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3747  
SCENIC EASEMENT DEED

THIS DEED, Made this 6<sup>th</sup> day of February 1974,  
by and between ~~NORTHERN VIRGINIA DOCTORS HOSPITAL CORPORATION~~, a  
Virginia corporation, party of the first part; ~~THE COUNTY BOARD~~  
OF ARLINGTON COUNTY, VIRGINIA, a body corporate, party of the se-  
cond part; ~~EDWIN T. HOLLAND and CALDWELL C. KENDRICK~~, Trustees,  
parties of the third part; and ~~FIRST VIRGINIA BANK (formerly OLD~~  
DOMINION BANK), Holder of the Note, party of the fourth part:

\*\*\*\*\* W I T N E S S E T H \*\*\*\*\*

THAT WHEREAS, the party of the first part is the owner  
of the hereinafter described property situate and being in  
Arlington County, Virginia; and

WHEREAS, the parties of the first and second part have  
agreed to exchange certain properties situate and being in  
Arlington County, Virginia, each of said parcels containing  
1.095225 acre of land; and

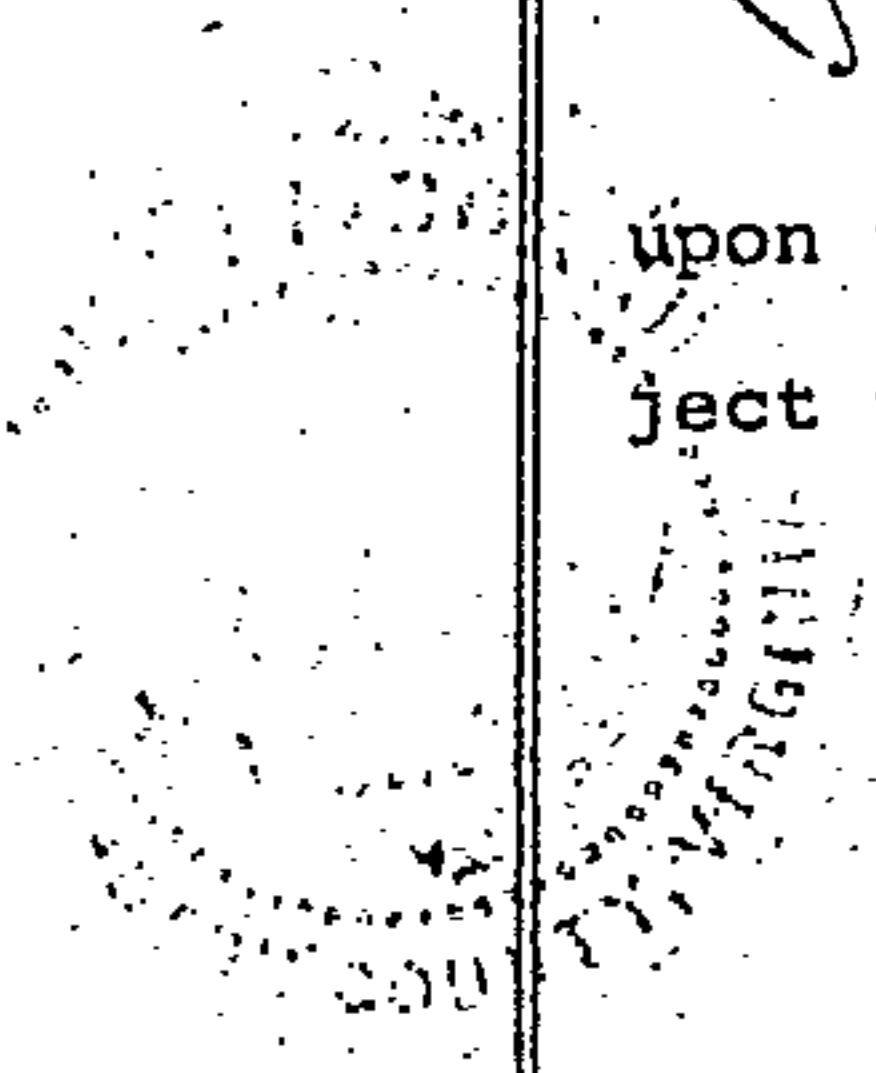
WHEREAS, by Deed of Trust recorded in Deed Book 1659 at  
page 581 among said land records, the party of the first part con-  
veyed certain property therein more particularly described,  
including the hereinafter described parcel of land, in trust to  
the parties of the third part to secure payment of one note in  
the principal sum of \$2,460,000.00, and interest, unto OLD  
DOMINION BANK (now FIRST VIRGINIA BANK), payable as set forth in  
said note; and

WHEREAS, the party of the first part agrees to impress  
upon the hereinafter described property a scenic easement, sub-  
ject to the terms and conditions as hereinafter set forth:

NOW, THEREFORE, in consideration of the mutual benefits

ACCEPTED this 24<sup>th</sup> day of May, 1974, on  
behalf of The County Board of Arlington County, Virginia,  
pursuant to a Resolution of said Board, duly adopted.

