

This document prepared by:
Office of the Attorney General

After recording return to:
Department of Conservation and Recreation
600 East Main Street, 24th Floor
Richmond, Virginia 23219
Attn: Land Conservation & Real Property Manager

Consideration: \$274,000.00
Actual Value: \$274,000.00
Assessed Value: \$340,300.00

Tax Map Parcels: 112-A-109

Title: First American Title Insurance Company

This Deed is exempt (i) from recordation taxes pursuant to §58.1-811.A.3. of the Code of Virginia (1950), as amended, and (ii) from the payment of Clerk's fees pursuant to §§ 17.1-266 and 17.1-279.E.

DEED

This DEED dated the 10th day of September, 2018, is made by and between **CHARLES JOSEPH MEDLIN, FRED ERNEST MEDLIN, LARRY RICHARD MEDLIN, DEBORAH MEDLIN REYNOLDS, and MARY AVELENE MEDLIN VALLANDINGHAM (FORMERLY, MARY AVELENE MEDLIN)**, each individuals (collectively, the "Grantors"), and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF CONSERVATION AND RECREATION**, with an address of 600 East Main Street, 24th Floor, Richmond, Virginia 23219 (the "Grantee"). **ELLEN PAYTON MEDLIN, JUDY WALLACE MEDLIN, LINDA DOSS MEDLIN, and JAMES LEE VALLANDINGHAM**, spouses of the Grantors (each to be indexed as a grantor), join in the execution of this Deed solely to consent to the conveyance of the real property herein and the exclusion of the value of such real property from the respective augmented estates of the Grantors pursuant to § 64.2-305 of the Code of Virginia (1950), as amended.

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantors do hereby grant and convey, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, to the Grantee, the property situated in Northampton County, Virginia (the "Property") more particularly described on Exhibit A, attached hereto and made a part hereof, and do hereby remise, release, and forever QUITCLAIM to the Grantee the Property further described and depicted as follows, to wit:

ALL THAT certain tract or parcel of land, together with the improvements thereon and all rights, privileges, appurtenances, easements, and rights of way thereunto belonging or in anywise appertaining, situate in the County of Northampton, Virginia, designated as Tax Map Parcel 112-A-109, and depicted on that survey/plat entitled "BOUNDARY SURVEY OF THE MEDLIN FAMILY PROPERTY FORMERLY KNOWN AS TRACT B OF THE DIXON FARM NEAR CEDAR GROVE, CAPEVILLE DISTRICT, NORTHAMPTON COUNTY, VA", prepared by Johnson, Mirmiran & Thompson, dated June 13, 2018, and certified by Scott L. Williams, L.S., on September 6, 2018, which plat

is recorded in the Clerk's Office of the Circuit Court of Northampton County, Virginia as Instrument Number _____ (Plat Book _____, at page _____).

Without limiting the foregoing, the Grantors also quitclaim, without warranty, any interest they may have in or to any gaps, gores, or unclaimed land contiguous to the Property.

Open Space Dedication: Grantee hereby designates the Property to be retained in perpetuity and to be used for the preservation and provision of open-space land for conservation of its natural heritage resources and open space values in accordance with the Open-Space Land Act §§ 10.1-1700 through 10.1-1705 of the Code of Virginia, (1950), as amended. This declaration and dedication shall run with the Property and shall be binding upon all parties and entities having any right, title, or interest in the Property or any part thereof, their heirs, successors, and assigns, and shall inure to the benefit of the Grantee.

