

060001759

VACATION OF PLAT

THIS VACATION OF PLAT, made and entered into the 18th day of April, 2006, in accordance with the provisions of §15.2-2271, et seq., of the Code of Virginia (1950 as amended), by LARRY H. BRADBERRY and BRENDA A. BRADBERRY, husband and wife, GRANTORS for purposes of indexing.

WHEREAS, Larry H. Bradberry and Brenda A. Bradberry [hereinafter "the Owners"] are the fee simple owners of certain land situate in the Town of Wytheville, Virginia, consisting of 15.2 acres, more or less, [hereinafter "the Property"], being a portion of the property acquired by Owners by deed dated April 11, 1979, of record in the Wythe County Clerk's Office in Deed Book 270, Page 685; and

WHEREAS, by deed dated December 29, 1984, of record in the Wythe County Clerk's office in Deed Book 313, Page 101, the Property was divided into two (2) tracts as shown on that certain plat of survey dated December 21, 1984, revised January 3, 1985, the legend of which reads as follows:

WYTHE COUNTY, VIRGINIA
WEST WYTHEVILLE MAG. DIST.
PROPERTY OF
FRONTIER ELECTRONICS, INC.
SURVEYED BY
H. L. LOUTHEN C.L.S. #754
525 W. MAIN ST. WYTHEVILLE, VA
PH: 228-8581 24382
DATE
DEC. 21, 1984 REVISED 1-3 85
SCALE
0 100' 200'

a copy of which plat is attached hereto as Exhibit "A"; and

WHEREAS, the Owners on December 29, 1989, had recorded in the Wythe County Clerk's Office at Plat Book 7, Page 155 [Slide 285], a plat of survey of the Property dated August 22, 1989, which plat resubdivided the Property, the legend of which plat reads as follows:

WYTHE COUNTY, VIRGINIA
WEST WYTHEVILLE MAG. DIST.
PROPERTY OF
LARRY H. BRADBERRY, ET UX
D.B. 270 PG. 685
SURVEYED BY
H. L. LOUTHEN C.L.S. 000754B
525 W. MAIN ST. WYTHEVILLE, VA
PH (703) 228-8581 24382

ACY, CAMPBELL
& MUNIQUE, P.C.
WYTHEVILLE,
VIRGINIA

Examined April 28, 2006
ACY, Campbell
Teste: [Signature] Dep. Clerk

DATE
AUG. 22, 1989
SCALE
0 100' 200'

a copy of which plat is attached hereto as Exhibit "B"; and

WHEREAS, the Owners have not conveyed either of the two (2) tracts shown on the plat of survey dated August 22, 1989, and attached hereto as Exhibit "B"; and

WHEREAS, the Owners, in accordance with the provisions of §15.2-2271, et seq., of the Code of Virginia (1950 as amended), now wish to vacate the plat of survey dated August 22, 1989, of record in the Wythe County Clerk's Office at Plat Book 7, Page 155 [Slide 285], a copy of which is attached hereto as Exhibit "B", thereby reinstating the subdivision of the Property as shown on the plat of survey dated December 21, 1984, revised January 3, 1985, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Town of Wytheville, Virginia, as evidenced by the signature of its authorized agent affixed hereto, consents to this vacation of plat, recognizing that the subdivision of the Property shown on the plat of survey attached hereto as Exhibit "A" is exempt from the current Subdivision Ordinance of the Town of Wytheville, the subdivision of the Property having been made prior to enactment of the current Subdivision Ordinance, thereby permitting the Owners to convey separately the two (2) tracts shown on the plat of survey attached hereto as Exhibit "A"; NOW THEREFORE

WITNESSETH:

In accordance with the provisions of §15.2-2271, et seq., of the Code of Virginia (1950 as amended), that certain plat of survey of record in the Wythe County Clerk's Office at Plat Book 7, Page 155 [Slide 285], dated August 22, 1989, the legend of which reads as follows:

WYTHE COUNTY, VIRGINIA
WEST WYTHEVILLE MAG. DIST.
PROPERTY OF
LARRY H. BRADBERRY, ET UX
D.B. 270 PG. 685
SURVEYED BY
H. L. LOUTHEN C.L.S. 000754B
525 W. MAIN ST. WYTHEVILLE, VA
PH (703) 228-8581 24382
DATE
AUG. 22, 1989

SCALE
0 100' 200'

a copy of which plat is attached hereto as Exhibit "B", is hereby declared to be, and the same is hereby VACATED, which vacation hereby destroys all force and effect of said plat, thereby reinstating the subdivision of the Property as shown on that certain plat of survey dated December 21, 1984, revised January 3, 1985, the legend of which reads as follows:

WYTHE COUNTY, VIRGINIA
WEST WYTHEVILLE MAG. DIST.
PROPERTY OF
FRONTIER ELECTRONICS, INC.
SURVEYED BY
H. L. LOUTHEN C.L.S. #754
525 W. MAIN ST. WYTHEVILLE, VA
PH: 228-8581 24382
DATE
DEC. 21, 1984 REVISED 1-3 85
SCALE
0 100' 200'

a copy of which plat is attached hereto as Exhibit "A".

WITNESS the following signatures and seals:

Larry H. Bradberry
LARRY H. BRADBERRY

Brenda A. Bradberry
BRENDA A. BRADBERRY

TOWN OF WYTHEVILLE, VIRGINIA

By C. Wayne Sutherland Jr.
C. Wayne Sutherland, Town Manager

STATE OF VIRGINIA

COUNTY OF WYTHE, to-wit:

I, Melissa H. Eastwood, a Notary Public in and for the State of Virginia, County of Wythe, do hereby certify that Larry H. Bradberry, whose name is signed to the foregoing Vacation of Plat bearing date of April 18, 2006, has this day personally appeared before me in my State and County aforesaid and acknowledged the same.

