

March 9, 1979

XXXXXXXXXXXXXXXXXXXX
Saluda, Virginia 23149

Mr. Ted F. Farrar
Gloucester Parks and Recreation
Gloucester, Virginia 23061

Re: Claybank Public Landing
Rt. 616

Dear Mr. Farrar:

In further reference to your inquiry on January 24, 1979 concerning the status and responsibilities of the Claybank Public Landing at the terminus of Route 616, please be advised that I have taken an opportunity since to have the site reviewed including courthouse references.

To summarize our findings, I would note that in my opinion the underlying title rest in special warranty to the County of Gloucester by virtue of a deed between Mr. B. S. Weaver and Susan M. Weaver, his wife and the County of Gloucester on or about September 1916. the same being recorded in Deed Book 40, Page 486. This deed of special warranty implies dedication to the county which was further consummated by the Board of Supervisors in September of 1927, the same being recorded and described by sketch in Supervisor's Book 7 at page 344. There is another plat of more recent vintage related to the Landing prepared by Mr. Charles J. Kern, Certified Land Surveyor, in August of 1963 for Mr. Lewis Groh that adds some additional light as far as boundaries and responsibilities lay. The current plat is at book 3, page 162.

The Department's responsibilities appear to have begun by virtue of the creation of the Gloucester County Secondary System in 1932, the result of the so-called Byrd Act. The ramifications are such that the rights of way related to the roads as defined at that time were guaranteed by the County Board of Supervisors, the Department was to assume an unencumbered guarantee of right of way through prescriptive easement. The visible encroachments that are present today appear to be a picket fence in front of the Groh property, shrubs and a warehouse that has recently been improved upon by others. The warehouse has a reference of existing even before the county's acceptance in 1927, I would assume there is some connection with the adjacent property owners. The picket fence and shrubs are minor encroachments, the warehouse is of more significance. I frankly do not know who owns the warehouse, I would assume its ownership still rests with the original builder or his heirs as the building was in

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existence prior to county and State acceptance. Any other encroachments beyond those that I have noted were undetected. While we, in the Department, do have a responsibility for maintenance and control, I would consider the county equally responsible, if not more as they hold special warranty of title having guaranteed same to the Commonwealth.

Unless there exists other information or encroachments which we have not found, I would consider this analysis fairly accurate. Hoping this information will be of some assistance to you, if I can be of further service, please advise.

Yours very truly,


J. K. McEwen
Resident Engineer

cc: Mr. John Jackson, County Administrator

CAN LAUNCH

YORK RIVER

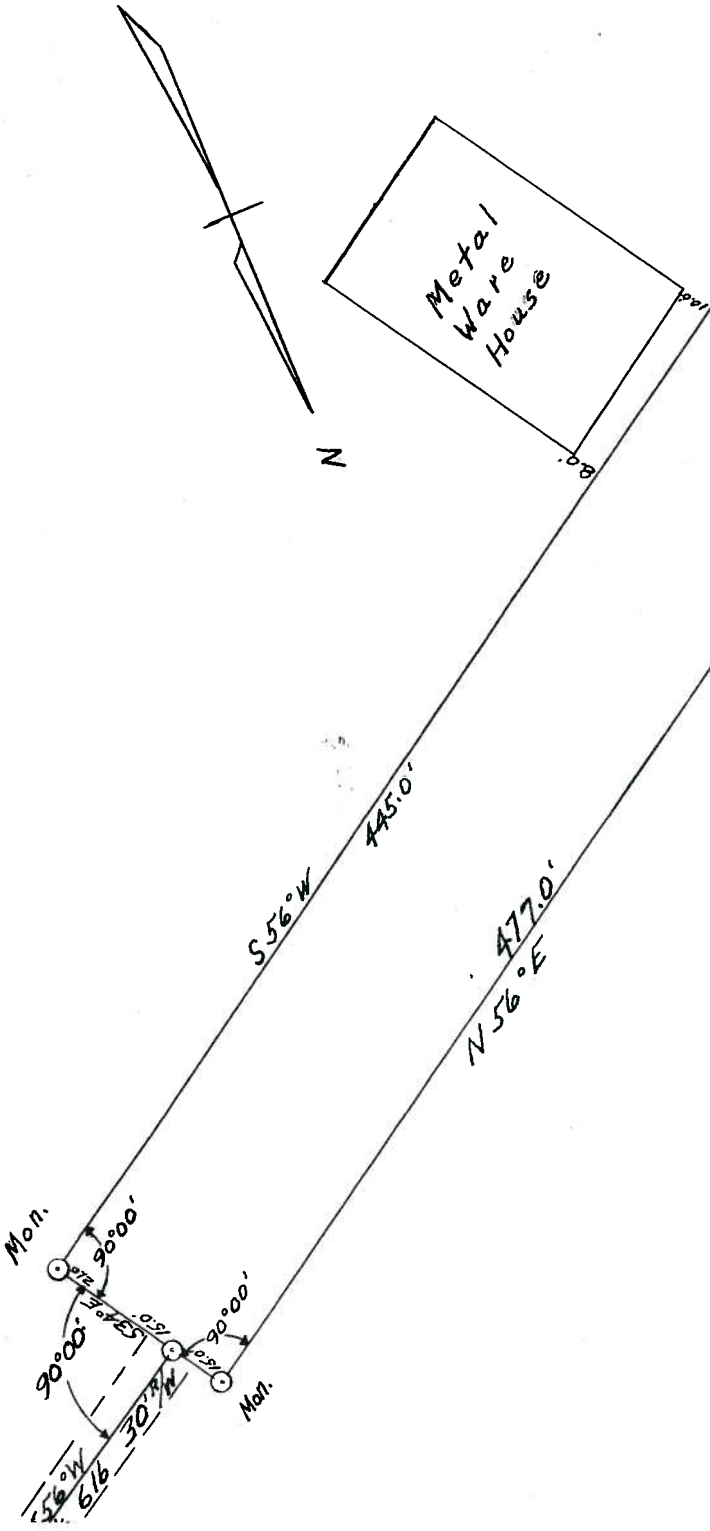
Warehouse property of
Louis Groh

Metal
Ware
House

370'
Large Frame
Dwl.

260'
Wooden
Porch
57.0'
Frame
Warehouse
Mon. 420.0'

GLoucester COUNTY
PUBLIC LANDING
KNOWN AS CLAY BANK LANDING
ON YORK RIVER AT END OF RT. 616
SCALE 1"=50'



Note: The bearings on this
landing were taken from the
records in the Clerks Office
S.R. Book #7 Page 344

Gloucester