Natural Area Preserve: It is the purpose of this Deed to ensure that this Property, as an addition to Magothy Bay Natural Area Preserve, through restrictions contained herein, will be retained and managed in perpetuity in a manner that furthers the maintenance, preservation, restoration, and management of its natural heritage resources consisting primarily of habitat conditions for migratory songbirds. Site-appropriate natural conditions and habitats will be restored and managed across the entirety of the Property, which will support both migratory songbirds as well as other native species these habitats support. It is further the intention to allow appropriate and compatible uses and activities while prohibiting or restricting any use or activity not compatible with the natural heritage resource and habitat values. Improvements to the Property to support compatible and appropriate visitor activities and site management needs shall be permitted provided that the number, location, size, extent, length, surface materials, and construction methods are in keeping with the conservation purpose of the Property and are consistent with the Grantee's natural area preserve management guidelines and all amendments thereto. Such improvements may include parking areas, trails, sanitary facilities, information kiosks, gates, signage, boardwalks, observation platforms, and other structures or improvements that may be required for preserve management.

NOAA Grant: Eighty-eight and seventy hundredths percent (88.70%) of the funds used to purchase the Property were provided by NOAA grant number NA15NOS4190164 Task #9 from the Virginia Coastal Zone Management Program at the Commonwealth of Virginia, Department of Environmental Quality ("DEQ") and the National Oceanic and Atmospheric Administration ("NOAA"). Future use and disposition of the Property is subject to (i) the terms and conditions described in the Terms of the Grant Agreement, attached hereto as **Exhibit B** and recorded herewith, and (ii) the other administrative requirements of the applicable grant funding program of DEQ and NOAA.

VLCF Grant: Eleven and thirty hundredths percent (11.30%) of the funds used to purchase the Property were provided by the Virginia Land Conservation Foundation ("VLCF"). Future use and disposition of the Property is subject to (i) the terms and restrictions contained in the Project Agreement, a copy of which is maintained in the files of the VLCF and the Grantee, and (ii) the other administrative requirements of the applicable grant funding program of VLCF. Should the Property be diverted or converted from the uses described in this Deed or should the interest created by this Deed be extinguished at any time after the date hereof, Grantee agrees to reimburse the VLCF in the amount of 11.30% (net after applicable costs) of any monetary consideration received by the Grantee as a result of that transaction.

[Signature pages to follow]

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals.

GRANTOR:

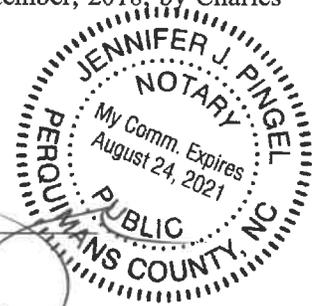
Charles Joseph Medlin
CHARLES JOSEPH MEDLIN

STATE OF NORTH CAROLINA
CITY/COUNTY OF ELIZABETH CITY Pasquotank, to wit:

The foregoing Deed was acknowledged before me this 10 day of September, 2018, by Charles Joseph Medlin.

My commission expires: Aug 24, 2021
My commission number: N/A

Jennifer J. Pingel
Notary Public



Ellen Payton Medlin
ELLEN PAYTON MEDLIN

STATE OF NORTH CAROLINA
CITY/COUNTY OF Pasquotank, to wit:

The foregoing Deed was acknowledged before me this 10 day of September, 2018, by Ellen Payton Medlin.

My commission expires: AUG 24, 2021
My commission number: N/A

Jennifer J. Pingel
Notary Public



GRANTOR:

Fred Ernest Medlin
FRED ERNEST MEDLIN

STATE OF NORTH CAROLINA
CITY/COUNTY OF Catawba, to wit:

The foregoing Deed was acknowledged before me this 11th day of September, 2018, by Fred Ernest Medlin.

My commission expires: 05-25-2019
My commission number: _____

Penny A Whitener
Notary Public

Judy Wallace Medlin
JUDY WALLACE MEDLIN

STATE OF NORTH CAROLINA
CITY/COUNTY OF Catawba, to wit:

The foregoing Deed was acknowledged before me this 11th day of September, 2018, by Judy Wallace Medlin.

