

## Appendix A.

Guinea Marsh land donation deed receipt from the Middle Peninsula Planning District Commission and Gloucester County Circuit Court.



OFFICIAL RECEIPT  
GLOUCESTER COUNTY CIRCUIT COURT  
DEED RECEIPT

DATE : 03/16/2018      TIME : 08:27:47      CASE # : 073CLR180001065  
 RECEIPT # : 18000002981      TRANSACTION # : 18031600007  
 CASHIER : KJH      REGISTER # : A107      FILING TYPE : DG      PAYMENT : FULL PAYMENT  
 INSTRUMENT : 180001065      BOOK :      RECORDED : 03/16/2018      AT : 08:27  
 GRANTOR : HICKS, ROBERT DEHARDIT      EX : N      LOC : CO  
 GRANTEE : MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTH      EX : N      PCT : 100%  
 RECEIVED OF : MPCBPAA  
 ADDRESS : 125 BOWDEN ST SALUDA, VA 23149  
 DATE OF DEED : 12/28/2017      CHECK NUMBER : 337  
 CHECK : \$23.00  
 DESCRIPTION 1 : SEE LEGAL FOR PROPERTY DESCRIPTION      PAGES : 005      OP : 0  
 NAMES : 0  
 CONSIDERATION : \$0.00      AVAL : \$0.00      MAP : 54.2      PIN :

ACCOUNT CODE	DESCRIPTION	PAID
035	VOF FEE	\$1.00
145	VSLF	\$1.50
301	DEEDS	\$14.50

ACCOUNT CODE	DESCRIPTION	PAID
106	(TTF) TECHNOLOGY TRUST FUND FEE (CIRCUIT COURT)	\$5.00
212	TRANSFER FEE	\$1.00

TENDERED : \$ 23.00  
 AMOUNT PAID : \$ 23.00

Prepared by and when recorded return to:  
M. Ann Neil Cosby, VSB No. 42682  
McGuireWoods LLP  
Gateway Plaza  
800 East Canal Street  
Richmond, Virginia 23219

Tax Map Nos.: 54-2 and 54-1

**THIS DEED IS EXEMPT FROM RECORDATION TAXES PURSUANT TO VIRGINIA CODE SECTION 58.1-811(D).**

**QUITCLAIM DEED**

This **QUITCLAIM DEED**, is made as of 12/28, 2017, by and between **ROBERT DEHARDIT HICKS, PATRICIA HICKS SCHULL and PAULA MINOR HICKS MOORADIAN**, as tenants in common, (each an individual and collectively referred to herein as "Grantor") and **MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY**, a body corporate established by the Middle Peninsula Chesapeake Bay Public Access Authority Act, *Code of Virginia* §15.2-6600 et seq. ("Grantee").

**WITNESSETH:**

Grantor does hereby quitclaim and forever release unto Grantee and Grantee's heirs, successors and assigns, a one-half (1/2) undivided interest as Grantor has or may have in or to the following property situated in Gloucester County, Virginia and more particularly described as follows (the "Property"):

See "Exhibit A" attached hereto and incorporated herein by reference.

This conveyance is made subject to easements, conditions and restrictions of record insofar as they may lawfully affect the Property.

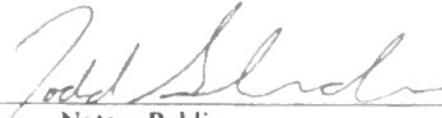
[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]  
[SIGNATURE PAGE FOLLOWS]

STATE OF Kentucky :

CITY/COUNTY OF Jefferson :

The foregoing instrument was acknowledged before me this 26 day of September,  
2017, by Paula Minor Hicks Mooradian.

