



Regular Council Meeting

A G E N D A

February 13, 2024

7:00 p.m.

Administrative

Approval of Minutes
Report of Town Manager
Appearance before Council
Council Comments
Report of Council Committees
Revisions to Agenda

Public Hearings

Consent Agenda (roll call)

Old Business

New Business

- 1-FIN-2-42-2-13 General Budget Allocation of Recoveries and Rebates (roll call)
- 2-FIN-2-42-2-13 Electric Budget Allocation of Recoveries and Rebates (roll call)
- 3-FIN-2-42-2-13 Real Estate Refund to Bedford Residences LLC (roll call)
- 4-CC-15-1-2-13 Quitclaim of Tax Map Nos. 195-5-3A-1-T and 195-5-1-1-T to Michael Lee Arthur (roll call)
- 5-CC-15-1-2-13 Conveyance of Easement to D-Day Memorial (roll call)
- 6-CC-15-1-2-13 Campaign Finance Reporting
- 7-CC-15-1-2-13 Presentation – Finance and I.T. Departments

Closed session pursuant to Virginia Code § 2.2-3711(A)(3) and (8) for the purpose of discussion or consideration of the acquisition or disposition of land, and for consultation with the Town Attorney regarding the legal status of such property, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Town, regarding forest property outside of Town limits in the Peaks Magisterial District of Bedford County.

Closed session pursuant to Section 2.2-3711 (a) (1) of the Code of Virginia of 1950, as amended, to discuss personnel matters pertaining to the Town Manager contract

Citizens may watch the meeting in real time via the Town of Bedford Live Stream website: <https://www.youtube.com/@townofbedford>

The Town will strive to provide reasonable accommodations and services for persons who require special assistance to participate in this public involvement opportunity. Contact (540) 587-6001 for more information.

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: General Budget Allocation of Recoveries and Rebates

DATE OF COUNCIL MEETING: February 13, 2024

DATE: February 5, 2024

PRESENTATION:

As of February 5, 2024, several Virginia Risk Sharing Association (VRSA) reimbursements have been received for claims in the General Fund. These claims include damage to police vehicles, fire vehicles, cemetery vandalism, and elevator repair. The expenses for these claims have been paid from the operating account of the respective department who initiated the claim. Staff is requesting a budget amendment to appropriate the revenue and expense of insurance claims to the appropriate general ledger accounts.

ACTION REQUESTED:

Town Council is requested to approve the below budget amendment which will appropriate budget to the general ledger accounts listed.

Budget Entry:

Revenue Increase		
100091-419204	Recoveries & Rebates	\$50,275
100091-419207	Recoveries & Rebates Police	\$ 9,535
Expenditure Increase		
10044340-533100	Municipal Building Maintenance	\$17,000
10044320-533100	General Properties Maintenance (Cemetery)	\$30,820
10033210-560093	Fire Department Vehicle Supplies & Parts	\$ 2,455
10033110-560092	Police Department Garage Materials & Supp.	\$ 9,535

		YES	NO	OTHER	ROUTING	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	FOREMAN	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HAILEY	()	()	()	ENGINEERING ()	OTHER _____()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	STANLEY	()	()	()	FIRE DEPT. ()	
	UPDIKE	()	()	()	H.R. ()	

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Electric Budget Allocation of Recoveries and Rebates

DATE OF COUNCIL MEETING: February 13, 2024

DATE: February 5, 2024

PRESENTATION:

As of February 5, 2024, the revenue account for Recoveries and Rebates has exceeded the appropriated budget by \$179,106.24 due to payments received for surplus, scrap metal, and insurance reimbursements. The Electric Department is requesting that this funding be moved to the infrastructure improvement expenditure account, which is used to finance small capital projects throughout the year.

ACTION REQUESTED:

Town Council is requested to approve the below budget amendment which will appropriate budget to the general ledger accounts listed.

Budget Entry:

Revenue Increase		
190057-419204	Recoveries & Rebates	\$179,106
590091-451101	Transfer In – Electric	\$179,106
Expenditure Increase		
19989600-592018	Transfer to Electric Cap Proj	\$179,106
59981940-582418	Infrastructure Improv & Extend	\$179,106

		YES	NO	OTHER	ROUTING	
DATE: _____	BLACK	()	()	()	TOWN ATTY.	() I.T. ()
	CARSON	()	()	()	COMM. DEV.	() POLICE ()
APPROVED ()	FOREMAN	()	()	()	ELECTRIC	() PUBLIC SERV. ()
DENIED ()	HAILEY	()	()	()	ENGINEERING	() OTHER _____ ()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE	()
_____	STANLEY	()	()	()	FIRE DEPT.	()
	UPDIKE	()	()	()	H.R.	()

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Real Estate Refund to Bedford Residences LLC

DATE OF COUNCIL MEETING: February 13, 2024

DATE: February 7, 2024

PRESENTATION:

Bedford Residences LLC is the owner of Parcel ID 80500871 and applied for review of the 2023 Real Estate Tax assessment by an assessor. The assessor requested supporting documentation from Bedford Residences LLC that was unavailable during the 2023 Reassessment. After the assessor's review, a recommendation was made to the Commissioner of the Revenue to lower the 2023 Real Estate Tax assessment. The Commissioner has accepted the assessor's recommendation and corrected the Real Estate Tax assessment for 2023. The taxpayer is due a refund for overpayment of the 2023 Real Estate Taxes in the amount of \$19,382.16. In accordance with Section 58.1-3981 of the Code of Virginia, staff would request that a refund be given to Bedford Residences LLC in the amount of \$19,382.16.

