

150005231

0004

THIS DEED OF EASEMENT (the "Deed") is made this 1ST day of JUNE, 2015, by and between PIONEER HEIGHTS, SECTION ONE PROPERTY OWNERS ASSOCIATION, INC., a Virginia corporation, (hereinafter referred to as "Pioneer One"); PIONEER HEIGHTS, SECTION TWO PROPERTY OWNERS ASSOCIATION, INC., a Virginia corporation (hereinafter referred to as "Pioneer Two"); and CHARLES T. PINKHAM and JANET H. PINKHAM, (hereinafter collectively referred to as "Owners").

WITNESSETH:

WHEREAS, the Owners are the owners of certain real property (the "Property") as shown on a plat dated July 1, 2014, entitled "Survey of an Easement on Lot 159, Section 1, Pioneer Heights" and prepared by W. Stuart Dunn of Dunn Land Surveys, Inc., certified land surveyors (the "Plat") which Plat is attached hereto; and

WHEREAS, the Property is situate in Shawnee Magisterial District, Frederick County, Virginia, with a property identification number of 55 F 2 1 159; Owners having acquired the Property by deed recorded in Deed Book 744, at page 221, among the land records of Frederick County, Virginia; and

WHEREAS, it is the desire and intent of Owners to grant and convey unto Pioneer One and Pioneer Two the easement in the location as shown on the Plat and as hereinafter provided.

SIGN EASEMENT

NOW THEREFORE, WITNESSETH that in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, receipt of which is hereby acknowledged, Owners hereby grant and convey unto Pioneer One and Pioneer Two, their successors and assigns, an easement for the purposes of maintaining a sign on the Property, said easement being more particularly bounded and described on the Plat.

The foregoing easement is subject to the following conditions where applicable:

1. Pioneer One and Pioneer Two and their respective agents shall have full and free use of said easement for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the easement including the right of access to and from the easement and right to use Owners' land where necessary; provided, however, that this right to use Owners' land shall be exercised only during periods of actual construction or maintenance, and further, this right

shall not be construed to allow Pioneer One and/or Pioneer Two to erect any building or structure of a permanent nature on such land with the exception of a sign.

2. Pioneer One and Pioneer Two shall each have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities in or near the easement being conveyed, deemed by them to interfere with the proper and efficient construction, operation, and maintenance of said easement; provided, however, that Pioneer One and Pioneer Two, at their own respective expense, shall restore, as nearly as possible, the Owners' land to its original condition. Such restoration shall include the backfilling of trenches, the replacement of fences and shrubbery, the reseeding or resodding of lawns, and the replacement of structures and other facilities located within and near the easement.

3. Owners reserve the right to make any use of the easement herein granted which may not be inconsistent with the rights herein conveyed, or interfere with the use of said easement by Pioneer One and Pioneer Two for the purposes named; provided, however, that Owners shall not erect any building or other structure on the easement without obtaining the prior written approval of Pioneer One and Pioneer Two.

MISCELLANEOUS

Headings used in this Deed are for convenience purposes only and are not intended to affect the express terms herein set forth.

This Deed is made in accordance with the statutes made and provided in such cases; and is with the free consent and in accordance with the desire of Owners, the owners of the land depicted on the Plat, as aforesaid.

The undersigned warrants that this Deed is made and executed pursuant to authority properly granted by the articles, charter, bylaws and action of the respective Boards of Directors of Pioneer One and Pioneer Two.

[This deed prepared without title examination.]

[THE REMAINDER OF THIS PAGE IS BLANK]

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, Owners have caused this Deed of Easement to be executed, under seal.

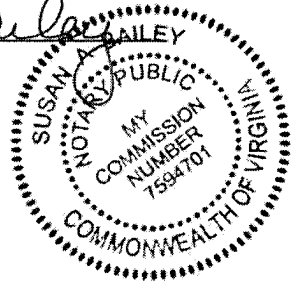
Charles T. Pinkham (SEAL)
CHARLES T. PINKHAM

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Winchester, to wit:

The foregoing Deed was acknowledged before me, a Notary Public in the aforesaid jurisdiction, by CHARLES T. PINKHAM, on this 9th day of June, 2015.