Chairman, The County Board of Arlington County, Virginia



7-11-74 Mailed to Hersell, C & S

to be derived by the parties of the first and second parts, the parties of the first and third parts, with the consent and approval of the party of the fourth part as is evidenced by its signature hereto, do hereby grant and convey unto the party of the second part a scenic easement over the following described property situate and being in Arlington County, Virginia:

BEGINNING at a point in the north line of a tract of land acquired by The County Board of Arlington, Virginia, from Carl A. Schulze et ux by Deed dated June 9, 1964, recorded in Deed Book 1555 at page 360, said point being S 83° 20' 01" W 160.53 feet from the northeast corner of the aforementioned tract and in one of the lines of the property of Northern Virginia Doctors Hospital Corporation as acquired in Deed Book 1373 at page 358; thence continuing with the aforementioned north property line of the property of The County Board of Arlington, S 83° 20' 01" W for a distance of 93.12 feet to a point; thence departing from the aforementioned north property line and through the property of the Northern Virginia Doctors Hospital Corporation, N 27° 50' 54" W for a distance of 167.65 feet to a point; thence N 55° 35' 54" W for a distance of 126.00 feet to a point in the tract of land acquired by Northern Virginia Doctors Hospital Corporation by Deed dated March 21, 1959, recorded in Deed Book 1373 at page 361; thence N 24° 35' 54" W for a distance of 71.50 feet to a point; thence N 22° 54' 06" E for a distance of 66.00 feet to a point; thence N 02° 05' 54" W for a distance of 46.50 feet to a point, said point being the intersection of the west and south right of way lines of S. Kensington Street and a property line of Northern Virginia Doctors Hospital Corporation; thence departing from said point and with the south right of way line of S. Kensington Street, N 87° 54' 06" E for a distance of 50.00 feet to a point, said point being on a line common to Northern Virginia Doctors Hospital Corporation and the west line of Harrison's Addition to Carlyn Springs; thence departing from aforementioned point and with the west line of Harrison's Addition to Carlyn Spring common with a property line of Northern Virginia Doctors Hospital Corporation, S 2° 05' 54" E for a distance of 170.25 feet to a point in the west and south right of way line of 6th Street S.; thence with the south right of way line of 6th Street S., N 84° 14' 36" E for a distance of 84.77 feet to a point;

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thence departing from the said south right of way line of 6th Street S. and through the property of Northern Virginia Doctors Hospital Corporation, S 5° 45' 24" E for a distance of 83.61 feet to a point; thence S 43° 39' 59" E for a distance of 190.63 feet to the point of beginning, containing 27,378.45 square feet or 0.628523 acre,

also shown on the plat attached hereto and made a part hereof, and subject to the following conditions:

1. The easement herein granted is for the purpose of preserving the visual concept of the above described property as it now exists.
2. No physical use shall be made by the public of the hereinabove described property.
3. No buildings or structures shall be constructed within the easement area, except that the party of the first part shall be permitted to fence any or all of the area contained within the aforesaid scenic easement.
4. No change shall be made in the topography of the herein described property by grading or filling, except as may be required as hereinafter provided.
5. No trees shall be removed from the aforesaid property. However, the party of the first part reserves the right to remove any dead, dying or diseased trees after having given prior notice of the same to the party of the second part. The party of the first part shall not be required to replace any tree or trees removed under the aforesaid circumstances.
6. The party of the first part shall maintain the above described property and shall have the right to remove any

underbrush and ground cover from the land within said easement.

7. The party of the first part reserves the right to enter the property for the purpose of installing storm drainage and maintaining the same in order to prevent erosion, and the party of the first part grants unto the party of the second part the same right.

8. This easement is granted subject to any existing easements or rights of way now located on the above described property.

