



BOOK 38
Pages 652-662



**AMHERST COUNTY
BOARD OF SUPERVISORS**

Board of Supervisors

David W. Pugh, Jr., Chair
District 4
Tom Martin, Vice-Chair
District 1
L.J. Ayers III, Supervisor
District 3
Claudia Tucker, Supervisor
District 2
Drew Wade, Supervisor
District 5

MINUTES

May 3, 2022

Administration Building - 153 Washington
Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 3:00 PM

County Administrator
Dean C. Rodgers

County Attorney
Mark Popovich

I. Call to Order

At a regular meeting of the Amherst County Board of Supervisors held on May 3, 2022 at 3:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

David W. Pugh, Jr., Chairman
Tom Martin, Vice-Chair
L. J. Ayers III, Supervisor
Claudia D. Tucker, Supervisor

ABSENT: Drew Wade, Supervisor

STAFF:

Dean C. Rodgers, County Administrator
David R. Proffitt, Deputy County Administrator
Mark Popovich, County Attorney
Regina M. Rice, Clerk

Chairman Pugh called the meeting to order at 3:06 p.m.

NOTE: All Board of Supervisors' meetings are now being streamed live on Facebook and on YouTube.

II. Approval of Agenda

By motion of Supervisor Tucker and with the following vote, the Board approved the agenda for May 3, 2022.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

III. Invocation and Pledge of Allegiance

Chairman Pugh led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

There was no public comment.

V. Ordinance - First Read

- A. Ordinance 2022-0004, amending and reenacting Chapter 10, Offenses and Miscellaneous Provisions, Article V, Abatement of Refuse and Weeds.

County Attorney Mark Popovich addressed the Board regarding the proposed revisions to County Code relating to weed and litter penalties.

Mr. Popovich said this is the second attempt to address concerns related to weed and litter complaints throughout the county. The proposed revisions would allow civil penalties instead of limiting them to criminal penalties, and would be an additional tool for county staff.

Vice-Chair Martin clarified that the "Director" is the "Director of Public Works".

By motion of Chairman Pugh and with the following vote, the Board directed staff to set a public hearing to consider the adoption of the proposed revisions to the County's weeds and refuse abatement ordinance to permit civil penalties.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

- B. Ordinance 2022-0005, amending and reenacting Chapter 9, Motor Vehicles and Traffic, Article VI, Inoperable, Abandoned, and Unattended Vehicles; Parking Violations, Division 3, Inoperable Motor Vehicles, Section 9-173, Penalty.

County Attorney Mark Popovich addressed the Board regarding the proposed revisions to County Code relating to inoperable, unattended and abandoned motor vehicles. This change would implement civil penalties instead of limiting them to criminal penalties.

Supervisor Tucker asked if there were exceptions and exclusions for

agriculture.

Mr. Popovich said yes, there are provisions incorporated in other parts of that section that provide for exclusions related to agricultural purposes for folks who have vehicles on their property that would not be deemed to be unattended, inoperable or abandoned.

Vice-Chair Martin said he would like to review the other section of the ordinance prior to the public hearing. He was concerned about people who own classic cars that may or may not be running and are not visible from the street. He asked that all of the exceptions be incorporated into the ordinance before the public hearing on May 17.

Mr. Popovich said he would provide the additional sections of the ordinance available to the public at the meeting on May 17.

By motion of Supervisor Tucker and with the following vote, the Board directed staff to set a public hearing for the consideration of the draft revisions to its inoperable, abandoned, and unattended vehicle ordinance to permit civil penalties.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

C. Ordinance 2022-0008, amending Secs. 5-16 and 5-17, Chapter 5, Elections, Article II. Election Districts

County Attorney Mark Popovich said this revision was necessary to make minor changes to Districts 4 and 5 as a result of the U.S. Census. This change would allow for equalization of voting populations throughout the districts of the county.

He reported the draft was forwarded to the Attorney General's Office for a Certification of No Objection, but was returned with an additional request for demographic information. That information has now been provided. He anticipates the certification will be received and in place before the public hearing on May 17.

Chairman Pugh remarked that his district is affected with only a minor change.

Mr. Popovich said the polling places will be the same and any changes where

people would be voting are almost identical as far as the traveling distance.