My commission expires:



Notary Public

Todd Shadle

Notary Public, ID No. 584091

State at Large, Kentucky

My Commission Expires 8/1/2021

**Grantee's address is:**

Middle Peninsula Chesapeake Bay Public Access Authority

125 Bowden Street

PO Box 286

Saluda, VA 23149



OFFICIAL RECEIPT  
GLOUCESTER COUNTY CIRCUIT COURT  
DEED RECEIPT

DATE : 08/24/2018      TIME : 08:51:42      CASE # : 073CLR180003744

RECEIPT # : 18000009691      TRANSACTION # : 18082400001

CASHIER : KJH      REGISTER # : A107      FILING TYPE : DEC      PAYMENT : FULL PAYMENT

INSTRUMENT : 180003744      BOOK :      PAGE :      AT : 08:51

GRANTOR : MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTH      LOC : CO

GRANTEE : NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION      EX : N      PCT : 100%

RECEIVED OF : MPCBPAA      EX : N

ADDRESS :

CHECK : \$22.00      CHECK NUMBER : 349      PAGES : 004      OP : 0

DESCRIPTION 1 : DECLARATION OF RESTRICTIVE COVENANT      NAMES : 0

2 : SEE DOCUMENT FOR PROPERTY DESCRIPTION      MAP : 54-1      PIN :

CONSIDERATION : \$0.00      AVAL : \$0.00

ACCOUNT CODE	DESCRIPTION	PAID
035	VOF FEE	\$1.00
106	(TTF) TECHNOLOGY TRUST FUND FEE (CIRCUIT COURT)	\$5.00

ACCOUNT CODE	DESCRIPTION	PAID
145	VSLF	\$1.50
301	DEEDS	\$14.50

TENDERED : \$ 22.00

AMOUNT PAID : \$ 22.00

*Prepared by and please return to:*

McGuireWoods LLP  
Gateway Plaza  
800 East Canal Street  
Richmond, Virginia 23219  
Attention: R. Robert Benaicha

Tax Map Nos.: 54-1/~~RPC-11168~~ and 54-2/~~RPC-35026~~

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**DECLARATION OF RESTRICTIVE COVENANT**

**Made By**

**MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY,**  
a body corporate established by the Middle Peninsula Chesapeake Bay Public Access Authority  
Act, *Code of Virginia* §15.2-6600 et seq.  
(index as "grantor"),

in favor of

**NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION,**  
an agency of the United States Department of Commerce  
(index as "grantee")

Dated as of March 23, 2018

**DECLARATION OF RESTRICTIVE COVENANT**

**THIS DECLARATION OF RESTRICTIVE COVENANT** (the "**Declaration**") is made as of this 23rd day of March, 2018 (the "**Effective Date**"), by **MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY**, a body corporate established by the Middle Peninsula Chesapeake Bay Public Access Authority Act, *Code of Virginia* §15.2-6600 et seq. (the "**Declarant**") (index as "grantor"), in favor of **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**, an agency of the United States Department of Commerce ("**NOAA**").

**RECITALS**

A. Declarant is the owner of certain real property and improvements located in York Magisterial District, Gloucester County, Virginia, and more particularly described on Exhibit A attached hereto (the "**Property**"), which Declarant acquired by and through that certain Quitclaim Deed from Robert Dehardit Hicks, Patricia Hicks Schull and Paula Minor Hicks Mooradian, as tenants in common, dated December 28, 2017 and recorded on March 16, 2018 as Instrument Number 180001065 in the Office of the Clerk of the Circuit Court for the County of Gloucester, Virginia.

B. A portion of the real property value of the Property, as determined and set by §58.1-3201 of the Code of Virginia (1950), as amended, has been used as match for Federal financial assistance award NA17NOS4190152 through the Virginia Coastal Zone Management 306 Program, and accordingly, the Property must be retained for conservation purposes and the purposes for which it was entered into the Virginia Coastal Zone Management 306 program.

C. Declarant has agreed to encumber the Property with this Declaration for the purpose of complying with the Virginia Coastal Zone Management 306 program.

**DECLARATION**

NOW THEREFORE, in consideration of the foregoing, Declarant hereby declares that shall not dispose of, encumber its title or other interest in the Property, or convert it to other uses without notifying NOAA or its successor agencies. Declarant is responsible for monitoring and managing of the property and shall not dispose of the Property or modify the terms without notifying NOAA or its successor agencies.