Susan A. Bailey
Notary Public

My Commission expires: October 31, 2018
Registration no. 7594701



Janet H. Pinkham (SEAL)
JANET H. PINKHAM

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Winchester, to wit:

The foregoing Deed was acknowledged before me, a Notary Public in the aforesaid jurisdiction, by CHARLES T. PINKHAM, on this 9th day of June, 2015.

Susan A. Bailey
Notary Public

My Commission expires: October 31, 2018
Registration no. 7594701



[THE REMAINDER OF THIS PAGE IS BLANK]
[ADDITIONAL SIGNATURE PAGES FOLLOW]

FURTHER WITNESS the following signatures and seals.

OWNERS

PIONEER HEIGHTS, SECTION ONE PROPERTY
ASSOCIATION, INC.

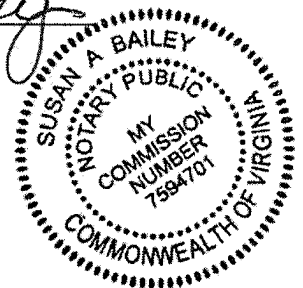
By: [Signature] (SEAL)
Name: WILLIAM H. AUSTIN
Its: ACTIVE PRESIDENT

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Winchester, to wit:

The foregoing Deed was acknowledged before me, in the jurisdiction aforesaid by
William H. Austin as President of
PIONEER HEIGHTS, SECTION ONE PROPERTY OWNERS ASSOCIATION, INC., whose name
is signed to the foregoing Deed, on this 1st day of June, 2015.

[Signature: Susan Bailey]
Notary Public

My Commission expires: October 31, 2018
Registration no. 7594701



[THE REMAINDER OF THIS PAGE IS BLANK]

[ADDITIONAL SIGNATURE PAGE FOLLOWS]

FURTHER WITNESS the following signatures and seals.

OWNERS

PIONEER HEIGHTS, SECTION TWO PROPERTY ASSOCIATION, INC.

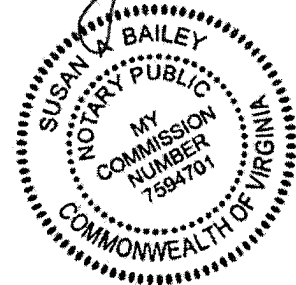
By: Robin E. White (SEAL)
Name: Robin E. White
Its: President

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Winchester, to wit:

The foregoing Deed was acknowledged before me, in the jurisdiction aforesaid by Robin E. White as President of PIONEER HEIGHTS, SECTION TWO PROPERTY OWNERS ASSOCIATION, INC., whose name is signed to the foregoing Deed, on this 13th day of June, 2015.