By motion of Supervisor Ayers and with the following vote, the Board directed staff to schedule a public hearing on the Amherst County Election District Ordinance 2022-0008 for its regular meeting on May 17, 2022.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

VI. Consent Agenda

A. Minutes - April 5, 2022

By motion of Vice-Chair Martin and with the following vote, the Board approved the Minutes of April 5, 2022.

AYE: Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: Mr. Wade

ABSTAIN: Mrs. Tucker

By motion of Vice-Chair Martin and with the following vote, the Board approved Items B. and C. on the Consent Agenda.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

B. Appropriation of Revenue - Amherst County Public Schools

It was moved that the Board appropriate \$ 550,986.88 of additional funds to the 2021-2022 School Operational Budget.

C. Appropriation of Revenue for Riveredge Park Boat Ramp

It was moved that the Board appropriate \$55,000 in Miscellaneous Revenue received from the James River Association for the boat ramp at Riveredge Park.

VII. Old Business

A. FY23 O&M and CIP Budget Adoption

County Administrator Rodgers advised that the budget has been presented to the public; a public hearing was held on April 19 without comment; and the seven (7) day statutory waiting period requirement has been fulfilled. Mr. Rodgers asked the Board to adopt Resolutions 2022-0005-R through 2022-0008-R, which would adopt the FY23 Budget and CIP.

By motion of Supervisor Ayers and with the following vote, the Board adopted Resolutions 2022-0005-R through 2022-0008-R as presented.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

Chairman Pugh thanked staff for the work done to complete the budget. He said there would be no tax increase this year, employees will receive a substantial pay increase, and the County is moving forward in a positive direction.

VIII. New Business

A. NEPA Study Funding Analysis for LWCF Grant Application

Parks & Recreation Director Patrick Nalley presented information to the Board regarding the Land and Water Conservation Fund (LWCF) grant application for Seminole Park and Mill Creek Lake Park.

Mr. Nalley said he has submitted an application and it has now moved from the regional phase to the National Park Service. Both Representative Cline and the NAACP have expressed support for this project.

Chairman Pugh said he favored moving forward with this project and it would be a "game changer" for the County.

By motion of Chairman Pugh and with the following vote, the Board appropriated \$6250 to pay for professional services needed for the LWCF Grant Application for the Amherst Equity Parks Project.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

B. Tax Exemption for Non-Profits

County Administrator Rodgers presented a request for a tax-exemption from Johnson Health Center as a non-profit medical provider. Johnson Health Center made a previous request in 2014 but the Board did not take any action at that time to grant the tax-exemption.

Supervisor Martin asked for an explanation of why Johnson Health Center was not tax-exempt.

County Attorney Mark Popovich said that tax exemption 501C3 refers to federal regulations that provide for tax exemption but not exempt from local or state taxation. The Code of Virginia allows localities to determine who is or is not tax-exempt using eight criteria to be analyzed before making a decision. Mr. Popovich said it is a decision that local governments are given the option to decide.

Supervisor Tucker said she would like to grant Johnson Health Center a tax exemption because Amherst County is qualified as an underserved area when it comes to health care access, and most patients treated by Johnson Health Center are on Medicaid. She believed that by providing the tax-exemption, this would help Johnson Health Center serve that community by providing health care to those patients.

Supervisor Ayers said Johnson Health Center is the only service for those who do not have access to other health insurance and health care plans, and that Johnson does provide the needed services for that sector of our community.

Mr. Popovich advised that in order to make the tax exemption, the Board would need to hold a public hearing, adopt an ordinance and within that ordinance would be the Board's findings as to those eight criteria. Once a public hearing is held, the Board would then act upon that.

Chairman Pugh said he was agreeable to moving this forward.

By motion of Supervisor Tucker and with the following vote, the Board directed staff to prepare a package to answer the policy questions on making Johnson Health Center a non-exempt entity as suggested by the County Attorney.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker
NAY: None
ABSENT: Mr. Wade

IX. County Administrator's Report

A. Boards/Commissions/Committees - Agriculture Committee vacancy

Supervisor Tucker said she would like to delay making this appointment until she speaks with the Agricultural Committee and Eric Bowen.

The Board agreed to bring this back to another meeting.