IN WITNESS WHEREOF, said NORTHERN VIRGINIA DOCTORS HOSPITAL CORPORATION, a Virginia corporation, has caused this Deed to be executed in its corporate name by JOHN E. ALEXANDER \_\_\_\_\_, President, and its corporate seal to be hereto affixed and attested by RAY L. HENNESS \_\_\_\_\_,

Secretary, said officers being thereunto duly authorized all as of the day, month and year first hereinabove written.

NORTHERN VIRGINIA DOCTORS HOSPITAL CORPORATION

ATTEST:

Ray L. Henness  
Secretary

BY: John E. Alexander  
President

FURTHER, WITNESS the following signatures and seals:

Edwin T. Holland, Jr. (SEAL)  
EDWIN T. HOLLAND, Trustee

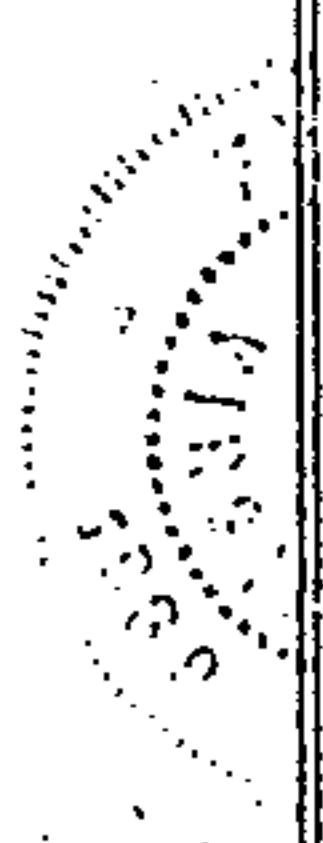
Caldwell C. Kendrick (SEAL)  
CALDWELL C. KENDRICK, Trustee

FIRST VIRGINIA BANK  
Holder of the Note

ATTEST:

BY: Frank B. Acorn  
SENIOR VICE President

Paul J. Rose  
Secretary



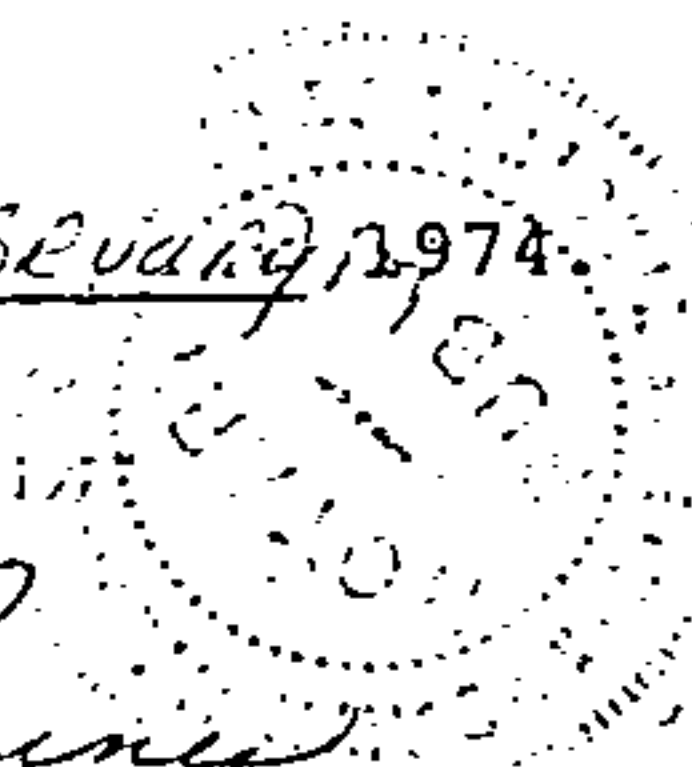
STATE OF VIRGINIA,  
COUNTY OF ARLINGTON, to-wit:

I, DAWN H. BAINES, a Notary Public in and for the County aforesaid in the State of Virginia, do hereby certify that JOHN F. ALEXANDER and Ray L. Homness, President and Secretary, respectively, of NORTHERN VIRGINIA DOCTORS HOSPITAL CORPORATION, whose names on behalf of said Corporation are signed to the foregoing writing bearing date on the 11<sup>th</sup> day of FEBRUARY 1974, have personally appeared before me in my County aforesaid and acknowledged the same.

GIVEN under my hand this 11<sup>th</sup> day of FEBRUARY 1974.