Susan Bailey
Notary Public

My Commission expires: October 31, 2018
Registration no. 7594701



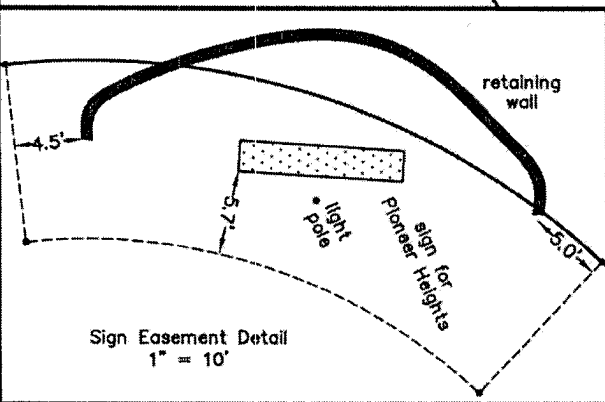
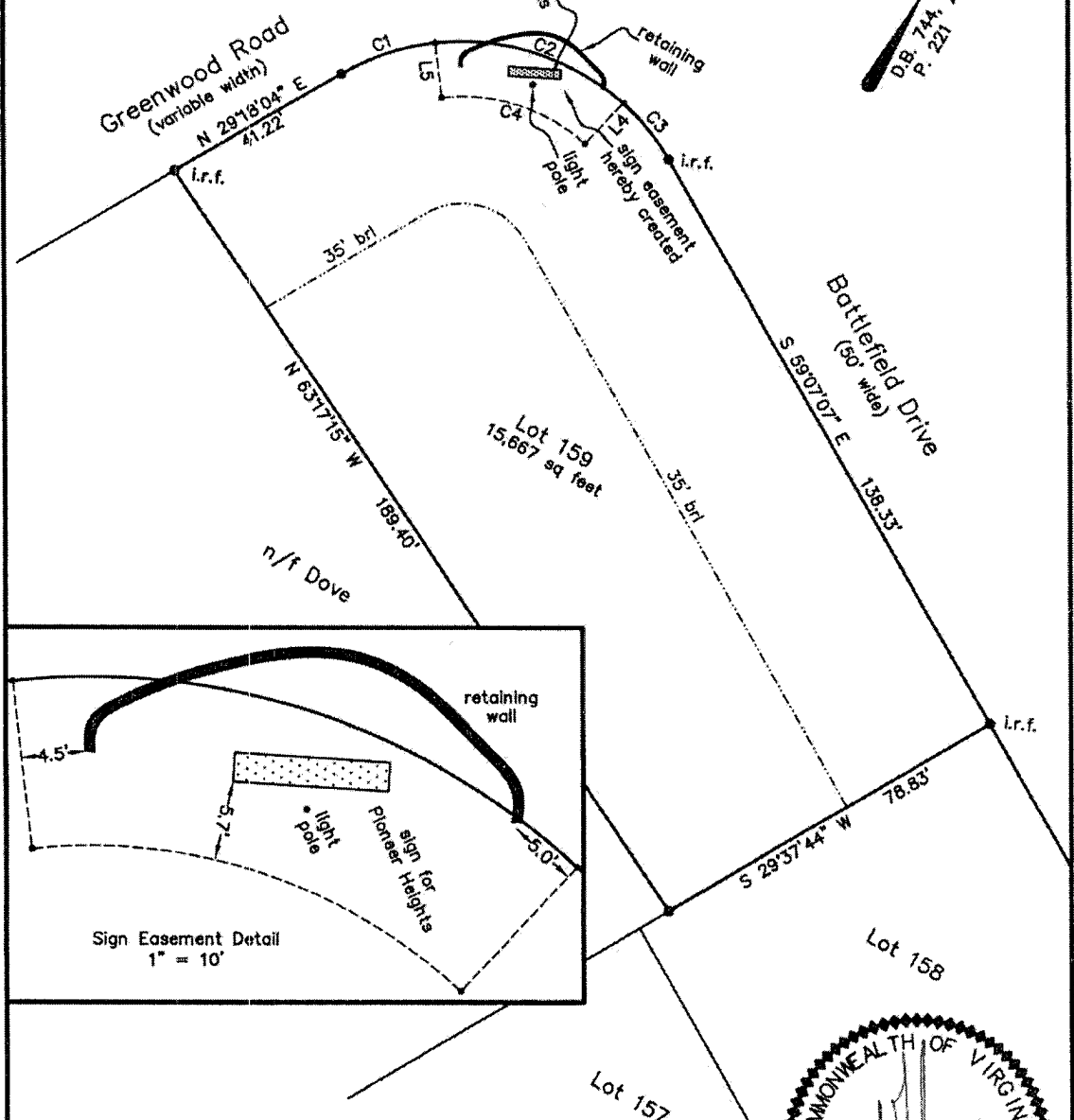
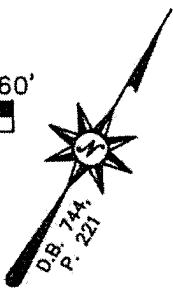
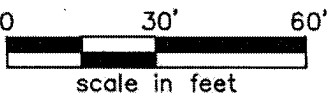
THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:
SUZAN D. HERSKOWITZ, Esq.
SUZAN D. HERSKOWITZ, P.L.L.C.
2400 Valley Avenue, Suite 16
Winchester, VA 22601
(540) 450-3223
suzan@suzanherskowitz.com