ACTION REQUESTED:

Town Council is requested to approve a partial refund of the 2023 Real Estate to Bedford Residences LLC based on the change in real estate assessment.

		YES	NO	OTHER	ROUTING	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	FOREMAN	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HAILEY	()	()	()	ENGINEERING ()	OTHER _____()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	STANLEY	()	()	()	FIRE DEPT. ()	
	UPDIKE	()	()	()	H.R. ()	

ADMINISTRATIVE INFORMATION

PARCEL NUMBER 80500871
 Parent Parcel Number
 Property Address 931 ASHLAND AVE
 Neighborhood 400001 TOWN OF BEDFORD COMMERCIAL 100
 Property Class 4 Commercial/Industrial
 TAXING DISTRICT INFORMATION
 Jurisdiction 10
 Area 007
 District 6

OWNERSHIP
 BEDFORD RESIDENCES LLC
 1514 STATE ROUTE 138
 WALL TOWNSHIP, NJ 07719
 PARCEL C PB 56/233

Tax ID 172 A 1-T
TRANSFER OF OWNERSHIP
 Date

Date	CTR PARTNERSHIP LP	Doc #:	Value
01/25/2023	CTR PARTNERSHIP LP	Doc #: 230000553	\$2838274
05/05/2016	ENGLISH MEADOWS ELK'S HOME CAMPUS LL	Doc #: 160003810	\$10000000
08/29/2014	BENEVOLENT & PROTECTIVE ORDER	Doc #: 140007192	\$4900000
01/01/2013		Doc #: 080010362	\$0

COMMERCIAL

VALUATION RECORD

Assessment Year	07/01/2010	04/01/2011	01/01/2014	12/02/2014	01/01/2019	01/01/2023	01/01/2023
Reason for Change	19	Split	Split	2015 Reass	2019 Reass	2023 Reass	C of E
VALUATION	L 1045000	1068600	1083700	896100	896100	1045500	1045500
	B 13830600	13830600	13830600	4979500	8480200	9363600	2441400
	T 14875600	14899200	14914300	5875600	9376300	10409100	3486900

LAND DATA AND CALCULATIONS

Rating	Measured	Table	Prod. Factor	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
Soil ID	-or- Acreage	-or- Effective Frontage	-or- Depth	Rate	Rate	Value	Factor	
1	11	Comm/Indust	Land Primary	29.8700	1.00	35000.00	35000.00	1045500

Zoning: 1 11 Comm/Indust Land Primary
Legal Acres: 29.8700

Public Utilities: Water, Sewer
Street or Road:
Neighborhood:
Site Description:
Topography:
Assessment Year: 07/01/2010 04/01/2011 01/01/2014 12/02/2014 01/01/2019 01/01/2023 01/01/2023
Reason for Change: 19 Split Split 2015 Reass 2019 Reass 2023 Reass C of E
VALUATION: L 1045000 1068600 1083700 896100 896100 1045500 1045500
 B 13830600 13830600 13830600 4979500 8480200 9363600 2441400
 T 14875600 14899200 14914300 5875600 9376300 10409100 3486900

Supplemental Cards
 TRUE TAX VALUE 1045500
TOTAL LAND VALUE 1045500

Supplemental Cards
TOTAL LAND VALUE 1045500

1: 12/27/23 ASSESSOR REVIEW - TP REPORTS ADDITIONAL INFO THAT
FACTS ASSESSED FOR 230 RESIDENTS
LIVE UNITS: 63 LIVING UNITS (BLDG A,B,C). 37
ARMENTS (BLDG D,E,F,G). 27 TRANSITIONAL UNITS
20G H-HIGH ACUITY).
UTILIZED UNITS: 77 STUDIO UNITS (BLDG H), 119
UDIO UNITS (BLDG I).
PAULT BUILDING AGE 1913. ACTUAL AGE OF SOME
GS DIFFERS.
ND: ALL THIS PARCEL IN TOWN
53/51-53 2/11 110001872,73
IT 172 A 1A 5.00AC
IG AC 122.447, .706 TO 1B FOR FUTURE EXT BEDFORD

IMPROVEMENT DATA

01	ADMINISTRATION BLDG. SUPPORT AREAS	LOBBY, PORTICOES-DORMS D E F G
02	KITCHEN	RENOVATED 2000
03	ARCADE	
04	HOSPITAL	
05	PORTIONS STORAGE (UNDERUTILIZED)	
05	POWER HOUSE	

ELK'S HOME MAIN CAMPUS
DEPRECIATED RATES USED

07	THEATER	
08	DORM A	
09	DORM B	
10	DORM C	
11	DORM D	
12	DORM E	
13	DORM F	
14	DORM G	
15	DORM H	BPS COMPLETED W/REASSESSMENT
16	DORM I	12-279, 337, 358 FIRE ALARM CHNG
	3 FLOORS, BASEMENT AND SUB BSMT.	12-401 FIRE ALARM N/C 4/13
	ALL UNOCCUPIED	