My commission expires: 05-25-2019
My commission number: _____

Penny A Whitener
Notary Public

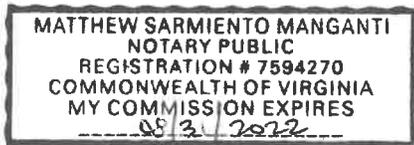
GRANTOR:

Larry R. Medlin
LARRY RICHARD MEDLIN

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

The foregoing Deed was acknowledged before me this 11 day of September, 2018, by Larry Richard Medlin.

My commission expires: 08/31/2022
My commission number: 7594270



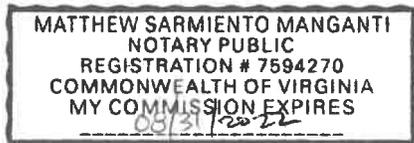
Matthew Sarmiento Manganti
Notary Public

Linda Doss Medlin
LINDA DOSS MEDLIN

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

The foregoing Deed was acknowledged before me this 11 day of September, 2018, by Linda Doss Medlin.

My commission expires: 08/31/2022
My commission number: 7594270



Matthew Sarmiento Manganti
Notary Public

GRANTOR:

Deborah Medlin Reynolds
DEBORAH MEDLIN REYNOLDS

STATE OF NORTH CAROLINA
CITY/COUNTY OF Catawba, to wit:

The foregoing Deed was acknowledged before me this 11th day of September, 2018, by Deborah Medlin Reynolds.

My commission expires: Sep 21, 2022
My commission number: 160514369 MID 9404028

KIMBERLY S BETTENCOURT
Notary Public - North Carolina
Catawba County
My Commission Expires Sep 21, 2022

KS
Notary Public

GRANTOR:

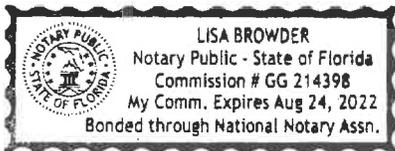
Mary Avelene Medlin Vallandingham
MARY AVELENE MEDLIN VALLANDINGHAM

STATE OF FLORIDA
CITY/COUNTY OF Brevard, to wit:

The foregoing Deed was acknowledged before me this 12th day of September, 2018, by Mary Avelene Medlin Vallandingham.

My commission expires: 8/24/22
My commission number: 66214398

Lisa Browder
Notary Public



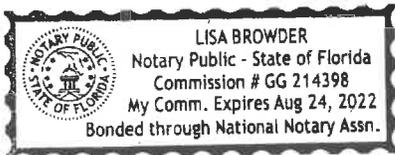
James Lee Vallandingham
JAMES LEE VALLANDINGHAM

STATE OF FLORIDA
CITY/COUNTY OF Brevard, to wit:

The foregoing Deed was acknowledged before me this 12th day of September, 2018, by James Lee Vallandingham.

My commission expires: 8/24/22
My commission number: 66214398

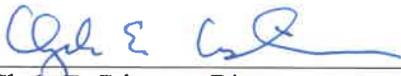
Lisa Browder
Notary Public



Dedication of the Property, which qualifies as a "natural area" to be dedicated as a "natural area preserve" under Virginia Code Sections 10.1-209 through 10.1-217, is accepted pursuant to Virginia Code Section 10.1-213, and open-space designation is made pursuant to Virginia Code Section 10.1-1701, this 25th day of September, 2018.

Dedication Accepted and Designation Made:

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF CONSERVATION AND
RECREATION

By: 
Clyde E. Cristman, Director

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

The foregoing Deed was acknowledged before me this 25th day of September, 2018, by Clyde E. Cristman acting in his capacity as Director of the Commonwealth of Virginia, Department of Conservation and Recreation, on behalf of the Department.