My commission expires: My Commission Expires January 2, 1975

Dawn H. Baines  
NOTARY PUBLIC



STATE OF VIRGINIA,  
Fairfax  
COUNTY OF ARLINGTON, to-wit:

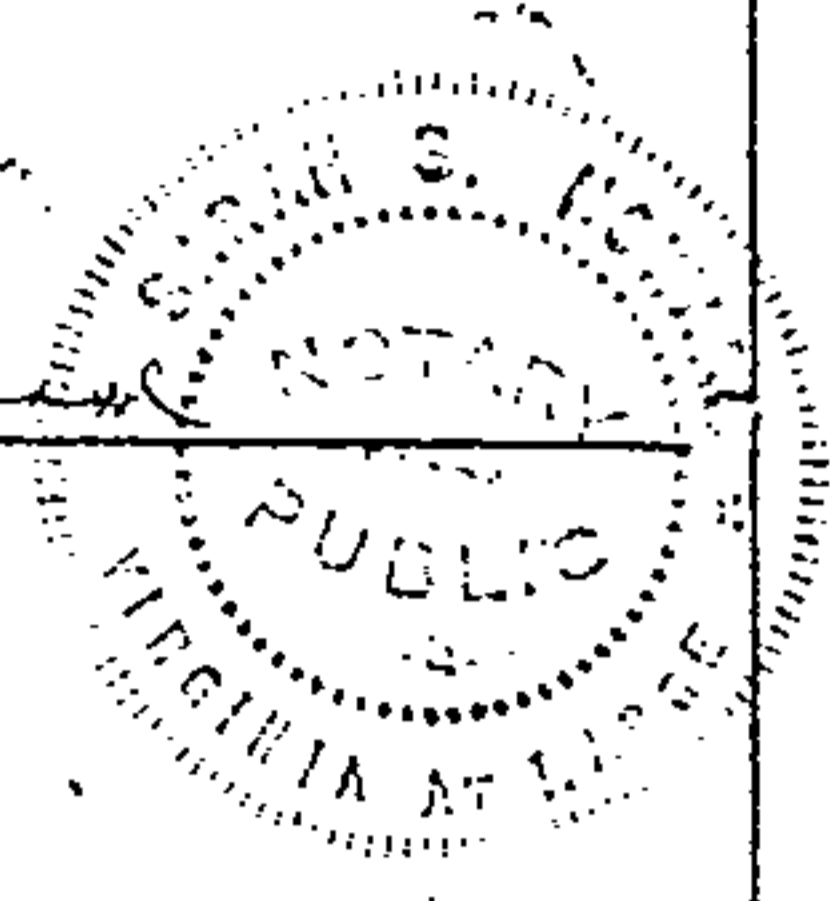
I, Frank J. Howard, a Notary Public in and for the County aforesaid in the State of Virginia, do hereby certify that EDWIN T. HOLLAND and ~~CALDWELL C. KENDRICK~~, whose name<sup>s</sup> as Trustees <sup>IS</sup> are signed to the foregoing writing bearing

date on the 11<sup>th</sup> day of February 1974, <sup>has</sup> personally appeared before me in my County aforesaid and acknowledged the same.

GIVEN under my hand this 30<sup>th</sup> day of April 1974.

My commission expires: March 12, 1975

James S. Hamaker  
NOTARY PUBLIC



STATE OF VIRGINIA

COUNTY OF ARLINGTON, to-wit:

I, Pauline N. Newman, a Notary Public for the county aforesaid in the State of Virginia, do hereby certify that CALDWELL C. KENDRICK, TRUSTEE, whose name is signed to the foregoing writing bearing date on the <sup>11<sup>th</sup></sup> ~~24<sup>th</sup>~~ day of <sup>February</sup> ~~April~~, 1974, has acknowledged the same before me in my State and County aforesaid.

GIVEN under my hand this 29<sup>th</sup> day of April, 1974.