In addition, Mr. Rodgers introduced Randal Nixon as the new Recreation & Tourism Director. Mr. Nixon then provided the Board with a brief overview of his work history and expressed gratitude for the opportunity to work as the Recreation & Tourism Director for Amherst County.

Mr. Rodgers also informed the Board that Architectural Partners, who are doing the feasibility study for the Nelson/Amherst agricultural complex study have completed their work and would be sending him a link to share with the Board and stakeholders. He said the property identified would be feasible for the agricultural complex.

Mr. Rodgers mentioned a letter received from Mr. Robert Richards who will address this matter during the Citizen Comment section.

X. County Attorney's Report

The County Attorney had no matter to discuss.

XI. Liaison and Committee Reports

A. Planning Commission - David Pugh

Chairman Pugh reported on a short-term rental on River Road; Tractor Supply will begin to sell propane at their location in Madison Heights after it

is passed by the Board of Supervisors; and the Planning Commission will incorporate the CVTC Master Plan into the Comprehensive Plan.

B. Emergency Services Council - Jimmy Ayers

Supervisor Ayers reported that the ESC met last week with Public Safety Director Bryant and EMS representatives to discuss policy changes and generator equipment for some of the rescue squad buildings. He said Monelison and Pedlar are also upgrading, and Station 3 is nearly complete.

C. Community Criminal Justice Board - Dean Rodgers

County Administrator Rodgers reported that Amherst County is now a member of the Community Criminal Justice Board. The County has received a grant that offers pre and post-trial services for people going through the criminal court process.

XII. Departmental Reports

A. Economic Development Authority Board- Annual Report

Mr. Chad Eby, Chairman, presented the 2019-2021 EDA Annual Report. He reported on the excellent success the EDA had administering grants that assisted 50 businesses and 17 nonprofits and awarded \$5,605,000.

Mr. Eby spoke about the multiple aspects and accomplishments by the EDA. He believed the Amelon Commerce Center would be at full capacity soon and the EDA will be looking for another place to expand in the near future. (See Attachment 1)

Chairman Pugh said he appreciated all the work that the EDA has done with the money and expressed his thanks to all of the Board members and staff for everything that has been accomplished.

B. Treasurer's Report for March 31, 2022

The Board is receiving a quarterly report.

XIII. Citizen Comment

Mr. Robert Richards, District 1, addressed the Board regarding property he purchased through a County tax sale. He said there have been issues regarding the deed and asked the Board to have the County Attorney to look into this to see whether the County has any responsibility. (See Attachment 2)

Chairman Pugh asked the County Attorney to respond to Mr. Richards and his questions.

County Attorney Mark Popovich said that a clean title falls on the purchaser who can get title insurance and rely on the title insurance company to provide any discrepancies on property. He said the role of a tax sales attorney is to sell the property for recovery of taxes and not hired to do title searches and investigative work.

The Citizen Comment section was closed.

XIV. Matters from Members of the Board of Supervisors

Chair Pugh had no matter to discuss.

Vice-Chair Martin had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Supervisor Tucker had no matter to discuss.

XV. Closed Session

- A. A closed session pursuant to VA Code Section 2.2-3711, Subsection (A)(3), for the purpose of discussion related to consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically related to the acquisition of properties located in District 2.

Chairman Pugh motioned that the Amherst County Board of Supervisors convene in closed session pursuant to VA Code Section 2.2-3711, Subsection (A)(3), for the purpose of discussion related to consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real

property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically related to the acquisition of properties located in District 2.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

Supervisor Ayers motioned to come out of closed session and it was approved by the following vote:

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

XVI. Certification of Closed Session

Chairman Pugh motioned that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

Mr. Pugh: AYE

Mr. Martin: AYE

Mr. Ayers: AYE

Mrs. Tucker: AYE

Mr. Wade: ABSENT

XVII Adjournment

By motion of Supervisor Ayers and with the following vote, the Board adjourned at 5:09 p.m.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers and Mrs. Tucker

NAY: None

ABSENT: Mr. Wade

A handwritten signature in black ink, appearing to read 'D. W. Pugh, Jr.', written over a horizontal line.

David W. Pugh, Jr., Chair
Amherst County Board of Supervisors

A handwritten signature in blue ink, appearing to read 'D. C. Rodgers', written over a horizontal line.

