

Prepared By: Janet G. Murrell, Attorney (VSB #84982)

Tax Map Nos. 28-13, 28-14, 28-15, 28-16

**DEED OF DEDICATION OF WATER RIGHTS,
EASEMENT, AND MAINTENANCE AGREEMENT**

This DEED OF DEDICATION OF WATER RIGHTS, EASEMENT, AND MAINTENANCE AGREEMENT is made this ____ day of March, 2021, by _____, Trustee of the **WILLIAM G. SIMMONS REVOCABLE TRUST** (undivided one-half (1/2) interest) and _____, Trustee of the **RUTH H. SIMMONS REVOCABLE TRUST**, also known of record as **SIXTH AMENDMENT AND FOURTH RESTATEMENT OF INDENTURE OF TRUST OF THE RUTH H. SIMMONS REVOCABLE TRUST**, (undivided one-half (1/2) interest) (collectively “Declarants”).

WHEREAS, the Declarants are the owners of those certain four (4) tracts or parcels of real estate, situated near Pembroke, in the Eastern Magisterial District, and known as the Snidow and Fisher Districts of Giles County, Virginia, designated as Lot 2 containing 28.288 acres (Adjusted TM 28-14), Lot 3 containing 190.467 acres (Adjusted TM 28-15), Lot 4 containing 55.668 acres (Adjusted TM 28-13), Lot 5 containing 121.418 acres (Adjusted TM 28-16), as shown on that plat attached hereto as Exhibit A and recorded as Instrument No. 210000245 in the Circuit Court Clerk’s Office of Giles County, Virginia, and being the same real estate conveyed to the Grantors by the following instruments: 1) an undivided one-half (1/2) interest conveyed to William G. Simmons by Deed dated September 10, 2002, from Ruth H. Simmons, said Deed of record in the aforesaid Clerk’s Office in Deed Book 348, Page 757, 2) by Will Instrument No. 140000045 in which William G. Simmons, who departed this life

on September 27, 2007, devised his one-half (1/2) interest to the William G. Simmons Revocable Trust, and 3) an undivided one-half (1/2) interest conveyed to the Sixth Amendment and Fourth Restatement of Indenture of Trust of the Ruth H. Simmons Revocable Trust by Deed dated May 17, 2019, from John G. Simmons and Jeanne Simmons Armentrout, Co-Executors of the Estate of Ruth H. Simmons, said Deed of record in the aforesaid Clerk's Office as Instrument No. 190000676, and

WHEREAS, Declarants are about to convey the above named real estate, and wish to establish permanent water rights, easements for maintenance, and maintenance obligations of future owners of such real estate.

NOW THEREFORE, the Declarants do hereby dedicate the water rights and easements described below unto all future owners of the following tracts, their heirs, successors, and assigns, on the aforementioned tracts, and being more particularly described as follows:

A non-exclusive water right to all components associated with the water lines labeled as Nos. 1 through 10 on the aforesaid survey located on those parcels designated as Lot 2 containing 28.288 acres (Adjusted TM 28-14), Lot 3 containing 190.467 acres (Adjusted TM 28-15), Lot 4 containing 55.668 acres (Adjusted TM 28-13), and Lot 5 containing 121.418 acres (Adjusted TM 28-16), along with a perpetual, non-exclusive easement thereto for the purpose of installing, repairing, and replacing any and all necessary water lines, pipes, and other equipment necessary for the use thereof, as shown and more particularly described on the aforesaid survey.

Each owner shall give notice to other land owner where repair or maintenance is needed and be solely responsible for any damage they, or their contractors, guests, or invitees cause to any of the aforesaid.

(Tax Map Nos. 28-13, 28-14, 28-15, 28-16)

This dedication is made subject to, without reimposing same, all conditions, easements, and restrictions applicable to said real estate, including but not limited to, those water rights

conveyed in the following Deeds recorded in the aforesaid Clerk's Office: 1) Deed Book 46, Page 263, 2) Deed Book 49, Page 303, 3) Deed Book 61, Page 114, and 4) Deed Book 109, Page 349.

WITNESS the following signatures and seals of Declarants on this ____ day of March, 2021.

William G. Simmons Revocable Trust

By: _____ (SEAL)
_____, Trustee

State of Virginia,
County of Floyd, to-wit:

The foregoing instrument was acknowledged before me this ____ day of March, 2021, by _____, Trustee.

My commission expires:

Notary ID: _____

Notary Public

Ruth H. Simmons Revocable Trust

By: _____ (SEAL)
_____, Trustee

State of Virginia,
County of Floyd, to-wit:

The foregoing instrument was acknowledged before me this ____ day of March, 2021, by _____, Trustee.

My commission expires:

Notary ID: _____

Notary Public

Nota Bene: This instrument was prepared without the benefit of a current title examination.

Exhibit "A"

