



COUNTY OF ALBEMARLE  
Department of Community Development  
401 McIntire Road, North Wing  
Charlottesville, Virginia 22902-4596

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May 21, 2008

Mr. Kirk Hughes, L.S.  
c/o Kirk Hughes & Associates  
220 East High Street  
Charlottesville, VA 22902

**RE: OFFICIAL DETERMINATION OF PARCELS AND DEVELOPMENT RIGHTS --  
Tax Map 82, Parcel 4 (Property of Hugh H. Taylor, G. Wayne Taylor, Virginia G.  
Leake, C. B. & N. D. Goddin) Rivanna Magisterial District**

Dear Kirk:

The County Attorney and I have reviewed the title information for the above-noted property. It is the County Attorney's advisory opinion and my official determination that Tax Map 82, Parcel 4 is four parcels of record having a total of twenty (20) theoretical development rights as outlined in the following chart. The basis for this determination follows the chart.

Tax Map-Parcel, Lot#	Acreage	Development Rights
82-4, Lot #2	45 Acres	5
82-4, Lot #3	16.1 Acres	5
82-4, Lot #5	32.2 Acres	5
82-4, Lot #6	16.1 Acres	5
	109.4 Acres	20

Our records indicate Tax Map 82, Parcel 4 contains 104.237 acres lying within Albemarle County with 1 dwelling. The property is not within an Agricultural and Forestal District. The most recent recorded instrument for this property is recorded in Deed Book 2089, page 355.

This analysis begins with the deed of record in Deed Book 10, page 250 that is dated August 20, 1889, conveying land from the estate of Reuben Bellamy to C. D. Walker, et al. The deed contains a plat showing a total of 186.6 acres belonging to the estate of Reuben Bellamy, containing seven (7) separate lots, which includes lot #s 2, 3, 5 & 6 as listed in the chart above. **This deed establishes those lots as parcels of record.**

Deed Book 137, page 494, dated July 21, 1908, conveyed this land from C. D. Walker to Emma J. Davis and described it as the same land conveyed in Deed Book 10, page 250. **This transaction had no effect on the parcels. However, upon the deaths of**

**Ms. Davis and her heirs at law, Mr. C. D. Walker, her husband, and Luther J. Davis, her brother, the land conveyed to Maggie Walker Holloway under terms of the will of Mr. Davis.**

Deed Book 361 page 32, dated July 27, 1960, conveyed lots 2, 3, 5 & 6 from Maggie Walker Holloway & R. B. Holloway, her husband, to Guy N. & Ruby H. Taylor, husband and wife, and E. Bryan & Dorothy H. Goddin, husband and wife. The land is described as the same as was conveyed in Deed Book 137, page 494. **This transaction had no effect on the parcels.**

The most recent instrument for this parcel recorded prior to the adoption of the Zoning Ordinance, December 10, 1980, is recorded in Deed Book 386, page 537, and is dated March 20, 1963. The deed is a certificate of plat for 108.72 acres known as Tax Map 82, Parcel 4 and is described as the same lots conveyed in Deed Book 361, page 32. **Based on this deed, Tax Map 82, Parcel 4 is determined to be four parcels of record with a total of twenty (20) theoretical development rights (five for each lot) as shown in the chart above.**

Deed Book 841, page 124, dated April 18, 1983, conveyed acreage for a 50 foot right-of-way for route 686 from Mr. & Mrs. Goddin and Ruby H. Taylor, then a widow, to the Commonwealth of Virginia. **This transaction had no effect on the parcels.**

Deed Book 855, page 124, dated October 7, 1985, conveyed 108.72 acres, more or less, acres from E. Bryan & Dorothy H. Goddin, husband and wife, to Charles B. & Norma D. Goddin, husband and wife, and Virginia G. Leake, a widow. The property is described as being the same as was conveyed by Deed Book 386, page 537. **This transaction had no effect on the parcels.**

Deed Book 1803, page 405, dated March 31, 1999, conveyed 108.72 acres, more or less, from Charles B. & Norma D. Goddin, husband and wife, to the same as trustees for the Charles B. Goddin Revocable Trust. The property is described as being the same as was conveyed by Deed Book 386, page 537. **This transaction had no effect on the parcels.**

Deed Book 2089, page 355, dated December 4, 2000, conveyed the 50% interest in the 108.72 acres from G. Wayne Taylor, Executor of the Estate of Ruby H. Taylor, G. Wayne Taylor, individually, and Hugh H. Taylor to G Wayne Taylor and Hugh H. Taylor. The property is described as being the same as was conveyed by Deed Book 386, page 537. **This transaction had no effect on the parcels.**

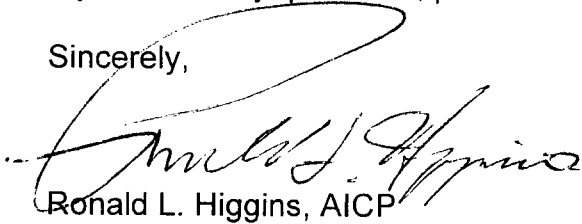
The parcels are entitled to the noted development rights if all other applicable regulations can be met. These development rights may only be utilized within the bounds of the original parcel with which they are associated. These development rights are theoretical in nature but do represent the maximum number of lots containing less than twenty one acres allowed to be created by right. In addition to the development right lots, the parcel may create as many smaller parcels containing a minimum of twenty-one acres as it has land to make.