Dean C. Rodgers, Clerk

The Economic Development Authority made significant advancements in marketing Amherst County as a business location, developing sites for business expansions, supporting small business, and navigating the impacts of the COVID-19 pandemic.

50 Business & 17 Nonprofits Assisted \$5,605,000 Grants Awarded & Administered



Economic Dashboard

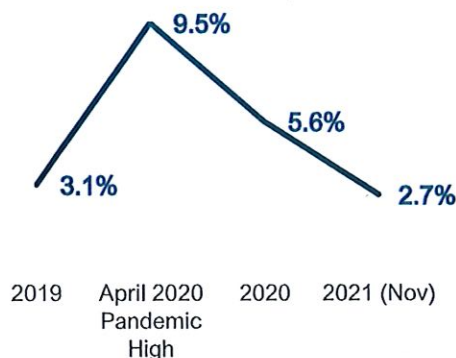
Average Weekly Wages

Source: Bureau of Labor Statistics



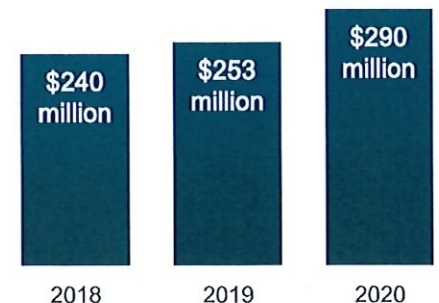
Unemployment Rate

Source: Bureau of Labor Statistics



Taxable Sales

Source: Virginia Department of Taxation



Message from the Chairman



The Economic Development Authority was a pillar of stability during a time of unprecedented uncertainty. The EDA took on a critical role administering pandemic relief funds and grants that helped businesses weather the economic disruption. We provided key communications and guidance to our businesses about financial assistance and support programs. The strength of our organization was evident as it helped our business community navigate the pandemic.

Even though many resources were shifted to recovery, the EDA still succeeded in making progress in key areas of economic development. Companies expanded, new developments opened, sites were prepared, millions in grants were awarded, and the strategic plan was updated. In spite of it being some of the most uncertain economic times in decades, the EDA made significant progress in its mission to promote economic development policies and practices that help retain the

county's existing businesses and employment base, facilitate the growth of existing commercial and industrial enterprises, and attract new businesses and employment opportunities.

Looking forward, the EDA is ready to continue to carry out its mission with the same passion, determination, and diligence that it has over its 18-year history.

Chad Eby, Chairman

EDA Mission

The mission of the Economic Development Authority (EDA) of Amherst County is to promote economic development policies and practices that help retain the county's existing businesses and employment base; facilitate the growth of existing commercial and industrial enterprises; and attract new businesses and employment opportunities. Success in this mission will result in high-quality jobs and a stable and diverse tax base that increases the quality of life of Amherst County residents.

Responding to COVID-19

Many of the EDA's resources in 2019-2021 were devoted to helping businesses, the local government, and our community navigate the economic impacts of the COVID-19 pandemic through grant administration.

Administered Over \$1.8 million in COVID-19 Relief Grants

- Amherst EDA COVID Grant for Small Businesses
- Awarded first Department of Housing and Community Development COVID Urgent Need Grant in Virginia for \$569,650
- Awarded \$550,000 Department of Housing and Community Development COVID Back in Business Grant
- Managed all Amherst County COVID Grants
 - a. Created and Managed Grant Review Committees to Evaluate Grant Applications
 - b. Created Grant Application Materials
 - c. Publicized Grants
 - d. Worked with Amherst County Finance Director on Financial Compliance

Attracting Business and Facilitating Expansions

The EDA assisted four companies with expansions and new project developments, along with providing more than **50 businesses** with one-on-one guidance and grant applications.

- S&S/Truball entered the Valet Program, a 2-Year International Business Acceleration Program
- ITG entered the Virginia Economic Gardening program, which provides qualifying second-stage companies with custom resources to identify and resolve distinct growth challenges that traditional business assistance and incentives do not address.
- Camp Trapezium, a farm brewery located in the former Amherst Milling Company, opened in June 2021 after four years of effort to save an important landmark.
- Virginia Foam expanded by building a 4,300 SF facility in Amelon Commerce Center
- The EDA responded to an increase in new business development inquiries in 2019 and early 2020 by creating individual marketing proposals for companies.