My commission expires: 10-31-2020
My commission number: 7704417



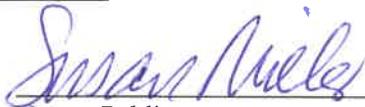

Notary Public

EXHIBIT A

Property Description

ALL THAT certain lot or parcel of land situate near Cedar Grove, Northampton County, Virginia, containing 53.715 acres, more or less, and bounded on the North by lands now or formerly of Anna Ruth Heath; on the East by Seaside Road (Virginia State Route 600); on the South by Latimer Siding Road; and on the West by lands now or formerly of U.S. Fish and Wildlife, Department of the Interior, all as shown as Parcel No. 112-A-109 on that certain plat entitled "Survey of Tract B The Dixon Farm Near Cedar Grove Capeville District Northampton County, Virginia," made for Charlye K. Parsons, Dec'd., by MSA, P.C., dated 26 February 2008, and recorded in the Circuit Court Clerk's Office for Northampton County, Virginia, as Instrument No. 080001756.

IT BEING a portion of the same property conveyed to Betty Kennerly Medlin by Deed of Partition with Hugh D. Cashion dated October 19, 2009 and recorded in the Clerk's Office of the Circuit Court of Northampton County, Virginia in Instrument Number 100000633. Betty K. Medlin died testate on April 7, 2015 and, pursuant to her Last Will and Testament recorded in Instrument Number 150000060, her property passed to her five children, Charles Joseph Medlin, Fred Ernest Medlin, Larry Richard Medlin, Deborah Medlin Reynolds, and Mary Avelene Medlin (now Mary Avelene Medlin Vallandingham), in equal shares.

EXHIBIT B

Terms of Grant Agreement

The Commonwealth of Virginia, Department of Conservation and Recreation (the “Department”), and its successors and assigns, acknowledge that the property located in Northampton County, Virginia and acquired pursuant to the Deed dated September 10, 2018, to which these Terms of Grant Agreement are attached, was acquired, in part, with funds received from the Virginia Coastal Zone Management Program (the “Program”) at the Commonwealth of Virginia, Department of Environmental Quality (“DEQ”) and that such real property is subject to and shall be administered in accordance with the terms and conditions of grant number NA15NOS4190164 Task # 9 (the “Grant”).

The Department acknowledges that the real property is acquired for the approved purpose of long-term conservation of coastal ecosystems, thereby preserving and protecting in perpetuity the multiple, interrelated uplands and wetlands which are critical to coastal resident and migratory birds, fish, wildlife, rare species and their habitats. Further, the real property lies directly within the critical area boundary of that migratory songbird corridor. The protection, restoration, and management of migratory songbird habitat on the real property are of primary importance.

1. **Prior Approval Required for Resale:** The Department agrees not to sell, transfer, hypothecate, or otherwise dispose of or encumber the land or parcels of land, or any portion thereof, or change the original use for which the real property was acquired, without first obtaining the prior, written approval of the Program and the National Oceanic and Atmospheric Administration (“NOAA”). If at any future date the Department deems it necessary and/or desirable to sell the real property or any portion thereof, the Department shall notify the Program immediately.

2. **Terms of Resale:** Any such sale, transfer, hypothecation, disposal, encumbrance, or change in the original use for which the real property was acquired, as determined by the Program, shall be subject to one of the following, at the option of the Program:

(a) The Department must provide to the Program (or an appropriate landholding entity of the Program’s choosing) real property that is of equal value WITHIN VIRGINIA’S COASTAL ZONE and will serve the purpose for which the original Property was acquired; or

(b) The Department must acquire title to and manage real property that is of equal value WITHIN VIRGINIA’S COASTAL ZONE and will serve the purpose for which the original Property was acquired; or

(c) The Department must repay to the Program, on terms and conditions satisfactory to the Program, in cash, a percentage of the funds derived from the resale equivalent to the ratio of federal plus match dollars to total project cost as specified by the terms of the Grant, but in no event less than the Program’s proportionate share of the original purchase price. Such funds shall be reinvested in land WITHIN VIRGINIA’S COASTAL ZONE for the purposes of sensitive coastal habitat protection and/or public access to coastal waters.