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Story Hgt	Const Type	Grade	Year Const	Year Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Obsol	Market Adj	% Comp	Value	
01	ADX BLDG	01		0.00	6	C	1913	1913	AV	0.00	N	55.00	43631	2399710	0	SV	100	623900
02	KITCHEN	02		0.00	6	C	1913	1913	AV	0.00	N	45.00	11175	502880	0	SV	100	130700
03	ARCADE	03		0.00	6	C	1913	1913	AV	0.00	N	67.00	12945	867320	0	SV	100	225500
04	HOSPITAL	04		0.00	6	C	1913	1913	AV	0.00	N	33.00	8360	275880	0	SV	100	71700
05	POWERHSE	05		0.00	6	C	1913	1913	AV	0.00	N	33.00	7065	233150	0	SV	100	60600
07	THEATER	07		0.00	6	C	1913	1913	AV	0.00	N	33.00	5624	185590	0	SV	100	48300
08	DORM A	08		0.00	6	C	1913	1913	AV	0.00	N	50.00	11165	558250	0	SV	100	145100
09	DORM B	09		0.00	6	C	1913	1913	AV	0.00	N	50.00	10425	521250	0	SV	100	135500
10	DORM C	10		0.00	6	C	1913	1913	AV	0.00	N	50.00	10549	527450	0	SV	100	137100
11	DORM D	11		0.00	6	C	1913	1913	AV	0.00	N	55.00	10549	580200	0	SV	100	150900
12	DORM E	12		0.00	6	C	1913	1913	AV	0.00	N	55.00	6454	354970	0	SV	100	92300
13	DORM F	13		0.00	6	C	1913	1913	AV	0.00	N	55.00	6454	354970	0	SV	100	92300
14	DORM G	14		0.00	6	C	1913	1913	AV	0.00	N	55.00	6454	354970	0	SV	100	92300
15	DORM H	15		0.00	6	C	1913	1913	F	0.00	N	33.00	35077	1157540	0	SV	100	301000
16	DORM I	16		0.00	6	C	1913	1913	P	0.00	N	11.00	39927	439200	0	SV	100	114200

LCM: 100.00

Data Collector/Date
DT 05/26/2022

Appraiser/Date
DT 05/26/2022

Neighborhood
Nash. 400001

Supplemental Cards
TOTAL IMPROVEMENT VALUE

Date

VALUATION RECORD

Assessment Year	Reason for Change	VALUATION

Site Description

LAND DATA AND CALCULATIONS

Rating -or- Soil ID	Measured -or- Acreage	Table Effective Depth	Prod. Factor -or- Depth Factor	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value

53/51-53 2/11 110001872.73
 2 A 1 116.741 CITY 3.73 IN CO
 HETTERY AIL CO
 AN: Town of Bedford

01	PIG SHED
02	CB BLDG
03	FR SHED
05	CHICKEN SHED
06	HUT
07	BARN
08	FR SHED
09	GARAGE
10	GARAGE
11	FR & CB SHED
12	DAIRY BARN - 3 STY
13	CB SHED
14	SILO - NCV
15	POLE SHED
16	FR GARAGE
17	CB GARAGE
18	CB GARAGE
19	ALL AGRICUL. TURAL BLDGS LUMP SUM

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Story Hgt	Const Type	Grade	Year Const	Eff Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Obsol	Market Adj	% Comp	Value
01	PTG SHED	01		0.00	1	C	1913	1913	P	0.00	N	0.00	800	0	NV	100	0
02	CB BLDG	02		0.00	4	C	1913	1913	P	0.00	N	0.00	1120	0	NV	100	0
03	FR SHED	03		0.00	1	C	1913	1913	P	0.00	N	0.00	480	0	NV	100	0
05	SHED	05		0.00	1	C	1913	1913	P	0.00	N	0.00	504	0	NV	100	0
06	HUT	06		0.00	1	C	1913	1913	P	0.00	N	0.00	0	0	NV	100	0
07	BARN	07		0.00	1	C	1913	1913	P	0.00	N	0.00	1440	0	NV	100	0
08	FR SHED	08		0.00	1	C	1913	1913	P	0.00	N	0.00	1200	0	NV	100	0
09	GARAGE	09		0.00	1	C	1913	1913	P	0.00	N	0.00	1152	0	NV	100	0
10	GARAGE	10		0.00	1	C	1913	1913	P	0.00	N	0.00	1728	0	NV	100	0
11	SHED	11		0.00	1	C	1913	1913	P	0.00	N	0.00	1296	0	NV	100	0
12	CB SHED	12		0.00	4	C	1913	1913	P	0.00	N	0.00	2240	0	NV	100	0
13	CB SHED	13		0.00	4	C	1913	1913	P	0.00	N	0.00	480	0	NV	100	0
14	STILO	14		0.00	3	C	1913	1913	P	0.00	N	0.00	0	0	NV	100	0
15	POLESHED	15		0.00	1	C	1913	1913	P	0.00	N	0.00	1600	0	NV	100	0
16	GARAGE	16		0.00	1	C	1913	1913	P	0.00	N	0.00	512	0	NV	100	0
17	GARAGE	17		0.00	4	C	1913	1913	AV	0.00	N	0.00	896	0	NV	100	0
18	GARAGE	18		0.00	4	C	1913	1913	P	0.00	N	0.00	1600	0	NV	100	0
19	SUMMARY	19		0.00	1	C	1913	1913	P	0.00	N	0.00	0	0	SV	100	20000

(LCM: 100.00)

