record at _____, after payment of \$ _____
State Tax \$ _____ Local Tax and \$ _____ imposed by
Sec. 58.54.1
Teste: Dwayne J. Chatham, Clerk

Lawrence E. McHugh (SEAL)
Lawrence E. McHugh

COMMONWEALTH OF VIRGINIA
COUNTY OF Westmoreland, to-wit

The forgoing instrument was acknowledged before me this 12
day of June, 2017 by Lawrence E. McHugh.

My commission expires: 5/31/2020.

[Signature]
NOTARY PUBLIC



VIRGINIA: In the Clerk's Office of the Circuit Court of
Westmoreland County June 12 2017
The foregoing instrument, (with plat attached) was
this day presented; and with certificate(s) annexed,
admitted to record at 11:02, after payment of \$
State Tax \$ Local Tax and \$ tax imposed by
Sec. 58.54.1
Teste: Guyne J. Chatham, Clerk