Pauline N. Newman  
Notary Public

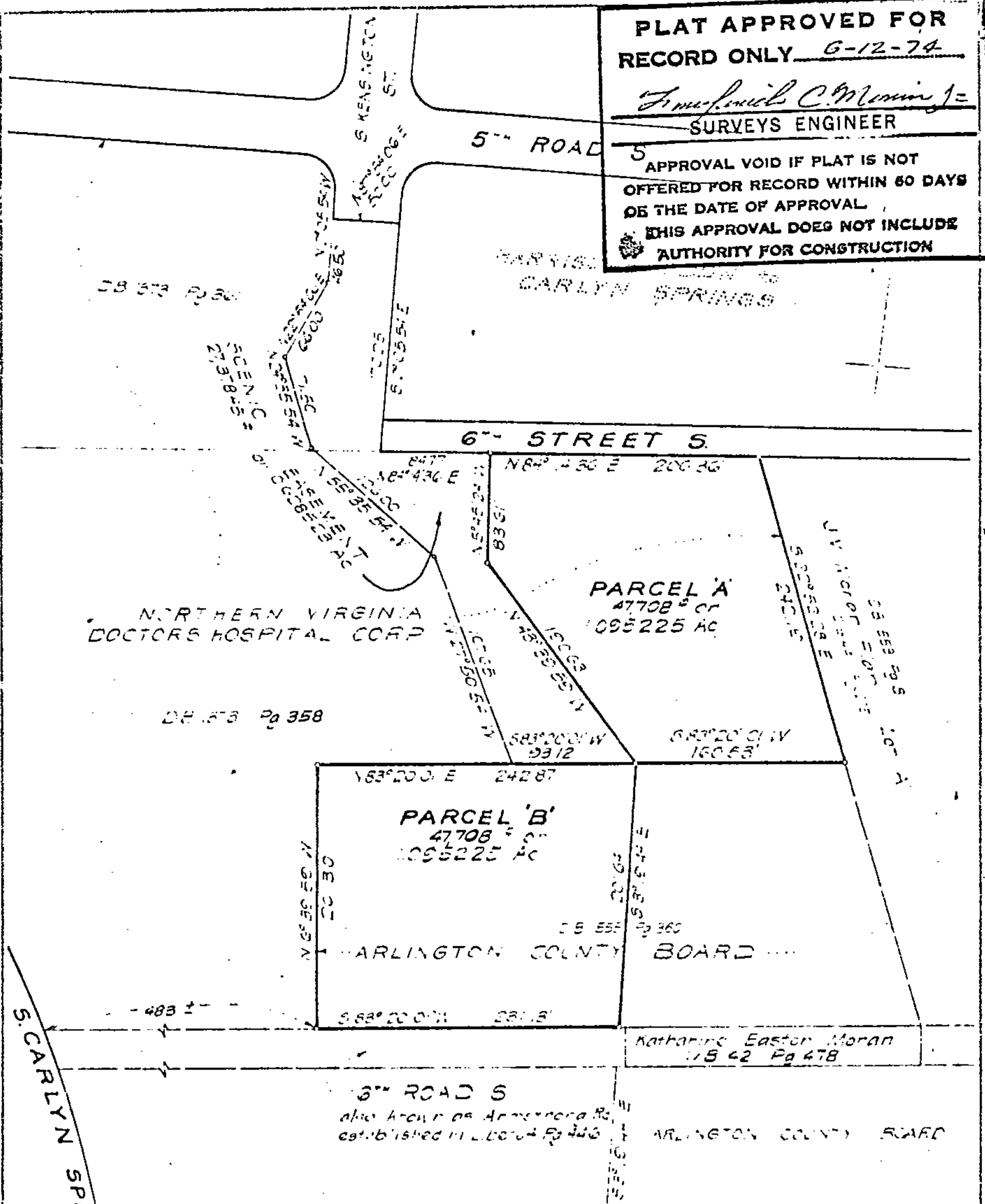
My Commission Expires:

June 24, 1975

**PLAT APPROVED FOR RECORD ONLY 6-12-74**

*James C. Manning Jr.*  
SURVEYS ENGINEER

APPROVAL VOID IF PLAT IS NOT OFFERED FOR RECORD WITHIN 60 DAYS OF THE DATE OF APPROVAL  
THIS APPROVAL DOES NOT INCLUDE AUTHORITY FOR CONSTRUCTION



ARLINGTON, VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
SURVEYS DIVISION

PLAT  
EXCHANGE OF PROPERTIES BETWEEN  
NORTHERN VIRGINIA DOCTORS HOSPITAL CORP.  
& THE ARLINGTON COUNTY BOARD

SCALE 1" = 100' DRAWN BY TPF-354 CHECKED BY A 54

SUBMITTED *James C. Manning Jr.* SURVEYS ENGINEER

APPROVED *[Signature]* APPROVED 2-7-74  
*F. Lunsberger* DIRECTOR OF ENVIRONMENTAL AFFAIRS

NOTE: Road 8th shown on plat is based on plat of Parcel of J. Moran Property, Jr. recorded in DB 44 Pg. 275

VIRGINIA: In the Clerk's office of the Circuit Court of Arlington County this deed was received and with the annexed certificate admitted to record at 5:58 o'clock P.M.

3 JUN 12 1974  
*Joseph C. [Signature]* Clerk

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