

Deed prepared without title examination by:
Keith C. Martin. VSB #20937

Grantee's Address: 120 Church St.
Vienna, VA 22180

DEED OF CONSOLIDATION, BOUNDARY LINE ADJUSTMENT AND
MODIFICATION OF DEED OF TRUST

Tax Exempt under Sec. 58.1-811(D). 1950 Code of Virginia, as amended

This DEED OF CONSOLIDATION AND BOUNDARY LINE ADJUSTMENT AND MODIFICATION OF DEED OF TRUST ("Deed") is made to be effective as of _____, 2016 between STAATS DEVELOPERS, INC., a Virginia corporation (the "Owner"), CARDINAL BANK, successor by merger to The Business Bank as "Beneficiary" and DENNIS M. GRIFFITH, Trustee and F. KEVIN REYNOLDS, Trustee (hereinafter "Trustees", either of whom may act), and the TOWN OF VIENNA, VIRGINIA, a municipal corporation (the "Town").

WHEREAS, Owner is the owner of certain real property known as Lots 0111A and 0113, as the same appears duly dedicated platted and recorded among the Land Records of Fairfax County, Virginia (the "Land Records"), in Deed Book 22010 at Page 1527, and as further depicted on that plat dated 4.14.16, titled Plat Showing Portion of Alley Vacated and Consolidation with Tax Maps #0382 02 0113 And 0382 02 0111A and prepared by Sanie Consulting Group, LLC, a copy of which is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, by Deed of Trust dated December 8, 2011 and recorded among the Land Records in Deed Book 22010 at Page 1535, as modified by Modification of Deed of Trust dated September 5, 2014 and recorded among the Land Records in Deed Book 23790, at Page 1348 (collectively, the "Deed of Trust"), Owner granted and conveyed the aforementioned real property unto the trustees therein named, in trust, to secure the repayment of a certain indebtedness owed to Beneficiary; and

WHEREAS, by Substitution of Trustee recorded contemporaneously herewith, but prior hereto, the Trustees were appointed as Trustees under the Deed of Trust instead and in place of original trustees named therein; and

WHEREAS, Owner purchased 2785.47 square feet of land, more or less, vacated by the Town, the metes and bounds description of which is attached hereto as Exhibit "B"; and

WHEREAS, Owner and Town desire to consolidate and adjust the boundary lines of Lots 0111A and 0113, and the vacated land to make one single property; and

WHEREAS, Owner, Beneficiary and Trustees desire to modify the description of the "Real Property" (as defined in the Deed of Trust) so that it corresponds to that of the newly created, consolidated parcel; and

WHEREAS, the consolidation and adjustment of boundary lines as aforesaid has been duly platted and shown on a plat prepared by Sanie Consulting Group, LLC, dated 4.14.16, and described by metes and bounds on Exhibit "B" attached hereto and incorporated here by reference; and

WHEREAS, the platting of the land and the consolidation and adjustment of the boundary lines provided by this instrument is made with the free consent and in accordance with the desires of the undersigned Owners and in accordance with the provisions of Section 15.2-2275 Code of Virginia, as amended, and the applicable regulations of the Town of Virginia, as evidenced by the approval of said consolidation boundary line adjustment by authorized officials of the Town noted on the attached plat:

NOW, THEREFORE, in consideration of the premises, the conveyance made hereby, the consideration received by the Town, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and Town hereby consolidate and adjust the boundary lines of Lots 0111A and 0113, and the vacated land to create the new parcel designated as Lot 113A, and the Town does grant and convey to the Owner, with GENERAL WARRANTY OF TITLE the real property vacated by the Town containing 2785.47 square feet, more or less, as shown on the attached Exhibit "B".

The Town covenants that it has the right to convey the aforesaid property to the Owner; that the Owner shall have quiet possession thereof; that the Town has done no act to encumber the aforesaid property except as herein stated; and that the Town will execute such further assurances as may be requisite. The Town further covenants that it has full power and authority to enter into the consolidation boundary line adjustment effected by this Deed.