If you are aggrieved by this determination, you have a right to appeal it within thirty days of the date notice of this determination is given, in accordance with Section 15.2-2311 of the Code of Virginia. If you do not file a timely appeal, this determination shall be final

and unappealable. An appeal shall be taken only by filing with the Zoning Administrator and the Board of Zoning Appeals a notice of appeal which specifies the grounds for the appeal. An appeal application must be completed and filed along with the fee of \$120. The date notice of this determination was given is the same as the date of this letter.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald L. Higgins".

Ronald L. Higgins, AICP  
Chief of Zoning

Copy: Gay Carver, Real Estate Supervisor  
Ella Jordan, Clerk of the Board of Supervisors

The bill of 1886 to the board read over a more particular description of said land in force as hereby made to the accompanying plat from under our hands and seals this 20th day of August 1889

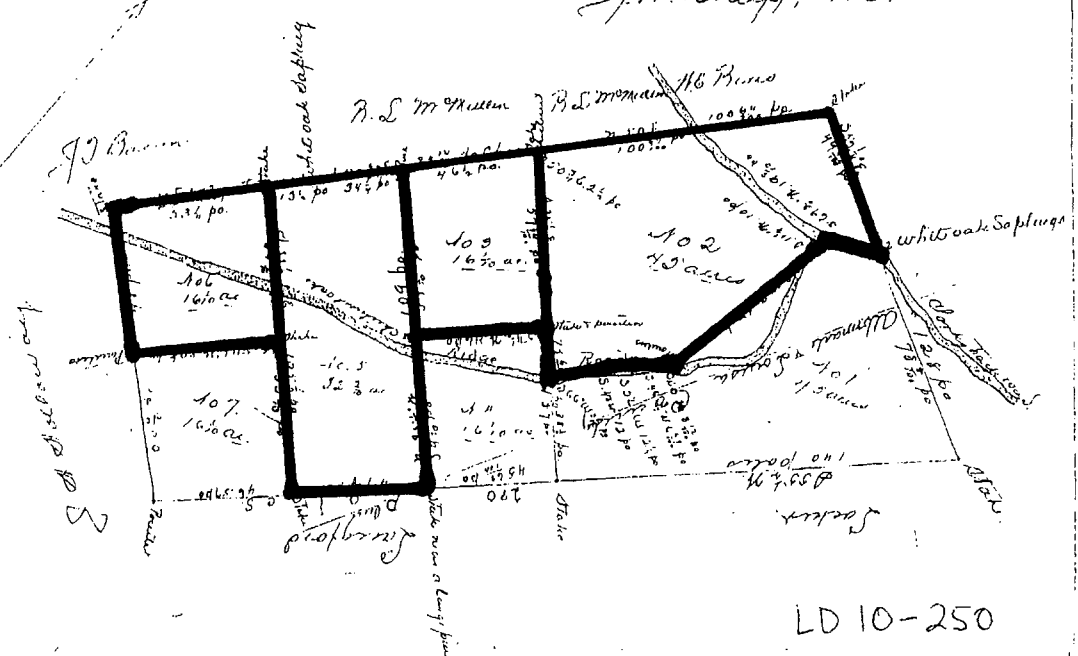
John A. Walker  
 -Willie E. Walker  
 J. L. Davis  
 A. E. Davis  
 W. A. Crawford  
 Mary J. Crawford  
 Ira Crawford  
 Gardinia B. Crawford  
 Dabney Carver  
 Elizabeth C. Carver

*(Circular stamps)*

Witness as to  
 John A. Walker  
 Willie E. Walker  
 Dabney Carver  
 Elizabeth Carver  
 Albemarle County  
 State of Virginia } to wit:

J. J. Bragg a Notary public in and for the County aforesaid do hereby certify that John A. Walker, J. L. Davis, W. A. Crawford, Ira Crawford & Dabney Carver, names as signed to the above deed bearing date the 20th day of August 1889 have acknowledged the same before me. And I do further certify that Willie E. Walker wife of John A. Walker, Mary J. Crawford wife of W. A. Crawford, Annie E. Davis wife of J. L. Davis, Gardinia B. Crawford wife of Ira Crawford and Elizabeth Carver, wife of Dabney Carver whose names are also signed to the above deed personally appeared before me in my County & State aforesaid and acknowledged the same. Given under my hand this 24th day of August 1889.

J. J. Bragg, N. O.



LD 10-250