The Property shall be held, conveyed, encumbered, leased, rented, used, occupied and subject to the foregoing covenant, which shall run with the land described herein and shall be binding on Declarant and all parties having or acquiring any right, title or interest in and to the Property or any parts thereof.

*[End of Declaration; Signature Pages Follow.]*

IN WITNESS THEREOF, each Declarant has caused this Declaration to be executed and delivered as of the date first above written by its duly authorized officer.

**DECLARANT:**

MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY,  
a body corporate established by the Middle Peninsula Chesapeake Bay Public Access Authority Act, *Code of Virginia* §15.2-6600 et seq.

By: Melinda Conner  
Name: Melinda Conner  
Title: Chair

COMMONWEALTH OF VIRGINIA )  
 )  
~~CITY~~COUNTY OF Middlesex ) SS.

The foregoing instrument was acknowledged before me this 25<sup>TH</sup> day of April 2018, by Melinda Conner, as Chair of MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY, a body corporate established by the Middle Peninsula Chesapeake Bay Public Access Authority Act, *Code of Virginia* §15.2-6600 et seq., who is personally known to me and acknowledged that he executed the foregoing instrument on behalf of the limited partnership.

My Commission expires: June 30, 2019

ELIZABETH G JOHNSON  
NOTARY PUBLIC  
REG. #332494  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES JUNE 30, 2019

[SEAL]

Elizabeth G Johnson  
Notary Public

**EXHIBIT A**

Those five tracts or parcels of land lying and being in York Magisterial District, formerly Abingdon Magisterial District, Gloucester County, Virginia, more particularly bounded and described, now or formerly as follows:

Parcel No. 1: Containing ninety (90) acres, more or less, being a portion of "Great Island" and is bounded on the North by Mobjack Bay and the mean low water mark of a narrow strip of water separating "Great Island" from "Negro Head Island"; on the East by the mean low water mark of the said strip of water as the same passes on the west of other islands and connects with the York River; on the South by the mean low water mark of the York River; and on the West by the mean low water mark of Monday's Creek and lands of James West.

Those four islands located in said York Magisterial District, including of the contiguous lands to the mean low water mark containing a total of ninety eight and one half (98 ½) acres, more or less, bounded and described, now or formerly, as follows:

Parcel No. 2: Known as "Hore Point Island" containing thirteen and one half (13 ½) acres, more or less, being bounded on the North by Mobjack Bay; on the East by the Chesapeake Bay; and on the South and West by a body of water separating this from the three islands hereinafter described:

Parcel No. 3: Known as "Terry Quarter Island" containing ten (10) acres, more or less, bounded on the Northeast and East by the Chesapeake Bay; on the South by the York River; and on the West by a body of water separating this from "Parcel No. 4".

Parcel No. 4: Known as "Rock Hole Island" containing forty three (43) acres, more or less, bounded on the North by a body of water separating this from Parcels 2, 3 and 5; on the East and South by the York River; and on the West by a creek or swash dividing this from Great Island".

Parcel No. 5: Known as "Negro Head Island" containing thirty two (32) acres, more or less, bounded on the North by Mobjack Bay; on the East by a body of water separating this from "Parcel No. 2" on the South by a body of water separating this from "Parcel No. 4"; and on the West by a creek or swash dividing this from "Great Island", and in part by Mobjack Bay.

BEING the same property devised and bequeathed, upon the death of John Edwin DeHardit, and by the terms of his Last Will and Testament dated September 11, 2003, probated in the Clerk's Office of the Gloucester County, Virginia on July 28, 2006, as Instrument No. 06-135, to Robert DeHardit Hicks, his nephew, Patricia Hicks Schull, his niece, and Paula Minor Hicks Mooradian, his niece.

INSTRUMENT 180003744  
 RECORDED IN THE CLERK'S OFFICE OF  
 GLOUCESTER COUNTY CIRCUIT COURT ON  
 August 24, 2018 AT 08:51 AM  
 MARGARET F. WALKER, CLERK  
 RECORDED BY: KJH

*Jul Hicks*