Tax Map No.: 55 F 2 1 159

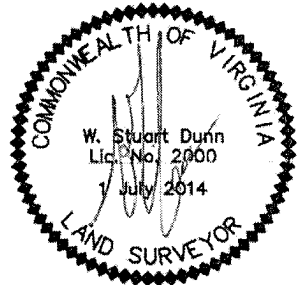
0000
0009

CURVE	BEARING	CHORD	RADIUS	ARC	DELTA
C1	N41°28'27"E	21.09'	50.00'	21.25'	24°20'46"
C2	N78°22'47"E	41.84'	50.00'	43.17'	49°27'54"
C3	S68°00'12"E	15.44'	50.00'	15.51'	17°46'09"
C4	S78°22'47"W	31.80'	38.00'	32.81'	49°27'54"

LINE	BEARING	DISTANCE
L1	S26°17'51"E	6.20'
L2	S63°42'09"W	21.01'
L3	N26°17'51"W	11.82'
L4	S13°06'44"W	12.00'
L5	N36°21'10"W	12.00'



Survey of an Easement on
Lot 159, Section 1
Pioneer Heights
 Deed Book 744, Page 221 GPIN 5084-86-0073
 Shawnee Magisterial District, Frederick County, Virginia



- Notes:**
- (1) No title report furnished, easements of record not shown may exist.
 - (2) This tract is in Flood Zone X, established from FIRM Community Panel no. 51069C0240D, effective September 2, 2009..

Survey no. 2137

Dunn Land Surveys, Inc.
 106 North Church Street
 Berryville, Virginia 22611
 Tel: 540-955-3388
 July 1, 2014

VIRGINIA: FREDERICK COUNTY, SCT.
This instrument of writing was produced to me on

06-11-2015 at 10:01 A.M.
and with certificate acknowledgement thereto annexed
was admitted to record. Tax imposed by Sec. 58.1-802 of

§ NA, and 58.1-801 have been paid, if assessable.

Rebecca P. Hogan, Clerk



OFFICIAL RECEIPT
FREDERICK CIRCUIT COURT
DEED RECEIPT

DATE: 06/11/15 TIME: 10:01:17 ACCOUNT: 069CLR150005231 RECEIPT: 15000010586
CASHIER: EAB REG: WE17 TYPE: DE PAYMENT: FULL PAYMENT
INSTRUMENT : 150005231 BOOK: PAGE: RECORDED: 06/11/15 AT 10:01
GRANTOR: PIONEER HEIGHTS, SECTION ONE PROPERTY OWNERS ASSO EX: N LOC: CO
GRANTEE: PINKHAM, CHARLES T EX: N PCT: 100%

AND ADDRESS :

RECEIVED OF : PINKHAM, CHARLES T

DATE OF DEED: 06/01/15

CHECK: \$22.00 *ck# 659*

DESCRIPTION 1: SH DIST

PAGES: 7 OP: 0

2: PIONEER HEIGHTS, SEC 1, LOT 159

NAMES: 0

CONSIDERATION: .00

A/VAL:

.00 MAP: 55F-2-1-159

PIN:

301 DEEDS

14.50 145 VSLF

1.50

106 TECHNOLOGY TRST FND

5.00 035 VOF FEE

1.00

TENDERED : 22.00

AMOUNT PAID: 22.00

CHANGE AMT : .00

CLERK OF COURT: REBECCA P. HOGAN

PAYOR'S COPY
RECEIPT COPY 1 OF 2