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards

20000

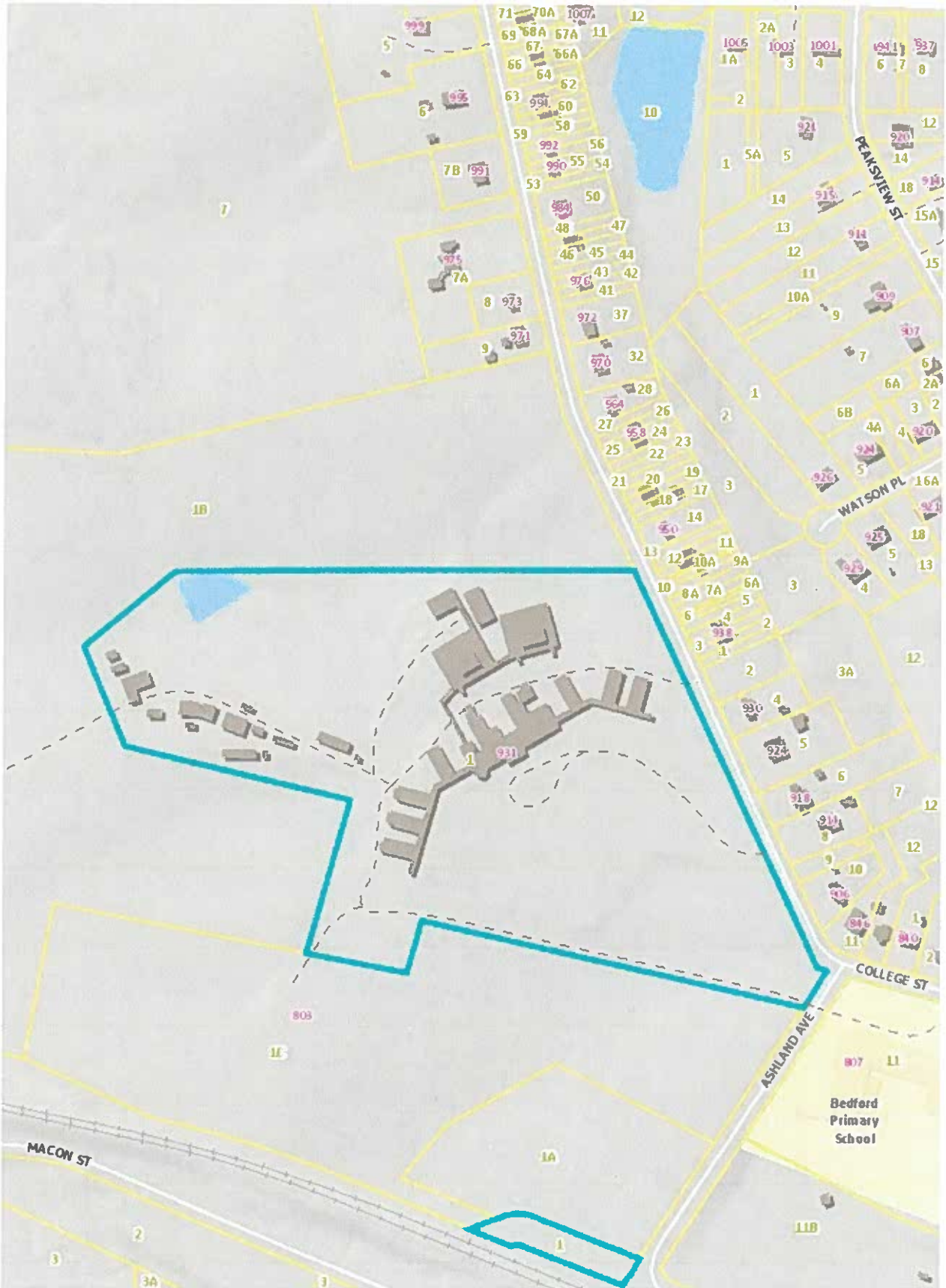
DT 05/26/2022

DT 05/26/2022

Neighborhood

TOTAL IMPROVEMENT VALUE

20000



**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Quitclaim of Tax Map Nos. 195-5-3A-1-T and 195-5-1-1-T to Michael Lee Arthur

DATE OF COUNCIL MEETING: February 13, 2024

DATE: February 6, 2024

PRESENTATION:

Tax Map Parcels 195-5-3-A1-T and 195-5-1-1-T, at the corner of Quarles St. and Jackson St., are unbuilt parcels totaling 0.390 acres, more or less. Currently, 195-5-3-A1-T is carried in the name of the Town of Bedford on the Bedford County Land Book. The Circuit Court land records, however, do not appear to indicate any conveyance of an ownership interest by the Town. In order to remove any potential cloud on title and in order for the Bedford County Commissioner of the Revenue to correct the Land Book, the current owner by the Circuit Court land records, Michael Lee Arthur, requests that the Town quitclaim any right it might have in the lot to him. A form deed is enclosed with this action item.

ACTION REQUESTED:

Authorize and direct the Mayor to execute and deliver the attached Deed, with such final changes as may be necessary to fully effect the quitclaim; further, authorize the Town Attorney to prepare, and the Mayor to execute, the necessary closing documents to affect the quitclaim of the property to Michael Lee Arthur.

		YES	NO	OTHER	ROUTING	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	FOREMAN	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HAILEY	()	()	()	ENGINEERING ()	OTHER _____ ()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	STANLEY	()	()	()	FIRE DEPT. ()	
	UPDIKE	()	()	()	H.R. ()	

Prepared by: Radford & Wandrei, P.C.
112 S. Bridge St
Bedford, VA 24523

Grantees address: 1294 Bella Vista Way
Goode, VA 24556

Tax Map #'s: 195-5-3A-1T and 195-5-1-1T
Title Insurance: N/A
Consideration: \$ 0.00
Assessed Value: not assessed
Tax Exempt: Va. Code § 58.1-811(c)(4)

THIS DEED, made this the ___ day of _____, 20___, by and between **THE TOWN OF BEDFORD**, a Virginia municipal corporation, Grantor, and **MICHAEL LEE ARTHUR**, Grantee.