THIS DEED FURTHER WITNESSETH, that for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, the Owner, the Trustees and the Beneficiary do hereby modify and amend the description of the Real Property as contained in the Deed of Trust to that of the aforementioned newly created Lot 113A. In confirmation thereof, the Owner hereby grants and conveys Lot 113A unto the Trustees, in trust, to secure unto Beneficiary the timely repayment of that certain indebtedness secured by, and described in, the Deed of Trust. To the extent that the Deed of Trust and any other loan documents executed in connection therewith or in furtherance thereof refer to any real property collateral other than the said Lot 113A, such documents are hereby modified to reflect that the sole real property collateral is the said Lot 113A. At the request and direction of Beneficiary, the Trustees join in this instrument to evidence the Trustees' consent to the aforementioned modification of the Deed of Trust. In all other respects, the Deed of Trust shall remain unaffected, unchanged and unimpaired by reason of the change in the description of the property encumbered thereby.

This Deed shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia, and shall be subject to all covenants, conditions and easements of record which lawfully apply.

WITNESS the following signatures and seals:

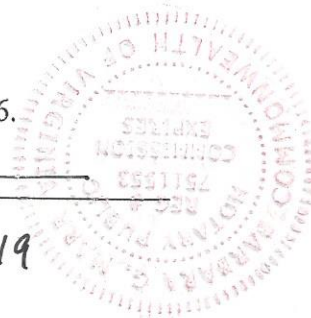
STAATS DEVELOPERS

By: [Signature]
Name: Thomas V. Staats
Title: Owner

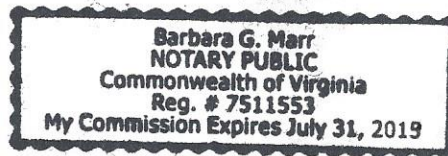
Commonwealth of Virginia,
County of Fairfax, to wit:

The foregoing Deed was acknowledged before me in person by
Thomas V. Staats
of Staats Developers on April 21, 2016.

[Signature]
Notary Public
My Commission expires: 7.31.19



(Signatures continue on next page)



BENEFICIARY:
CARDINAL BANK

By: [Signature]

Name: Jason McDonough

Title: Senior Vice President

Commonwealth of Virginia,
County of Fairfax, to wit:

The foregoing Deed was acknowledged before me in person by
Jason McDonough, Senior Vice President of Cardinal Bank on
April 21, 2016.

[Signature]
Notary Public

My commission expires: 2/28/18
Registration #: 7591539



"I was commissioned
a notary public
Halley Davis"

(Signatures continue on next page)

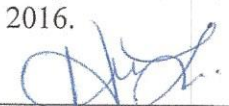
TRUSTEES:



_____, Trustee
Dennis Griffin, Sole Acting Trustee

Commonwealth of Virginia,
County of Fairfax, to wit:

The foregoing Deed was acknowledged before me in person by Dennis Griffin
Trustee on April 21, 2016.



Notary PUBLIC

My commission expires: 2/28/18
Registration #: 7591539



"I was commissioned
a notary public as
Halley Davis"

APPROVED AS TO FORM:

Steven D. Briglia, Town Attorney

TOWN:

Accepted on behalf on the Town of Vienna, Virginia, by authority granted by said Town.

TOWN OF VIENNA, VIRGINIA

By: _____ (SEAL)
LAURIE A. DIROCCO, Mayor

COMMONWEALTH OF VIRGINIA :
: to wit
CITY/COUNTY OF _____:

I HEREBY CERTIFY that on this ____ day of _____, 2016, before me, the undersigned Notary Public of the jurisdiction aforesaid personally appeared LAURIE A. DIROCCO and acknowledged herself to be the Mayor of the Town of Vienna, Virginia, and that she, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS MY Hand and Notarial Seal.

Notary Public (SEAL)

My Commission expires: _____

Registration #: _____