

THIS QUITCLAIM DEED OF GIFT, made and entered into this 20 day of May, 2016, by and between THE CITY OF BRISTOL, VIRGINIA, a Virginia municipal corporation, hereinafter referred to as "Grantor," and MOUNTAIN HERITAGE, INC., hereinafter referred to as "Grantee;"

WITNESSETH:

WHEREAS, by Deed dated December 21, 2000 SWRR Properties, Inc. conveyed to the City of Bristol Virginia, a continuous and unbroken strip of land (except as expressly set out therein) consisting of the old railroad bed of the former Virginia and Southwestern Railway, which property is more particularly described below; and

WHEREAS, Mountain Heritage, Inc. is a non-profit 501(c)(3) corporation that has successfully constructed and maintained hiking and biking trails throughout Southwest Virginia, and;

WHEREAS, the City has determined that the public interest will be served by the City conveying said property to Mountain Heritage, Inc; and

WHEREAS, the conveyance of said property was properly advertised and a public hearing held on April 12, 2016, and adopted by Ordinance on May 10, 2016.

NOW THEREFORE, the Grantor does hereby quitclaim all right, title and interest by Deed of Gift unto the Grantee for the purpose of Grantee establishing and promoting outdoor recreation and related facilities to promote the health and well-being of the citizens of the Commonwealth of Virginia and its visitors, the parcels of land situate and being in Washington County, Virginia, more particularly bounded and described as follows:

Being part of the former Virginia and Southwestern Railway property to-wit:

Tract 1: A continuous and unbroken strip of land, except for land owned by the Virginia Department of Transportation and subject to the exceptions as set out below, of varying width, being some 14.48 miles long BEGINNING at the west right-of-way line of Island Road, said point marked by an iron pin, near the City of Bristol, Virginia and extending along said right of way to the Washington County – Scott County line; together with all ties, ballast and bridges situate, lying and being located upon the said real estate, said real estate being shown in Washington County Clerk’s Office in Plat Book 5, at pages 60, 61, 62 and 63, and BEING in part the same tract of parcel of land conveyed unto SW

Properties, Inc. as Tract 1 by BFK and K Company, Inc. by deed dated March 15, 1991, of record in the aforementioned Clerk's office in Deed Book 811, page 194 and in part property conveyed to SW Properties, Inc. by BFK and K Company, Inc., which deed is of record in the aforementioned Clerk's office in Deed Book 615, page 678 (the remainder of the property described in said deed being located in Scott County and not a part of the property herein conveyed).

Tract 2: All that piece or parcel of property being in Tyler District of Washington County, Virginia, and being more particularly described and located as shown outlined in green on print of drawing marked Exhibit B, as annexed and made part of that certain deed by and between Virginia and Southwestern Railway Corporation, grantor, and Lonesome Pine Recreation Corporation, grantee, dated February 15, 1980, of record in the Washington County, Virginia Circuit Court Clerk's office in Deed Book 625, page 610, and being the same property conveyed unto SW Properties, Inc. as Tract No. 2 by BFK and K Company, Inc. by deed dated March 15, 1991, of record in the aforementioned Clerk's office in Deed Book 811, page 557.

There is excepted and reserved from the above the following tracts or parcels of land, funds, awards and/or damages, to-wit:

FIRST: That property condemned by the Commonwealth of Virginia being that certain parcel of land being forty (40) feet by fifty (50) feet long centered forty (40) feet on Route 633, and being part of the former Virginia and Southwestern Railway right-of-way as located in Tyler District of Washington County, Virginia, which said tract or parcel of land has heretofore been described in documents duly recorded.

SECOND: All rights to compensation from the Commonwealth of Virginia and the property taken by the Commonwealth pursuant to condemnation of that certain parcel of land, with any improvements thereon, beginning at the west side of Island Road and extending westward under US Highway 81 bridges B-658 and B-659 being a parcel of land some .36 acres, and being Parcel 36 as shown on Sheet 5 of the plans for Route 81, State highway Project 0081-95-F13, RW 201. SW Properties, Inc. further excepts and reserves from this option any and all funds from the sale and/or damages from the sale of the above-described tract of land, or adjoining land, to the Virginia Department of Transportation for the project as referred above.

THIRD: All conveyances of fee to third parties of record, but Grantor does hereby convey to Grantee all reserved rights, easements and privileges that Grantor has reserved in any and all said recorded conveyances.

Said property being all the same property conveyed to the City of Bristol Virginia by Deed dated December 21, 2000 from SWRR Properties, Inc., of record in the office of the Clerk of the Circuit Court for Washington County, Virginia at Instrument #000009605

Grantor herein reserves a reversionary interest unto itself until such time that Grantee establishes a trail on some portion of the subject property. Said reversionary shall be self-extinguishing upon Grantee's completion of any segment of the trail, in excess of one continuous and contiguous lineal mile. The recordation of a certification that Grantee has met this requirement in the Circuit Court Clerk's office for Washington County, Virginia shall serve to extinguish the reversionary clause established here.

This conveyance is made subject to all restrictions, covenants and conditions of record pertaining to the aforescribed property.

Pursuant to § 58.1-811C.3 of the 1950 Code of Virginia, as amended, this instrument is exempt from grantors tax.

WITNESS the signature and seal of the Grantor the day, month and year first above written.

CITY OF BRISTOL, VIRGINIA

By

Archie H. Hubbard, III
Archie H. Hubbard, III, Mayor

Attest:

Pamela A. Penabaz
Clerk

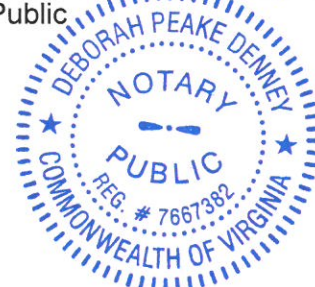
STATE OF VIRGINIA
CITY OF BRISTOL

The foregoing instrument was acknowledged before me this 20th day of May, 2016 by Archie H. Hubbard, III, Mayor of the City of Bristol, Virginia, a Virginia municipal corporation, on behalf of the City.

7667382
Notary Registration Number

Deborah Peake Denney
Notary Public

My commission expires: 10-31-2020



Pursuant to § 17-59 of the 1950
Code of Virginia, as amended, the
current address of the Grantee is:

1259

ST. PAUL, VA

24283

INSTRUMENT #160002048
RECORDED IN THE CLERK'S OFFICE OF
WASHINGTON COUNTY ON
MAY 20, 2016 AT 04:11PM

PATRICIA S. MOORE, CLERK
RECORDED BY: JEW