WHEREAS, by deed dated July 27, 1904 and recorded in the Office of the Circuit Court Clerk, Bedford County, Virginia in Deed Book 86, at page 392, H. L. Lowry, conveyed a parcel of land containing one-fourth (1/4) acre to J. P. Garrett a/k/a Josephine P. Garrett; and,

WHEREAS, by deed dated March 24, 1908 and recorded in the aforesaid clerk's office in Deed Book 95, at page 461, J. Lawrence Campbell conveyed Lot 2 Block 1 Greenwood as shown on the map of the property of the Greenwood Land Company of record in the aforesaid clerk's office in Deed Book 75, at page 427 to Josephine P. Garrett; and,

WHEREAS, by deed dated May 22, 1908 and recorded in the aforesaid clerk's office in Deed Book 96, at page 66, C. A. Board conveyed Lot 1 Block 1 Greenwood to Josephine P. Garrett; and,

WHEREAS, by deed dated July 26, 1969 and recorded in the aforesaid clerk's office in Deed Book 355, at page 304, R. L. Harris conveyed the above referenced parcels of land to Ruth Connor Claytor; and,

WHEREAS, by deed dated November 2, 1978 and recorded in the aforesaid clerk's office in Deed Book 472, at page 797, Ruth Connor Claytor conveyed a parcel of land containing 0.390 acre unto Eddison J. Andrews and Ethel N. Andrews; and,

WHEREAS, the legal description contained in the deed dated July 24, 1968 from R. L. Harris to Ruth Connor Claytor and recorded in the aforesaid clerk's office in Deed Book 355, at page 304 is insufficient to verify that it is the same parcel described in Deed Book 86, at page 392 and as shown on the map of Greenwood as being located at the southwest corner of the intersection of Jackson Street and Quarles Street in the Town of Bedford, Virginia; and

WHEREAS, the aforesaid 0.390 acre parcel which includes the parcels identified as Lot 1 and Lot 2 Block 1 Greenwood and the parcel described in in Deed Book 86, at page 392 are more particularly shown and described on a plat of a survey of the same entitled "RESURVEY OF 0.390 ACRE FOR RUTH CONNOR CLAYTOR CITY OF BEDFORD, VA." made by B. R. Shrader dated October 26, 1978, revised November 8, 1978 and recorded in the aforesaid clerk's office in Deed Book 472 at 799; and,

WHEREAS, Ruth Connor Claytor and her predecessors in title had actual possession and used the northern portion of 0.390 acre parcel located at the southwest corner of the intersection of Jackson Street and Quarles Street adversely against the claims of others openly, notoriously and exclusively under a claim of right for a period of in excess of fifteen (15) years since at least November 1, 1929; and,

WHEREAS, the northern portion of the 0.390 acre parcel is shown on the plat by B. R. Shrader as "PROPERTY CLAIMED BY RUTH C. CLAYTOR," and;

WHEREAS, the entire 0.390 acre parcel has been conveyed to the grantee's predecessors in title through various deeds recorded in the aforesaid clerk's office; and,

WEHREAS, by deed dated May 1, 2023 and recorded in the aforesaid clerk's office as Instrument Number 230004017, Andrew M. Neville conveyed the 0.390 acre parcel shown on the aforesaid plat by B. R. Shrader to Michael Lee Arthur; and,

WHEREAS, Michael Lee Arthur and his predecessors in title have had exclusive possession of the northern portion of 0.390 acre parcel located at the southwest corner of the intersection of Jackson Street and Quarles Street adversely against the claims of others openly, notoriously and exclusively under a claim of right since at least November 1, 1929; and,

WHEREAS, the herein described property is shown on the tax records for the Town and County of Bedford Virginia as being owned by the Town of Bedford; and,

WHEREAS, there is no deed recorded among the land records for the County of Bedford, Virginia conveying the northernmost portion of the 0.390 acre parcel to the Town of Bedford; and,

WHEREAS, the erroneous notation in the tax records potentially creates a cloud on the grantee's title; and,

WHEREAS, the Town Council at its meeting on _____ 20__ adopted a resolution authorizing its Mayor to execute a quit claim deed to release any interest the Town of Bedford may have in the herein described parcel.

WHEREAS, to resolve any question as to the ownership of the 0.390 acre parcel in favor of the grantee, the Town of Bedford does hereby quit claim and release all of its right title and interest in the herein described property to the grantee; and,

WHEREAS, the grantee and the Subdivision Agent for the Town of Bedford join in this deed to confirm that the herein described parcel shall become part and parcel with the adjoining property owned by the grantee and shall not be conveyed as a separate building lot.

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

That for and in consideration of the sum of NO DOLLARS (\$0.00) DOLLARS, the TOWN OF BEDFORD, a Virginia municipal corporation. does hereby QUIT CLAIM and RELEASE without warranty of any kind unto the said grantee, MICHAEL LEE ARTHUR, all of the hereinafter described real property, and being more particularly described as follows, to-wit:

All that certain tract or parcel of real property together with the improvements thereon and the privileges and appurtenances thereto appertaining, situate in the Town of Bedford, Virginia and being the northernmost portion of the 0.390 acre parcel of land designated as "**PROPERTY CLAIMED BY RUTH C. CLAYTOR**" as more particularly shown and described on a plat of a survey of the same entitled "**RESURVEY OF 0.390 ACRE FOR RUTH CONNOR CLAYTOR CITY OF BEDFORD, VA.**" made by B. R. Shrader dated October 26, 1978, revised November 8, 1978 and recorded in the aforesaid clerk's office in **Deed Book 472 at 799**.

This conveyance is made subject to all valid and existing conditions, easements, reservations, and restrictions heretofore imposed upon said property by recorded deed or plat and now binding thereon. This conveyance is further made subject to the condition that the property herein conveyed designated as Tax Map # 195-5-3A-1T shall become part and parcel with Tax Map # 195-5-1-1T to create a single lot containing **.0.390 acres** to be designated as **Tax Map # 195-5-1-1T** and shall not be conveyed as a single building lot.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURES AND SEALS TO FOLLOW.