Waukeshaw/Phelps School Road Project

After four years of intense and complicated redevelopment, the historic Phelps Road School opened as “The Westie,” offering 42 market rate pet-friendly apartments. The former school, was once a place of pride for the community, had fallen into a profound state of deterioration. The \$7 million rehabilitation project retained and restored this historical building, and it has become a unique focal point for the community.

This project was so complicated most developers wouldn’t touch it, but with a strong partnership between the EDA, the County, and Waukeshaw Development, the project removed the blight from the neighborhood and brought life back to the abandoned school. It also kicked off the revitalization of the area and added vibrancy to a neighborhood in decline. Amherst County will benefit from the new tax revenue that will be generated by the project and the increase in economic activity from the tenants who will live in the 42 apartments.



The Westie Before



The Westie After

Developing Sites and Buildings for Growth

A key strategy to retain growing businesses and attract new companies is to have developed sites and buildings. The EDA made significant progress toward having premier space ready for businesses.

- Awarded a \$3,000,000 U.S. Economic Development Administration grant to construct a 45,000 SF Multi-Tenant Building to attract new and expanding businesses
- Awarded a \$250,000 grant from GO Virginia Region 2 to grade lot #4, the largest in Amelon Commerce Center, to a pad-ready site
- Completed due diligence on the Dillard tract
- Awarded a \$160,000 GO Virginia grant to help pay for the \$500,000 redevelopment plan for the Central Virginia Training Center



Building Future Community Capacity

The EDA supports a wide range of community capacity building initiatives that help advance economic development.

- Managed financial requests from the county, including: County Bond Modification, Fire Truck Financing, Animal Shelter Bond Financing, and Community Development Block Grant funding for homes in the Old Town Madison Heights
- Madison Heights Master Plan is underway
- Conducted the first joint workshop between the EDA and the Amherst County Sewer Authority to open a dialogue about future development in the county

Developing the Workforce for the Future

Retaining, developing, and attracting talented workers is the number one issue of all businesses today. The EDA continued to work with Amherst County Public Schools, Central Virginia Community College, and workforce development partners to advance business and education partnerships to forge new education and training programs.

Setting the Future Course for Economic Development

The EDA completed a major update to the EDA's Economic Development Strategic Plan that set the course for 2022-2025.



Space for
Businesses to Grow



Business Startup,
Retention &
Expansion



Education &
Workforce
Development



Marketing &
Communications



Allied Initiatives

Staff

Victoria Hanson, Executive Director
Lori Saunders, Assistant Director



Victoria Hanson



Lori Saunders

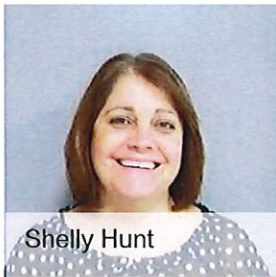
Board Members

Chad Eby, Chairman, District 2
Dan Sweeney, Treasurer, District 5
Patrick Dreher, At-Large
Shelly Hunt, District 4

Calvin Kennon, Jr., District 3
Andrew Proctor, District 1
Michael Russell, At-Large
Ella Lewis, Youth Representative



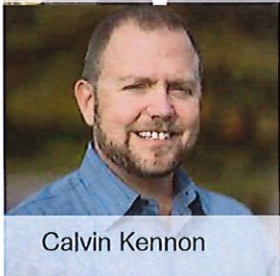
Chad Eby



Shelly Hunt



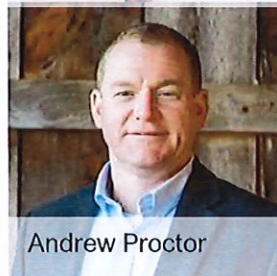
Dan Sweeney



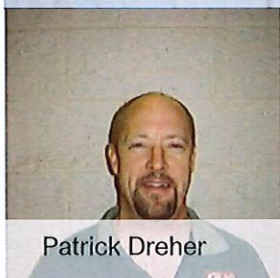
Calvin Kennon



Michael Russell



Andrew Proctor



Patrick Dreher



Ella Lewis

Mr. and Mrs. Robert Richards
1128 Geddes Mtn. Rd.
Amherst, VA. 24521

April 26, 2022

To: Shrader & Goad
Law Office
330 South Main Street
Amherst, VA. 24521

Re: County of Amherst v. Lewis M. Bragg. Et al.
Case No: CL160009602
Your File No: 18210 A/Tax

