

## DEED OF TEMPORARY EASEMENT

This DEED OF TEMPORARY EASEMENT AND CONSTRUCTION AGREEMENT is made this 31<sup>st</sup> day of July, 2020, by ANTHONY R. PETTORUTO ("Grantor"), and THE TOWN OF VIENNA, VIRGINIA, a body corporate ("Grantee").

For and in consideration of the sum of ten dollars (\$10.00) and the mutual benefits to be derived by the parties hereto, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant and convey unto the Grantee a TEMPORARY easement for the use, as described herein, of a portion of Grantor's property (the "Temporary Easement"), more specifically described as a portion of alley behind lot 24 and lot 25, Wilmar Place, 131 Wilmar Place NW situated in the Town of Vienna, Virginia, an area comprising of the vacated public alley, said area being a portion of the property acquired by the Grantor by a deed recorded in the Land Records of the Fairfax County Circuit Court in Deed Book 100023 at Page 391, and more particularly described therein (the "Property"), together with the right of Grantee to traverse across the area to maintain the remaining public alley towards the southwest, and for such other purposes as are incidental and related thereto, and together with the right of ingress and egress over the Property, to the above-described Temporary Easement area.

Grantor covenants that Grantor is seized of and has the right to convey the Temporary Easement, and that Grantor shall make no use of the Temporary Easement area which is inconsistent with the rights hereby conveyed.

The TEMPORARY EASEMENT created by this document shall begin upon the date of acceptance of this Deed of Temporary Easement by the Grantee and shall expire upon the disposal of the remaining sections of public alley towards the southwest.

Grantee agrees that after access across the easement, the Grantee will, at no cost to the Grantor: (1) restore the disturbed area on and adjacent to the Temporary Easement area as nearly as practicable to its original condition and (2) re-seed all damaged grass areas on or adjacent to the Temporary Easement.

This Deed of Temporary Easement covers all agreements between the parties hereto. No representations or statements have been made which would modify, add to or change the terms of this Deed of Temporary Easement.

WITNESS the following signature(s):

Project: 131 Wilmar Place NW Alley Vacation  
PARID:  
Address: 131 Wilmar Place NW, Vienna, Virginia

GRANTOR:

*Anthony P. B...*

COMMONWEALTH OF VIRGINIA,  
COUNTY OF FAIRFAX:

The foregoing instrument was acknowledged before me on this 31<sup>st</sup> day of July,  
2022 by *Anthony P. B...*

*Michele Virginia Laplace*  
Notary Public

My Commission expires: 11/30/2022

MICHELE VIRGINIA LAPLACE  
NOTARY PUBLIC  
REGISTRATION # 7619144  
COMMONWEALTH OF VIRGINIA

Project: 131 Wilmar Place NW Alley Vacation  
PARID:  
Address: 131 Wilmar Place NW, Vienna, Virginia

APPROVED as to form: \_\_\_\_\_  
TOWN ATTORNEY

ACCEPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, on behalf of the Town Council of Vienna, Virginia pursuant to a resolution of the said Council duly adopted on \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_  
For the Town Council of Vienna, Virginia

COMMONWEALTH OF VIRGINIA,  
COUNTY OF FAIRFAX:

The foregoing instrument was acknowledged before me on this day of \_\_\_\_ , 20\_\_, by  
\_\_\_\_\_  
\_\_\_\_\_

Notary Public  
My Commission expires: \_\_\_\_\_

Project: 131 Wilmar Place NW Alley Vacation  
PARID:  
Address: 131 Wilmar Place NW, Vienna, Virginia