Page 4 of 7

WITNESS the following signatures and seals:

TOWN OF BEDFORD, VIRGINIA

_____(SEAL)
By: _____
Its: Mayor

STATE OF _____

CITY/COUNTY OF _____

The foregoing instrument was acknowledged before me this the ____ day of _____, 20____, by the TOWN OF BEDFORD, VIRGINIA, a municipal corporation, by _____ its Mayor upon authority duly conferred.

Notary Public

My commission expires: _____

Notary Id #: _____

The Town of Bedford
Department of Planning

By: _____ (SEAL)

Subdivision Agent

STATE OF VIRGINIA

COUNTY/CITY OF _____, to wit:

The foregoing instrument was acknowledged before me on this the _____ day of _____, 20____, by _____ as Subdivision Agent for the Planning Department of Town of Bedford, Virginia, upon authority duly conferred.

Notary Public

My commission expires: _____

Notary Id #: _____

_____(SEAL)
Michael Lee Arthur

STATE OF _____

CITY/COUNTY OF _____

The foregoing instrument was acknowledged before me this the ____ day of _____, 20 __, by MICHAEL LEE ARTHUR.

Notary Public

My commission expires: _____

Notary Id #: _____

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Conveyance of Easement to D-Day Memorial

DATE OF COUNCIL MEETING: February 13, 2024

DATE: February 6, 2024

PRESENTATION:

The D-Day Memorial Foundation is in the process of constructing a recreational trail around the outside of the Overlord Circle cul-de-sac on Tax Map Parcel 232-A-3-T. The path of the trail and grading for the trail encroaches on the Town's surrounding property, Tax Map Parcel 212-A-2-T in some places, as shown on the map enclosed with this action item. The D-Day Memorial Foundation has requested that the Town grant it an easement for grading and minor path encroachments. A draft deed of easement is enclosed with this action item. The use of this property for a recreational trail to enhance the D-Day Memorial is consistent with the covenants on the property. Upon closure or abandonment of the trail, the easement would be abandoned to the Town. Pursuant to the Recreational Use Law, Virginia Code § 29.1-509, and the recreational use sovereign immunity law, Virginia Code § 15.2-1809, the Town has no liability for injuries suffered by the public for use of the trail.

ACTION REQUESTED:

Authorize and direct the Mayor to execute and deliver the attached Deed, with such final changes as may be necessary to fully convey the easement; further, authorize the Town Attorney to prepare, and the Mayor to execute, the necessary closing documents to affect the conveyance of the easement to the National D-Day Memorial Foundation, Ltd.

		YES	NO	OTHER	ROUTING	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	FOREMAN	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HAILEY	()	()	()	ENGINEERING ()	OTHER _____ ()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	STANLEY	()	()	()	FIRE DEPT. ()	
	UPDIKE	()	()	()	H.R. ()	

Prepared by:

Michael W.S. Lockaby (VSB No. 74136)
Bedford Town Attorney
Spilman, Thomas & Battle, PLLC
Post Office Box 90
Roanoke, Virginia 24002-0090

Return to:

Barrett F. Warner
Bedford Town Manager
Municipal Building
215 East Main Street
Bedford, Virginia 24523

Tax Map No. 212-A-2-T

Title Insurance: None

Consideration: None

DEED OF EASEMENT

This instrument partially exempt from taxes and fees pursuant to §§ 58.1-811(A)(3), 17.1-266, and 17.1-279(E) of the Code of Virginia, 1950, as amended.

THIS DEED OF EASEMENT (“Easement”) is made and entered into as of the ___ day of _____, 2024, by and between the TOWN OF BEDFORD, VIRGINIA, a Virginia municipal corporation formerly known as the City of Bedford, Virginia (to be indexed as “Grantor”) and the NATIONAL D-DAY MEMORIAL FOUNDATION, LTD., a Virginia nonstock corporation (to be indexed as “Grantee”).

Recitals:

WHEREAS, Grantor owns real property situate within the Town of Bedford, Virginia, being Tax Map No. 212-A-2-T, as more particularly hereinafter described, which is adjacent to the property of the Grantee (“Grantor’s Property”); and

WHEREAS, the Grantee, in connection with its purposes as an organization founded and existing for the purpose of commemorating the D-Day Landings in Normandy, France, the servicemen who participated in the D-Day Landings, and wishes to place a commemorative trail on its property, being Tax Map No. 232-A-3-T, as more particularly hereinafter described (the “Benefited Tract”), which trail will encroach on the Grantor’s Property; and

WHEREAS, Grantor has agreed to grant to Grantee an easement on the Grantor’s Property, to benefit the Benefited Tract and enable construction and grading of certain trails as depicted on “Overlap and Easement Exhibit Bedford D-Day Memorial Bedford County, Virginia” on **Exhibit A** attached hereto and made a part hereof (the “Trail Easement Area”) for the purpose of constructing, maintaining, operating, and repairing a pedestrian trail as shown on **Exhibit A**.

Witnesseth:

NOW THEREFORE, in consideration of the mutual benefits to be realized by the premises hereof and as a gift from the Grantor unto the Grantee, the Grantor and Grantee do hereby agree as follows:

1. Grant of Trail Easement. Grantor hereby GRANTS and CONVEYS to Grantee, for the benefit of the Benefited Tract, a perpetual easement in, on, across and through the Trail Easement Area for the limited purpose of allowing Grantee to construct, maintain, repair, replace and remove the Trail and necessary grading therefor. The Trail is an interpretive nature trail that provides a five-foot wide and 2,000 linear foot long asphalt walking path around the D-Day Memorial (the "Trail"). Grantee and its agents, guests, permittees, and licensees shall have the right to enter upon and use the Trail Easement Area as may be reasonably necessary for pedestrian passage and for construction, maintenance, repair, operation, replacement and removal by Grantee of the Trail.