To: Mr. Shrader & Mr. Goad,

As you are aware We purchased the property at 1128 Geddes Mountain Rd., Amherst, VA. 24521 at the Amherst County Tax sale on approximately August 30, 2016 for the sum of \$23,500.00. After that purchase we purchased the adjoining 5.86 acres from Mr. and Mrs. Barry Bragg for the sum of \$30,000.00. Your office was acting on our behalf to broker the deal and to do the following items. To secure the deed from Mr. and Mrs Barry Bragg transfer it to our names, have it recorded at the courthouse and then secure both mentioned partials listed above into one partial with one identity also to research the 5.86 acres to ensure there are no outstanding claims. We received a letter from your office on your behalf.

We recently decided to place a mortgage on our residence we were advised by Main Street Settlements and the Bank of The James that there was an error in the title On the property that was purchased by Amherst County tax sale and we would be unable to go forward until the error was corrected your office was notified of this issue and

you reluctantly agreed but you did do so. You partitioned the Court to reinstate and the Court agreed you filled out what you thought to be the description and gave it to us to be filed with the Court. Once again we discovered errors in the draft and returned it to your office to be corrected after receiving it. We were unsatisfied with the language with the last paragraph which you did in bold print. This gave us concern of other possible errors not being an attorney or knowing the proper procedure in filing or the language we had major concerns if this is even done correctly. In addition we have been advised that our wishes to have one identity or one legal description that combines both partials into one item.

It is our opinion that it is your responsibility to honor our original wishes from the beginning to now in other words insure that the titles are done correctly without the last paragraph that was highlighted and pay for any and all charges that occur including reimbursement for the following fees that we paid.

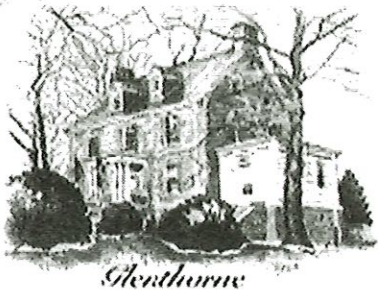
In closing we would have not filed the corrected deed if we were not under a deadline to resolve this issue before the interest rates went up one more time. In other words if we did not react as we did and filed the documents we stood a chance of losing thousands of dollars in higher interest rates. We believe it simply could have been if our wishes were honored and the documents were proof read to insure there were no errors.

Please respond and let us know your intentions on how this matter will be resolved.

Thank you very much for your time and cooperation in this matter.

Cc: Amherst County Supervisors

Sincerely
Mr. and Mrs. Robert Richards



**SHRADER & GOAD
Law Office**

330 South Main Street,
Amherst, Virginia

Address Mail To:
P.O. Box 428
Amherst, Virginia 24521

J. Thompson Shrader, Esquire
Robert C. Goad III, Esquire

Tel: (434) 946-5161
Fax: (434) 946-0107
mail@shradergoadlaw.com
www.shradergoadlaw.com

April 5, 2022

Hand-delivered for pick-up at Shrader & Goad Law Office

Mr. and Mrs. Robert E. Richards
1128 Geddes Mountain Road
Amherst, VA 24521

Re: County of Amherst v. Lewis M. Bragg, et al.
Court File No.: CL160009602
Tax Map No.: 53-A-61
Our File No.: 18210 A/Tax

Dear Mr. and Mrs. Richards:

Attached please find a copy of an Order to Reinstate and a Corrected Special Commissioner's Deed. You should take the corrected Special Commissioner's Deed to the Amherst County Circuit Court to record it.

Please allow this letter to confirm that I do not represent you in this regard, and that you should contact your own attorney in the event you have any questions about this deed or the accuracy of the description. I do not warrant the accuracy of this description will meet your needs. It is your obligation to review the deed and confirm it is **acceptable** to you.

Upon review of the previous work done on this matter, we only represented the County of Amherst and not you in connection with this sale, but I have undertaken to also then correct a prior Special Commissioner's Deed as a courtesy.

Please let me know if you have any questions. I wish you the best of luck in the future.

