

THIS NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT AND ROAD MAINTENANCE AGREEMENT, made and entered into this 10th day of June, 1998, by and between J. EUGENE ANDERSON, JR. and ROBERTA Y. ANDERSON, husband and wife, (Grantors/Grantees) parties of the first part; and ROBERT F. MOATES, his successors and/or assigns, (Grantee/Grantor) party of the second part.

WHEREAS, Robert F. Moates is the owner of Tax Parcel 11600-0A-00-0019-0, having acquired said 100.00 acre parcel shown on map thereof recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Map Book 21, at page 25, by deed dated October 2, 1987 from Clifford R. Lewis, his wife, and others, recorded in said Clerk's Office in Deed Book 816, at page 77, and said conveyance included a non-exclusive right of way and easement from said 100.00 acre tract to State Road 698; Chesapeake Corporation, a former owner thereof, having acquired from Lucye E. Henry a thirty-five (35') foot wide right of way across her property from Point A and Point B as shown on map recorded in Map Book 21, at page 25, and to the non-exclusive right to use whatever interest the said Lucye E. Henry had in the existing farm road from Point B on said plat to State Road 698, the said Lucye E. Henry having thereafter acquired the property of R. G. Lipford between her land at Point B and State Road 698, or near to State Road 698 where the property of Mt. Zion Church crosses said private farm road as shown on the hereinafter-referred to new plat of survey by John D. Jacobs, C.L.S.; and,

WHEREAS, J. Eugene Anderson and Roberta Y. Anderson, his wife, are the owners of Tax Parcel 11600-0A-00-0020-0, having acquired same from Lucye E. Henry, Widow, as Tenants by the Entirety with the Right of Survivorship as at Common Law, by deed dated February 28 1979, recorded in said Clerk's Office in Deed Book 664, at page 669; and,

WHEREAS, the parties of the first part hereto have agreed to give the hereinafter-described non-exclusive 35-foot easement and right of way of ingress and egress to the party of the second part hereto's 100.00 acre parcel shown on map recorded in said Clerk's Office in Map Book 21, at page 25, by means of the 35-foot right of way shown on "Plat of Survey for Robert F. Moates Showing The location of a new 35' Right-of Way", dated June 1, 1998 by John D. Jacobs, C.L.S., a copy of which is attached hereto, incorporated in and made a part hereof for a more particular description thereof, as a means of ingress and egress to and from State Road 698 to the party of the second part's 100.00 acre tract referred to above; AND IN EXCHANGE THEREFOR, the party of the second part hereto releases, remises, quitclaims and conveys, as evidenced by his signature hereto, unto the parties of the first part hereto, as Tenants by the Entirety with the Right of Survivorship as at Common Law, any right of way and easement of ingress and egress, other than the foregoing, which he may own, thus terminating his right to use any other road as access to his property other than the one shown on the new plat by John D. Jacobs; and,

WHEREAS, it is further understood that from the point where said 35-foot new right of way enters into the property, now or formerly, belonging to Mt. Zion Church shown on said new plat to State Road 698, that the parties of the first part grant such non-exclusive interest in and to the use of said new thirty-five (35') foot wide farm road as they have the legal right so to do; NOW, THEREFORE, THIS NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY AND ROAD MAINTENANCE AGREEMENT

W I T N E S S E T H:

THAT for and in consideration of the exchange referred to above, the parties of the first part hereto doth hereby grant and convey, with General Warranty of Title and with English Covenants of Title, unto the party of the second part

hereto, his successors and/or assigns, a permanent non-exclusive thirty-five (35') wide foot right of way and easement of ingress and egress to the party of the second part, his successors and/or assigns, for the benefit of his 100.00 acre tract shown on map recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Map Book 21, at page 25, to State Road 618, by means of the new 35-foot wide right of way shown leading from said 100.00 acre tract in a northern direction to the southern margin of State Road 698, all as shown on the above-referred to new plat of survey by John D. Jacobs, C.L.S., dated June 1, 1998, a copy of which is attached hereto, incorporated in and made a part hereof.

IT IS FURTHER understood that from the point where said 35-foot new right of way enters into the property, now or formerly, belonging to Mt. Zion Church shown on said new plat and leads northward to State Road 698, that the parties of the first part grant such non-exclusive interest in and to the use of said thirty-five (35') foot wide farm road as they have the legal right so to do.

IN EXCHANGE THEREFOR, the party of the second part hereto releases, remises, quitclaims and conveys, as evidenced by his signature hereto, unto the parties of the first part hereto, as Tenants by the Entirety with the Right of Survivorship as at Common Law, any right of way and easement of ingress and egress, other than the foregoing, which he may own benefiting said 100 acre tract, thus terminating his right to use any other road as access to his said property other than the one shown on the above-referred to new plat by John D. Jacobs attached hereto and made a part hereof.