2. Maintenance Obligation. Grantee shall keep the Trail Easement Area and the Trail in good condition and repair, and in compliance with any and all applicable laws and regulations, and be solely responsible for all taxes, costs, and expenses incurred in connection with the Trail or its construction, maintenance, and repair, including but not limited to, any grading, excavating or other site work necessary in connection with such construction, repair, maintenance, landscaping and grass mowing. The Grantee shall exercise reasonable care to ensure that its agents, guests, permittees, and licensees do not damage areas of the Grantor's Property outside of the Trail Easement Area, and, in the event that trash, rubbish or debris is cast or otherwise on Grantor's Property as a result of use of the Trail, or if users of the Trail cause damage to the Grantor's Property outside of the Trail Easement Area, the Grantee shall promptly remove such trash, rubbish or debris and restore the disturbed areas to same-or-better state in the reasonable judgment of the Grantor.

3. Default. In the event Grantee fails to perform its obligations hereunder, Grantor, following ten (10) days' prior written notice to Grantee, to cause such cleanup, maintenance, repair, and/or removal to be performed and Grantor shall be entitled to reimbursement of all the reasonable costs and expenses incurred by Grantor. Grantee shall reimburse Grantor for all such costs and expenses within thirty (30) days after receipt of an itemized statement from Grantor. This Paragraph 3 shall survive termination.

4. Recreational Use. The Grantor grants the easements for recreational use of the Grantee as provided in Virginia Code §§ 29.1-509 and 15.2-1809 with respect to the Grantor's Property.

5. Termination. This Easement shall terminate upon the cessation of use or abandonment of the Trail. In the event of termination of this Agreement, Grantee (i) shall cooperate with Grantor to execute and file a release and affidavit of termination in the Clerk's Office of the Circuit Court of Bedford County, Virginia, and (ii) promptly remove the Trail from the Grantor's Property at Grantee's sole cost and expense and leave the Trail Easement Area neat, clean and sodded.

6. General Provisions.

a. Grantee warrants that its use of the Trail Easement Areas is consistent with the uses permitted by the covenants with Wilmer R. Dinwiddie and Connie B. Dinwiddie. In the event that it is judicially determined that this conveyance is inconsistent with said covenants, this conveyance shall be void.

b. The easements granted herein shall run with the land and be binding upon and inure to the benefit of Grantor's and Grantee's respective successors and permitted assigns.

THIS INSTRUMENT HAS BEEN PREPARED WITHOUT BENEFIT OF A FULL TITLE REPORT. NO CERTIFICATION AS TO STATE OF TITLE IS MADE BY THE ATTORNEY PREPARING THIS DEED.

Signatures on following pages

This instrument was prepared without the benefit of a title examination.

GRANTOR:

TOWN OF BEDFORD, VIRGINIA,
Formerly known as City of Bedford, Virginia:

_____ [SEAL]
Timothy Black
Mayor

COMMONWEALTH OF VIRGINIA,

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Timothy Black, Mayor, on behalf of the Town of Bedford, Virginia, a Virginia municipal corporation.

My Commission expires: _____

Notary Public

Registration No. _____

Approved as to Form:

Michael W.S. Lockaby
Town Attorney

Signatures continue on next page

This instrument was prepared without the benefit of a title examination.

GRANTEE:

NATIONAL D-DAY MEMORIAL FOUNDATION,
LTD.:

By: _____

COMMONWEALTH OF VIRGINIA,

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by _____, on behalf of the National D-Day Memorial Foundation, Ltd., Grantee.