Sincerely,

Robert C. Goad III
RCG/lem

Enclosure: Original Corrected Special Commissioner's Deed
Copy of Order to Reinstate

This deed was prepared by
Robert C. Goad III, Special Commissioner
VSB No.: 83186

330 S. Main Street
Post Office Box 428
Amherst, Virginia 24521
Tax Map No. 53-A-61

Consideration: \$23,500.00

Assessed Value: \$30,000.00

Fair Market Value \$23,500.00

Title Insurance: Existence is unknown to preparer.

Exempt from Grantor Tax pursuant to Virginia Code §58.1-802A.

THIS CORRECTED SPECIAL COMMISSIONER'S DEED (Deed of Correction), made and entered into this 21st day of March, 2022, by and between **Robert C. Goad III**, Special Commissioner, party of the first part, Grantor, and **Robert Earl Richards** and **Sally Ann Richards**, parties of the second part, Grantee, whose address is 1128 Geddes Mountain Road, Amherst, VA 24521;

WITNESSETH:

WHEREAS, by Decree entered by the Circuit Court of the County of Amherst, Virginia, on April 14, 2016, in the case of County of Amherst v. Lewis Bragg, et al., Court File No.: CL15009602, J. Thompson Shrader was appointed Special Commissioner for the purpose of selling the hereinafter described real estate of **Lewis M. Bragg**; and

WHEREAS, the Special Commissioner entered into and executed bond, with corporate surety, in the sum and penalty of Thirty Thousand Dollars (\$30,000.00) for the faithful performance of his duties as Special Commissioner, as required by the aforesaid Decree; and

WHEREAS, he thereafter advertised the said real estate for sale at Public Auction for cash on the premises of the Amherst County Courthouse on July 19, 2016 at 10:00 a.m., in accordance with the aforesaid Decree, at which sale the real estate was sold, subject to the approval of the Court, to **Robert Earl Richards** and **Sally Ann Richards**, for the sum of Twenty-three Thousand Five

Hundred Dollars (\$23,500.00) cash, theirs being the highest and last bid therefor, whereupon they made a bidder's deposit of Two Thousand Three Hundred Fifty Dollars (\$2,350.00) with the Special Commissioner; and

WHEREAS, by Decree entered by the Court on August 30, 2016, the offer of Twenty-three Thousand Five Hundred Dollars (\$23,500.00) for the real estate was accepted, approved, ratified, and confirmed, and the Special Commissioner was ordered, upon the receipt of the balance of the purchase price, to convey the real estate by good and sufficient Deed with Special Warranty of Title to **Robert Earl Richards** and **Sally Ann Richards**, or to such person or persons as they may in writing direct; and

WHEREAS, the said **Robert Earl Richards** and **Sally Ann Richards**, paid the balance of the purchase price in the amount of Twenty-three Thousand Five Hundred Dollars (\$23,500.00) to the Special Commissioner; and

WHEREAS, J. Thompson Shrader, Special Commissioner conveyed unto **Robert Earl Richards** and **Sally Ann Richards** a parcel of land which was designated as Tax Map Number 53-A-61, but erroneously described the land as 5.86 acres by deed dated August 30, 2016, recorded in the Amherst County Circuit Court Clerk's Office in Deed Book 1301, at page 771, and

WHEREAS, subsequent to said conveyance, Robert C. Goad III was reappointed by the Decree of the Amherst County Circuit Court in the above referenced action as Special Commissioner to execute this Corrected Special Commissioner's Deed;

NOW, THEREFORE, in consideration of the premises and the sum of Twenty-three Thousand Five Hundred Dollars (\$23,500.00), cash in hand paid, the receipt of which is hereby acknowledged by the party of the first part, the said party of the first part does hereby GRANT, BARGAIN, SELL, and CONVEY with SPECIAL WARRANTY OF TITLE unto the said **Robert**

Earl Richards and Sally Ann Richards, as tenants by the entireties and not as tenants in common,
with the right of survivorship the following described real estate, to-wit:

Tax Map No.: 53-A-61: One (1) acre, more or less, this being a conveyance by the boundary and not by acreage, being all the residue and remainder of Lot No. 2, lying on the northerly side of State Route 662, as shown on a plat entitled "Plat Showing Two Tracts of Land Situated in Amherst County, near Clifford," made by T. W. Saunders, S.A.C., dated October 2, 1947.