Given under my hand this 19th day of April, 2006.

My commission expires: 6/30/06

Melissa H. Eastwood
Notary Public

STATE OF VIRGINIA

COUNTY OF WYTHE, to-wit:

I, Melissa H. Eastwood, a Notary Public in and for the State of Virginia, County of Wythe, do hereby certify that Brenda A. Bradberry, whose name is signed to the foregoing Vacation of Plat bearing date of April 18, 2006, has this day personally appeared before me in my State and County aforesaid and acknowledged the same.

Given under my hand this 19th day of April, 2006.

My commission expires: 6/30/06

Melissa H. Eastwood
Notary Public

STATE OF VIRGINIA

COUNTY OF WYTHE, to-wit:

I, Sharon P. Hackler, a Notary Public in and for the State of Virginia, County of Wythe, do hereby certify that C. Wayne Sutherland, Town Manager of the Town of Wytheville, whose name is signed to the foregoing Vacation of Plat bearing date of April 18, 2006, has this day personally appeared before me in my State and County aforesaid and acknowledged the same.

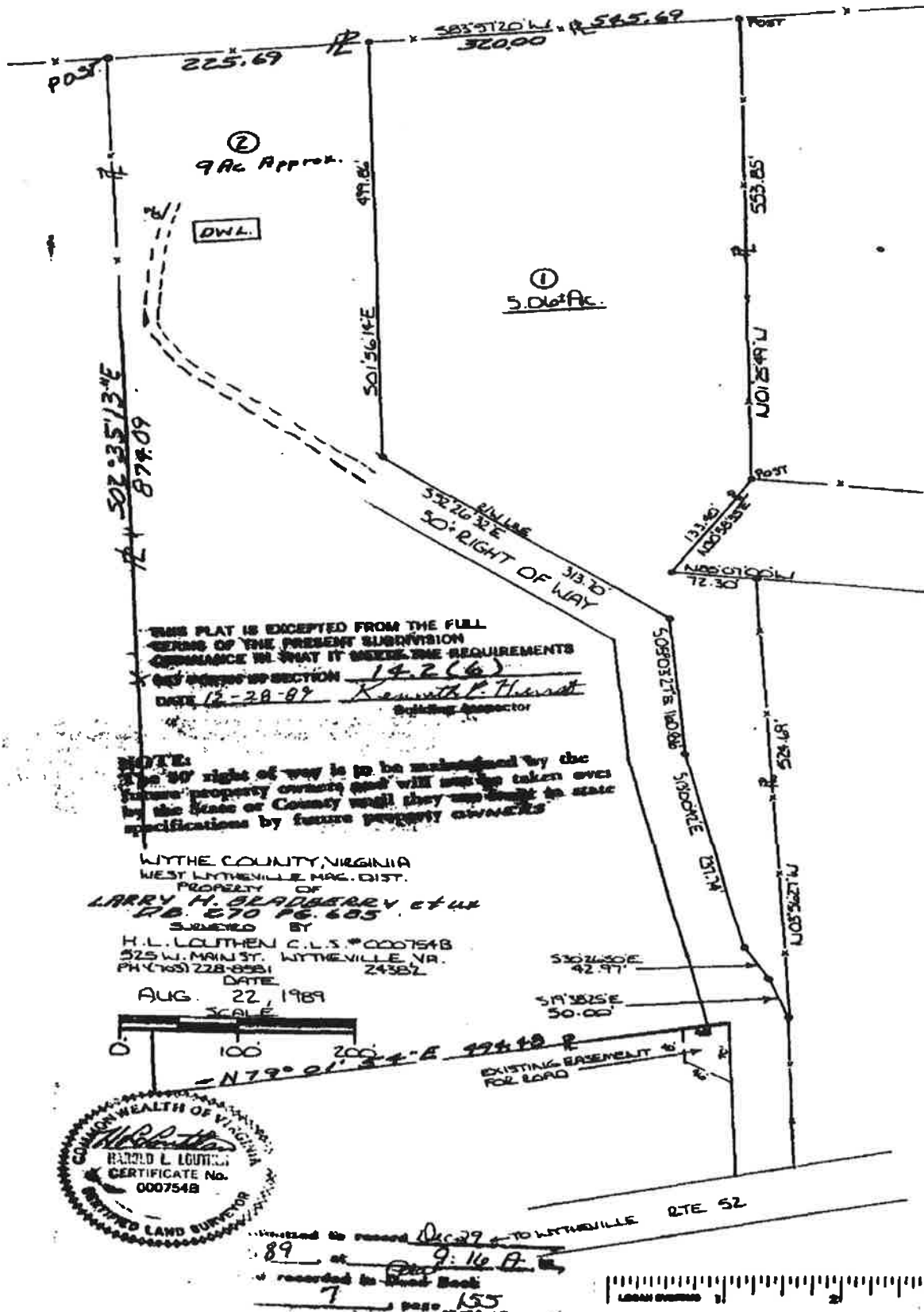
Given under my hand this 18th day of April, 2006.

My commission expires: 4-30-07

Sharon P. Hackler
Notary Public

J 8 / 148

WILLIAM J. VILLY



DL 270 Pg 685

U.S. 48 Pg. 24

122

060125 MAY 1 '06

INSTRUMENT #060001759
RECORDED IN THE CLERK'S OFFICE OF
WYTHE ON
APRIL 28, 2006 AT 11:38AM
HAYDEN H. HORNEY, CLERK
Adrian Horney
RECORDED BY: ADC