My Commission expires: _____

Notary Public

Registration No. _____

GRANTOR'S PROPERTY

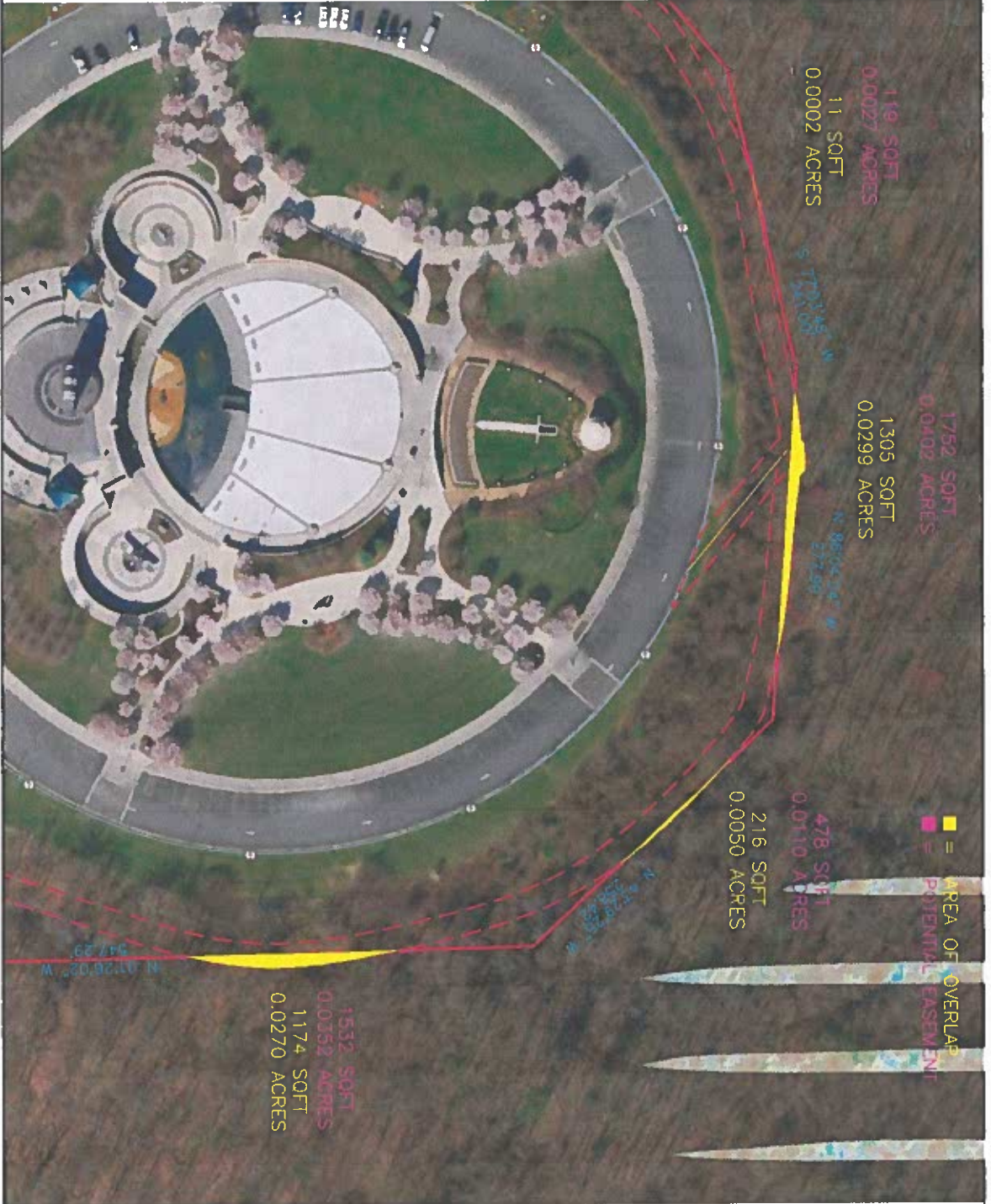
All that certain lot or parcel of land, together with the buildings and improvements thereon and the privileges, appurtenance and easements thereunto belonging, situate, lying and being in the City of Bedford, Virginia, containing 33.288 ac., as shown on a boundary survey for **City of Bedford, of a 33.228 Ac. Tract situate on U.S. Route 460, Property of W.H. Saunders Estate ...** made by Frank B. Caldwell, III, C.L.S., dated September 2, 1997, a copy of which survey is of record in the Clerk's Office for the Circuit Court of Bedford County at Plat Book 35, page 345.

And being a part of that same property conveyed unto the Grantor by deed dated October 30, 1997, from Dorothy Davidson Saunders, Stuart Thomas Saunders, Jr., and C. Vernon Spratley, III, Trustees; and Frances S. Hawkins, Rebecca S. Anderson, Margaret S. Walton, and Thomas L. Griffin, Jr., and of record in the Clerk's Office aforesaid as Instrument No. 970013610.

BENEFITED PROPERTY

All that certain tract of land located west of Burks Hill Road in the City of Bedford, Virginia, containing 16.376 acres, more particularly shown on the plat of survey entitled "Subdivision for City of Bedford ..." prepared by T.P. Parker & Son, Engineers—Surveyors—Planners, dated November 14, 1997, a copy of which is attached to a Deed from the City of Bedford, Virginia, and Wilmer R. Dinwiddie and Connie B. Dinwiddie to National D-Day Memorial Foundation, LTD, dated November 14, 1997, and of record in the Clerk's Office for the Circuit Court of Bedford County at Plat Book 35, page 346.

And being that same property conveyed unto the Grantee by deed dated December 8, 1997, from The City of Bedford, Virginia, and of record in the Clerk's Office aforesaid as Instrument No. 970013654.



OVERLAP AND POTENTIAL
EASEMENT EXHBIT

BEDFORD D-DAY MEMORIAL

BEDFORD COUNTY, VIRGINIA



ACCUPPOINT
SURVEYING & DESIGN

6200 FORT AVENUE, LYNCHBURG, VA 24502
PH: 434-610-4334 WWW.ACCUPPOINTSURVEYING.COM

SCALE:	1" = 100'
ASD JOB #:	2022-414
FILE #:	2022-414 EASE EX.dwg
PARCEL ID:	80503429
DATE:	DECEMBER 18, 2023
REV:	

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Campaign Finance Reporting

DATE OF COUNCIL MEETING: February 13, 2024

DATE: February 6, 2024

PRESENTATION:

The Virginia Campaign Finance Disclosure Act of 2006, Title 24.1, Chapter 9.3, Code of Virginia, 1950, as amended, provides for transparency about campaign finance in Virginia by requiring the filing of campaign finance reports with the Elections Registrar by candidates, campaign committees, and political action committees. However, the Act excludes towns with a population below 25,000 unless a candidate accepts contributions or makes expenditures in excess of \$25,000, or the Town Council so provides by ordinance. Va. Code § 24.2-945(A).

ACTION REQUESTED:

Staff and the Town Attorney request that Council discuss this matter and provide direction on preparation of potential future items for Council consideration.

		YES	NO	OTHER	ROUTING	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	FOREMAN	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HAILEY	()	()	()	ENGINEERING ()	OTHER _____ ()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	STANLEY	()	()	()	FIRE DEPT. ()	
	UPDIKE	()	()	()	H.R. ()	