Reference is hereby made to all deeds, plats and court files for a further more particular description of the land herein conveyed.

This conveyance is made expressly subject to the restrictions, conditions, rights-of-way and easements, if any, contained in the instruments constituting the chain of title to the property conveyed herein, and to matters visible upon inspection.


This is a judicial sale of real estate as-is, where-is, and not by the acre.

Lewis M. Bragg is named as party of the third part herein for record indexing purposes.

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND THE DRAFTSMAN HEREOF NEITHER WARRANTS NOR CERTIFIES TITLE TO THE PROPERTY HEREIN CONVEYED. THE DRAFTSMAN HEREOF MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR LIENS, JUDGMENTS, EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS OR MATTERS AN ACCURATE AND CURRENT TITLE EXAMINATION MAY DISCLOSE.

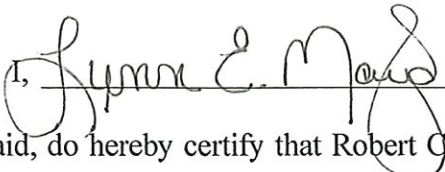
SHRADER & GOAD
LAW OFFICE
330 SOUTH MAIN STREET
P.O. BOX 428
AMHERST, VIRGINIA 24521

WITNESS the following signature and seal:

 (SEAL)

Robert C. Goad III
Special Commissioner

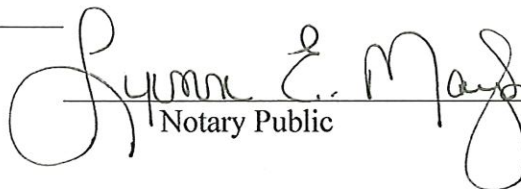
STATE OF VIRGINIA
COUNTY OF AMHERST, to-wit:

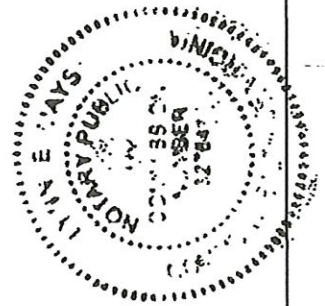
, a Notary Public in and for the State and County
aforesaid, do hereby certify that Robert C. Goad III, Special Commissioner, did personally appear
before me and did execute and acknowledge his signature to the foregoing Special Commissioner's
Deed bearing date on the 21st day of March, 2022.

Given under my hand this 5th day of April, 2022.

My commission expires: June 30, 2023

Registration No.: 327641


Notary Public



INSTRUMENT 220001304
RECORDED IN THE CLERK'S OFFICE OF
AMHERST CIRCUIT COURT ON
APRIL 7, 2022 AT 08:49 AM
DEBORAH C. MOZINGO, CLERK
RECORDED BY: MDW





OFFICIAL RECEIPT
AMHERST CIRCUIT COURT
DEED RECEIPT

DATE : 04/07/2022 TIME : 09:00:13 CASE # : 009CLR220001304

RECEIPT # : 22000003220 TRANSACTION # : 22040700002

CASHIER : MDW REGISTER # : E250

INSTRUMENT : 220001304 BOOK : PAGE :

GRANTOR : GOAD, ROBERT C, III

GRANTEE : RICHARDS, ROBERT EARL

RECEIVED OF : RICHARDS, ROBERT EARL

ADDRESS : 1128 GEDDES MOUNTAIN ROAD AMHERST, VA 24521

DATE OF DEED : 03/21/2022

CASH : \$40.00

DESCRIPTION 1 : ORIGINAL BOOK 1301 PAGE 771, TO CORRECT THE

2 : LAND DESCRIPTION

CONSIDERATION : \$0.00 AVAL : \$0.00

FILING TYPE : DCOR PAYMENT : FULL PAYMENT

RECORDED : 04/07/2022 AT : 08:59

EX : Y LOC : CO

EX : N PCT : 100%

OP : 0

NAMES : 0

PAGES : 004

PIN OR MAP : 53-A-61

ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	\$3.00
106	TECHNOLOGY TRST FND	\$5.00
145	VSLF	\$3.50

TENDERED : \$ 40.00

AMOUNT PAID : \$ 27.00

CHANGE AMOUNT : \$ 13.00