VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH

IN THE MATTER OF THE VIRGINIA BEACH FRIENDS MEETING OF THE RELIGIOUS SOCIETY OF FRIENDS, AN UNINCORPORATED RELIGIOUS SOCIETY CONFIRMATION OF TRUSTEES AND ENCUMBRANCE OF REAL PROPERTY BY EASEMENT AND ACCEPTANCE OF EASEMENT TO BE GRANTED UPON ADJACENT LAND

CASE NO.:_____

PETITION

TO THE HONORABLE JUDGES OF THIS COURT:

NOW COME, Nancy Craft, Henry Ghittino, and Lewis White, Trustees of The Virginia Beach Friends Meeting of the Religious Society of Friends ["the Friends Meeting"], an unincorporated religious society located at 1537 Laskin Road, Virginia Beach, Virginia 23451, as the duly elected Trustees of the Friends Meeting and on behalf of the said congregation and file this Petition requesting the Court to authorize such Trustees to encumber church property by granting a drainage easement to The Friends School ["the School"], a non-stock not for profit corporation, and to accept an easement upon adjacent property known as the Evangelical Lutheran Church of the Good Shepherd, an incorporated church ["Good Shepherd Church"], and state as follows:

1. That your Petitioners have been confirmed as Trustees of the Friends Meeting according to its rules and traditions at a Business Meeting of the said congregation

on May 14, 2017, as shown by a copy of the minutes hereto attached as Exhibit "A" and by a recorded ORDER CHANGING TRUSTEES entered by the Circuit Court of the City of Virginia Beach on July 11, 2018, hereto attached as Exhibit "B";

2. That your Petitioners remain to this day as Trustees of said Friends Meeting, authorized to hold title to and manage the real property of said Friends Meeting in accordance with the Code of Virginia and as directed by the congregation's Meetings for Business;
3. That the School, a non-stock corporation of the Commonwealth of Virginia, is situated on land contiguous to the land of the Friends Meeting, and that the Friends Meeting at a duly noticed Meeting for Business has approved granting a stormwater easement on Friends Meeting land to the School, see Exhibit "C", in connection with construction of improvements on the School site and to accept a stormwater easement on the land of a contiguous parcel owned by the Good Shepherd Church, all in exchange for the School agreeing to construct and maintain perpetually at the School's expense new stormwater improvements on both the Friends Meeting's land and the land of said Good Shepherd Church, see Exhibits "D" and "E";
4. That the proposed new stormwater drainage system and facilities be constructed and paid for by the School are in the best interest of the Friends Meeting;

WHEREFORE, your Petitioners move this Court for an order allowing the said Trustees, with all the powers accorded to them by the Code of Virginia, to execute all documents required in order to encumber Friends Meeting land with a stormwater Drainage easement and to allow the Friends Meeting to accept the benefit of a stormwater easement on the land of the Good Shepherd Church as well as the

benefits the Friends Meeting will derive from the School's performing all stormwater system construction and perpetual maintenance at the School's expense.

Respectfully,

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NANCY CRAFT, TRUSTEE

_____

HENRY GHITTINO, TRUSTEE

_____

LEWIS WHITE, TRUSTEE

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EXHIBIT “A” MINUTES FROM VIRGINIA BEACH FRIENDS MEETING OF MAY 14, 2017, APPOINTING AND CONFIRMING TRUSTEES,

EXHIBIT “B” ORDER FROM CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH CONFIRMING TRUSTEES, VIRGINIA BEACH FRIENDS MEETING

EXHIBIT “C” MINUTES AUTHORIZING TRUSTEES OF THE FRIENDS MEETING TO SIGN EASEMENT TO THE FRIENDS SCHOOL AND ACCEPT BENEFITS OF THE EASEMENT GRANTED TO THE FRIENDS MEETING FROM GOOD SHEPHERD LUTHERAN CHURCH

EXHIBIT “D” DEED OF EASEMENT FROM FRIENDS MEETING TO THE SCHOOL

EXHIBIT “E” DEED FOR EASEMENT BY GOOD SHEPHERD CHURCH TO THE FRIENDS MEETING

EXHIBIT “F” AFFIDAVIT VERIFYING THE PETITION

EXHIBITS “1” AND “X”: PRIVATE DRAINAGE EASEMENT EXHIBITS FOR FRIENDS SCHOOL FROM AES CONSULTING ENGINEERS

Counsel for Virginia Beach Friends Meeting

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