FURTHER, for and in consideration of the aforesaid premises, the parties hereto do hereby agree to share, based on their respective useage thereof, the costs of the proper

BK 1132PG300

maintenance of the 35-foot right of way, shown on said plat attached hereto, agreeing to maintain same as a 365 day-a-year all-weather roadway, so as to provide ingress and egress to and from State Road 698 to the party of the second part's 100.00 acre tract referred to above, and shall be construed to benefit all of the parties hereto, their successors and/or assigns, and shall be binding upon the parties hereto and their successors in interest.

WITNESS the following signatures and seals:

J. Eugene Anderson Jr. (SEAL)
J. EUGENE ANDERSON, JR.
Roberta Y. Anderson (SEAL)
ROBERTA Y. ANDERSON
Robert F. Moates (SEAL)
ROBERT F. MOATES

STATE OF VIRGINIA

CITY/COUNTY OF Hanover, to-wit:

The foregoing instrument was acknowledged before me this 16 day of October, 1998 by J. EUGENE ANDERSON, JR. and ROBERTA Y. ANDERSON, husband and wife, in my jurisdiction aforesaid.

My commission expires: 2/28/2001

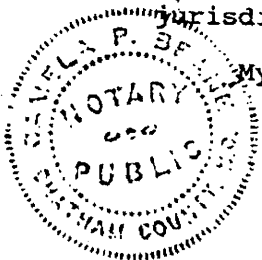
Glenda C. Doet
Notary Public

STATE OF ~~VIRGINIA~~ North Carolina 103
Guilford 100
COUNTY OF ~~PITTSYLVANIA~~, to-wit:

The foregoing instrument was acknowledged before me this 21st day of October, 1998, by ROBERT F. MOATES, in my jurisdiction aforesaid.

My commission expires: 10-12-2000

Camela P. Beane
Notary Public



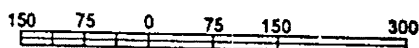
Plat of Survey
for

Robert H. Moates

Showing
The location of a new 35'
Right-of-Way.

Situate
Blairs Magisterial District
Pittsylvania County
Virginia

Date of this Survey : June 1st, 1998
Scale of Plat : 1 inch equals 150 feet.

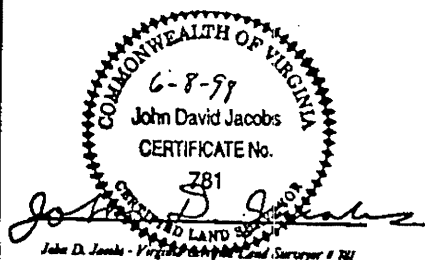


Legal References :

- 1- Robert F. Moates; owner of Tax Parcel
11600-0A-00-0019-0; recorded at Deed Book 816
Page 77; Map recorded at Plat Book 21 Page 25.
- 2- Eugene J. Anderson, Jr. & Roberta Y. Anderson;
owners of Tax Parcel # 11600-0A-00-0020-0;
recorded in Deed Book 664 Page 669.
- 3- Mt. Zion Church; owner of Tax Parcel
11600-0A-00-0021-0; recorded at "Unknown".

Surveyor's Statement :

I, John D. Jacobs, hereby certify that
this survey, to the best of my knowledge,
is correct and complies with the minimum
standards and procedures established by the
Virginia State Board of Architects, Pro-
fessional Engineers, Land Surveyors and
Certified Landscape Architects.



Note - This property is not located in zones A or B
as per the Federal Emergency Management Agency.

Note - This survey has been prepared without the benefit
of a Title Report and does not therefore necessarily in-
dicate all encumbrances on this property.

VIRGINIA:

Clerk	301	14 00
St. R. Tax	039	
Co. R. Tax	213	
Grantor Tax	038/220	
VSLF	145	\$1.00
Transfer	212	
Tech Fee	106	3 00
Total		\$ 18 00

CLERK'S OFFICE OF THE CIRCUIT COURT OF PITTSYLVANIA COUNTY

The foregoing instrument with acknowledgement was admitted to
record on Oct 26 19 98 at 3:59 P M. in
D.B. 1132 Page 297 Inst. No. 98-10106
Teste: H.F. HAYMORE, JR., CLERK
By: Braun Allen Deputy Clerk

Center Line of
St. Rt. # 698

Center Line of
St. Rt. # 698

Mt. Zion Church
Tax Parcel # 11600-0A-00-0021-0

BK 1132 PG 301

Eugene J. Anderson, Jr. & Roberta Y. Anderson
Deed Book 664 Page 669
Tax Parcel # 11600-0A-00-0020-0

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Robert F. Moates
Deed Book 816 Page 77
Tax Parcel # 11600-0A-00-0019-0