9733
0207

Tax ID No.: 0980000000080 Title Insurer: Unknown to Preparer

DEED OF RESTRICTION

THIS DEED OF RESTRICTION is made this 11 day of December, 2016, by NELLIE C. BRUNNER AND DONALD RAY BRUNNER, CO-TRUSTEES OF THE NELLIE C. BRUNNER REVOCABLE TRUST dated March 6, 2013, hereafter "The Brunner Revocable Trust", Owner.

WHEREAS, The Brunner Revocable Trust is the fee simple owner of Tax Parcel 0980000000080 as shown on that certain exhibit entitled "DEED OF EASEMENT RESTRICTION OF THE REMAINING PORTION OF PARCEL 6 As Shown On Plat Entitled 'PLAT SHOWING SUBDIVISION OF TABB FARM' (MB 17, PG 44)
Butts Road Borough, Chesapeake, Virginia" and made by Point of Beginning, LLC dated October 12, 2016; which is attached hereto as Exhibit "A", being included as part of this deed and recorded herewith; and

WHEREAS, The Brunner Revocable Trust intends to subdivide the said property to form two (2) separate parcels; and

WHEREAS, "Residual of Parcel 6" delineated and shown on the exhibit referenced above, is within an A-1 zoning district and is a residual parcel subject to the requirements stated in the Chesapeake Zoning Ordinance restricting further subdivision of such residual parcels.

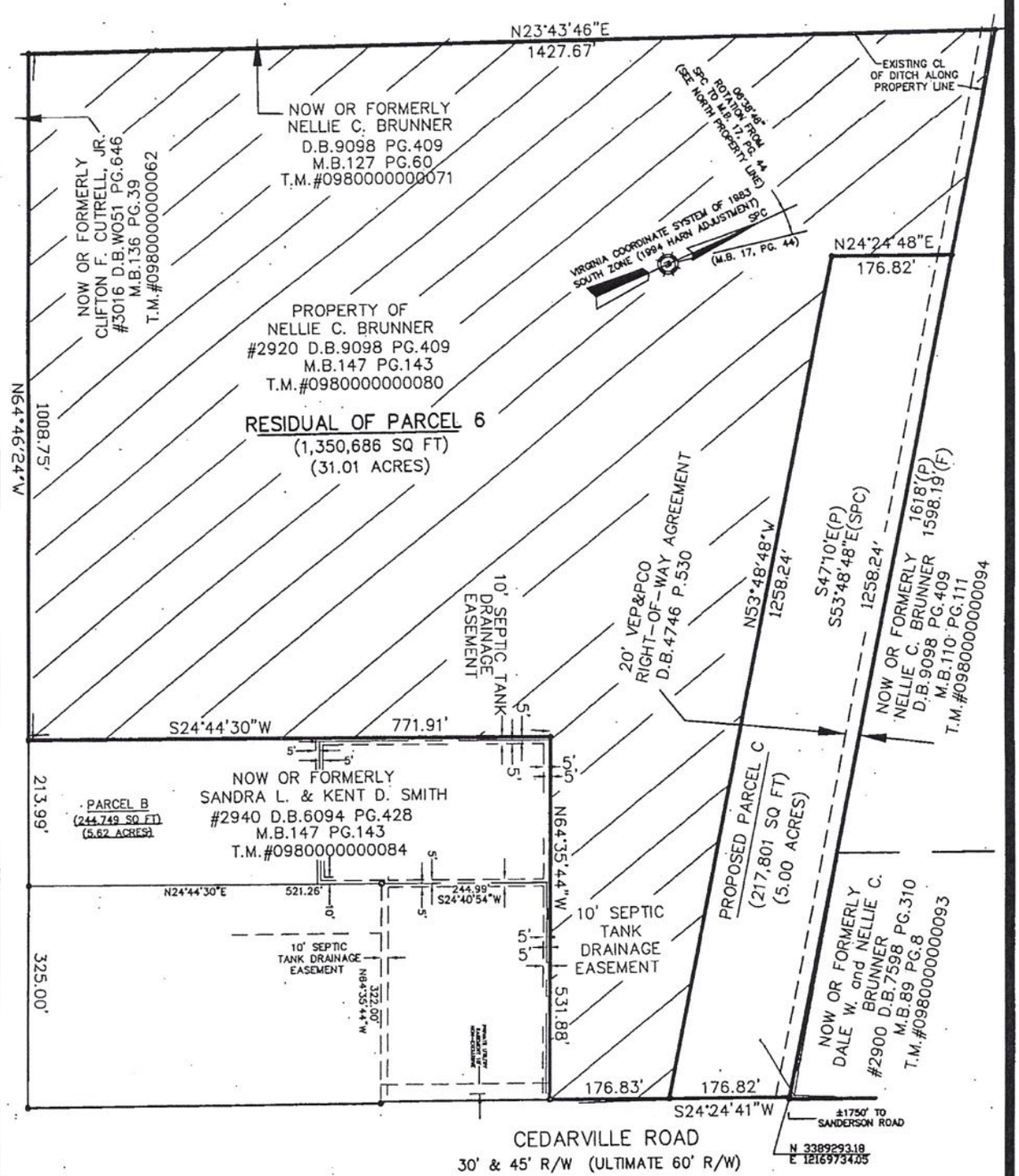
NOW THEREFORE THIS DECLARATION WITNESSETH: The Brunner Revocable Trust does hereby declare, covenant and agree, for itself and its successors and assigns, that, effective upon the recordation of the City-approved subdivision plat that establishes the two (2) separate parcels, "Residual Parcel 6", as shown on the referenced exhibit, shall not be further subdivided until such time as "Residual Parcel 6" is rezoned for development pursuant to the Chesapeake Zoning Ordinance and said properly shall hereafter be held, leased, transferred, and is subject to the restriction which shall run with the land and be binding in perpetuity and forever on all parties and persons.

Prepared by and return to: Ashley E. Nimitz, Esquire VSB# 86285 Basnight Kinser Leftwich & Nuckolls, P.C. 308 Cedar Lake Drive, Chesapeake, Virginia 23322 (757) 547-9191

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NOTES:

1. THE RESIDUAL OF PARCEL 6 SHALL NOT BE FURTHER SUBDIVIDED UNTIL SUCH TIME AS THE RESIDUAL OF PARCEL C IS REZONED FOR DEVELOPMENT.
2. SEE THE FINAL APPROVED RECORDED SUBDIVISION PLAT FOR FINAL BOUNDARY INFORMATION.



COMMONWEALTH OF VIRGINIA
GEORGE W. MIDGETTE, JR.
Lic. No. 1430
11/30/16
LAND SURVEYOR

EXHIBIT A
DEED OF EASEMENT RESTRICTION
OF
THE REMAINING PORTION OF PARCEL 6
AS SHOWN ON PLAT ENTITLED
"PLAT SHOWING SUBDIVISION OF TABB FARM..."
(MB 17, PG 44)
BUTTS ROAD BOROUGH, CHESAPEAKE, VIRGINIA
(SCALE: 1"=200') (NOVEMBER 30, 2016)

GRAPHIC SCALE
200 0 100 200 400
(IN FEET)
1 inch = 200 ft.

POINT OF BEGINNING, LLC
LAND SURVEYING
101 EDGEWARE CT
CHESAPEAKE, VA. 23322
TELEPHONE (757) 547-3888
FAX: (757) 547-5701

FILE NUMBER: 15-0324 RE EXHIBIT PLAT